

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2025 Legislative Session

Bill No. CB-047-2025

Chapter No. 36

Proposed and Presented by (The Chair – by request of the County Executive)

Introduced by Council Members Watson and Ivey

Co-Sponsors _____

Date of Introduction September 16, 2025

BILL

AN ACT concerning the

Building Code of Prince George’s County

For the purpose of updating the provisions of the Building Code of Prince George’s County (the “County”) to conform to the 2021 editions of the International Building Code, the International Mechanical Code, the International Energy Conservation Code, International Swimming Pool and Spa Code, International Existing Building Code, The National Fire Protection Association Life Safety Code The National Fire Protection Association Fire Code, The 2020 National Electrical Code, and the International Residential Code for One- and Two-Family Dwellings.

BY reenacting with amendments:

SUBTITLE 4. BUILDING

Sections 4-101, 4-102, 4-104, 4-106, 4-107, 4-108, 4-109, 4-110, 4-111, 4-112, 4-113, 4-118, 4-119, 4-123, 4-125, 4-127, 4-131, 4-135, 4-137, 4-141, 4-143, 4-151, 4-157, 4-158, 4-163, 4-165, 4-173, 4-181, 4-186, 4-187, 4-189, 4-190, 4-195, 4-196, 4-202, 4-203, 4-204, 4-205, 4-209, 4-210, 4-211, 4-231, 4-239, 4-240, 4-240.01, 4-241, 4-241.01, 4-242, 2-245, 4-246, 4-249, 4-250, 4-251, 4-252, 4-254, 4-345, 4-348, 4-351, and 4-352

The Prince George's County Code

(2023 Edition).

By repealing:

SUBTITLE 4. BUILDING.

Sections 4-153, 4-154, 4-155, 4-213, 4-214, 4-215, 4-216, 4-217, 4-218, 4-219, 4-220, 4-221, 4-222, 4-223, 4-224, 4-225, 4-226, 4-227, 4-228, 4-229, 4-246.01, and 4-248,

The Prince George's County Code
([2018] 2021 Edition).

By adding:

SUBTITLE 4. BUILDING.

Sections 4-189.02, 4-211, 4-212, 4-244, 4-244.01 and 4-244.02

The Prince George's County Code
(2023 Edition).

SUBTITLE 4. BUILDING.

DIVISION 1. BUILDING CODE.

SUBDIVISION 1. ADOPTION BY REFERENCE.

1 **Sec. 4-101. Code – Adopted by Reference.**

2 The following codes and standards are hereby adopted by reference and made a part of this
3 Subtitle with the same force and effect as those set out in full herein as the official Building Code
4 of Prince George's County, together with the changes, deletions, or modifications prescribed in
5 this Subtitle:

6 The International Building Code, [2018] 2021 Edition (hereinafter referred to as the 'IBC');

7 The International Mechanical Code, [2018] 2021 Edition (hereinafter referred to as the
8 'IMC');

9 The International Energy Conservation Code, [2018] 2021 Edition (hereinafter referred to
10 as the 'IECC'); and

11 The International Residential Code for One- and Two-Family Dwellings, [2018] 2021
12 Edition (hereinafter referred to as the 'IRC').

13 The International Swimming Pool and Spa Code, 2021 Edition (hereinafter referred to as
14 the 'ISPSC')

1 The International Existing Building Code [2018] 2021 Edition (hereinafter referred to as the
2 'IEBC').

3 The National Fire Protection Association Life Safety Code 101, 2021 Edition (hereinafter
4 referred to as the 'NFPA 101') as amended in Subtitle 11.

5 The National Fire Protection Association Fire Code 1, 2021 Edition (hereinafter referred to
6 as the 'NFPA 1') as amended in Subtitle 11.

7 The National Electrical Code (NEC), 2020 Edition (hereinafter referred to as the 'NEC') as
8 amended by Subtitle 9.

9 The following apply to the above-mentioned codes and the referenced and their Appendices:

10 (1) The provisions contained in the Appendices of above-mentioned codes may only be
11 utilized upon written approval by the code official/designee. DPIE has final
12 determination to either accept or refuse the use of Appendices.

13 (2) Where the codes/standards defer to the local jurisdiction to establish criteria, the code
14 official or designee shall publish such criteria.

15 [Updated](3) Standards. Where existing standards or requirements adopted herein have
16 been updated or superseded by the promulgating authority, such revised standard or requirement
17 shall be deemed as the current code adopted and as prima facie evidence of compliance with the
18 intent of the Subtitle.

19 Conflict with the Washington Suburban Sanitary Commission Plumbing and Fuel Gas
20 Code: If a conflict exists between the standards or requirements set forth in the adopted Codes
21 and the standards and requirements for plumbing and gasfitting as set forth in the Washington
22 Suburban Sanitary Commission Plumbing and Fuel Gas Code, the standards or requirements set
23 forth in the latter shall govern.

24 Exemption from Jurisdiction. The Building Code shall not apply to public premises,
25 including any buildings or other structures, owned by the United States Government, including

1 appurtenant structures and portions of premises, buildings, or other structures, that are under
 2 exclusive control of an officer of the United States government in his or her official
 3 capacity. The premises shall not be deemed to be under the exclusive control of an officer of the
 4 United States government where: (a) the premises (or any portions thereof) are leased to the
 5 United States of America, but the lessor is responsible for maintenance and repairs to the leased
 6 premises; or (b) the premises are owned by the United States of America, but leased to a person
 7 or persons other than the United States of America for development pursuant to a long-term
 8 ground lease or comparable property interest.

9 (2) Public Utilities Building. Unless approved by DPIE, a permit shall be required under
 10 the Building Code for the installation, alteration or repair of equipment and facilities used for
 11 generation, transmission, distribution, metering or treatment that is under the ownership or
 12 control of public service agencies subject to the jurisdiction of the Prince George’s County
 13 Public Services Commission or Washington Suburban Sanitation Commission. The Prince
 14 George’s County Public Service Commission has jurisdiction over the electric, natural gas and
 15 local telephone companies in the County.

16 **Sec. 4-102. Building, Mechanical, and Fire Code Official.**

17 The terms Building Official, Mechanical Official, and Fire Code Official as used in this
 18 code, the IBC, IMC, IECC, IRC, and IEBC shall mean the Building Code Official whom the
 19 Director of the Department shall designate. The term Fire Code Official shall mean the person as
 20 referenced under Prince George’s County Code, Subtitle 4, and Section 4-108. Where the name
 21 of the jurisdiction is to be indicated in any section of the IBC, IMC, IECC, IRC, and IEBC the
 22 name to be substituted therein shall be “Prince George’s County, Maryland.”

23 **Sec. 4-103. Public inspection.**

24 A copy of the IBC, IMC, IECC, IRC, IEBC, and ISPSC adopted by the Subdivision shall be
 25 marked as a master copy and maintained by the Clerk of the Council.

1 **Sec. 4-104. - Application of Administrative Provisions.**

2 The administrative provisions of the International Building Code, as amended, Sections [4-](#)
3 [106](#) through [4-121](#) shall control all administrative matters related to construction of buildings.

4 These provisions shall be applicable to the standards adopted in [Section 4-101](#) and shall be
5 construed to be in concert as if they were set out in the administrative provisions of those
6 standards. Where a conflict arises, the provisions of the sections here-in amended by the County
7 shall control.

8 **SUBDIVISION 2. AMENDMENTS TO THE INTERNATIONAL BUILDING CODE.**

9 **Sec. 4-105. Amendments, additions, and deletions.**

10 Any provision of the IBC, IMC, IECC, IRC, IEBC, and ISPSC adopted by this Subtitle
11 shall be changed, modified, added, or omitted as set out in Subdivision 2, and such change,
12 amendment, addition, or deletion shall be deemed to supersede the text of these codes in any case
13 where the provisions of this Subtitle are interpreted.

14 **Sec. 4-106. Administration; Section 101, General.**

15 (a) Exception to 101.2 Detached one- and two- family dwellings and multiple single
16 family dwellings (townhouses) not more than three (3) stories above grade plane, for maximum
17 of three (3) levels including lofts, a habitable story and attics with storage, in height with a
18 separate means of egress, and their accessory structures not more than one-story above grade
19 plane in height and less than three thousand (3,000) square feet in area, shall comply with the
20 International Residential Code (IRC).

21 (b) Subsection 101.4.8, Electrical. The provisions of Subtitle 9 of this Code and the
22 National Electrical Code shall apply to the installation of electrical systems, including
23 alterations, repairs, replacements, equipment, appliances, fixtures, fittings and appurtenances
24 thereto.

25 (c) Subsection 101.4.1, Gas. The provisions of the Washington Suburban Sanitary

1 Commission (“WSSC”) known as the WSSC Plumbing and Fuel Gas Code; the International
 2 Plumbing (“IPC”); and the International Fuel Gas Code (“IFGC”) shall apply to the installation
 3 of gas piping from point of delivery, gas appliances, and related accessories as covered in the
 4 Code.

5 (d) Subsection 101.4.3, Plumbing. The provisions of the Washington Suburban
 6 Sanitary Commission (“WSSC”) known as the WSSC Plumbing and Fuel Gas Code shall apply
 7 to the installation, alterations, repair or replacement of plumbing systems including alterations,
 8 repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

9 (e) Subsection 101.4.5, Applicability. Whenever this Code makes reference to the
 10 International Fire Code, the requirements of the National Fire Protection Association (NFPA) 1
 11 and Subtitle 11 of the Prince George’s County Code shall apply except where referenced in 2021
 12 IBC: Section 2702 Emergency and Standby Power Systems, Section 3111 Solar Energy Systems,
 13 Section 413 [2018] Combustible Storage, [and] Section 426, [2018] Combustible Dusts, Grain
 14 Processing and Storage, Section 427 Medical Gas Systems, Section 428 Higher Education
 15 Laboratories, and any Energy Storage Systems, Stationary Fuel Cell Power Systems, Electrical
 16 Energy Storage Systems (ESS) shall comply with the most stringent of NFPA 1 and 2021
 17 International Fire Code.

18 **Sec. 4-107. Administration; Section 102, Applicability.**

19 (a) Section 102.1, General. Where, in any specific case, different sections of this
 20 Code specify different materials, methods of construction, or other requirements, the most
 21 restrictive standard shall apply. In addition, where there is conflict between a general
 22 requirement and a specific requirement, the specific requirement shall apply.

23 (b) Section 102.2.1, Other Requirements. The requirement of Chapter 11,
 24 "Accessibility," that buildings which use turnstiles, cart corrals, or other interior or exterior
 25 traffic control devices and which are required to have a clearly marked route which shall not be

1 obstructed by locked gates during normal business hours, shall apply to all existing buildings.

2 (c) Section 102.3.1, Suspension of Approval. Whenever it is determined, however,
3 that there is documentary evidence that the use of a material or method approved herein would
4 constitute a distinct threat to life or property, the Director or the Director's designee shall have
5 the authority to administratively suspend approval granted herein of such material or method.
6 The Director or the Director's designee shall, within five (5) working days, request, in writing,
7 the County Council to confirm such administrative suspension by resolution of the Council. Such
8 written request of the Director or the Director's designee shall be submitted with sufficient
9 technical data and record of national or local testing to substantiate that the use of an approved
10 method or material would constitute a distinct hazard to life or property.

11 (d) Section 102.4.1, Conflicts. Where conflicts occur between provisions of this code
12 and referenced codes and standards, provisions of this code shall apply. Nothing in this Subtitle
13 shall be construed as rendering other Prince George's County Subtitles invalid.

14 Where conflicts occur between adopted or referenced codes and standards, the more
15 stringent adopted or referenced codes and standards code shall apply[.] unless the Code Official
16 or designee in his or her professional engineering judgement determines that the requested
17 modification based a conflict meets the intent of the code and the Code Official's decision does
18 not lessen health, accessibility, life and fire safety or structural requirements.

19 (e) Section 102.4.3, Updated Standards. Where existing standards or requirements adopted
20 herein have been updated or superseded by the promulgating authority, such revised standard or
21 requirement shall be deemed as prima facie evidence of compliance with the intent of the
22 Subtitle.

23 **Sec. 4-108. Administration; Section 103, Department of Building Safety.**

24 (a) Section 103.1 is amended to read as follows: ["Building Inspection."] The Building
25 Code Official shall be such person as the Director of the Department of Permitting, Inspections,

1 and Enforcement shall designate. The Fire Code Official shall be such person as the Director of
2 the Department of Permitting, Inspections, and Enforcement shall designate with the concurrence
3 of the Fire Chief. References in this Code to the term "Building Official or Code Official" shall
4 be meant to refer to the Building Code Official except in references to fire safety provisions in
5 which case the term "Building Official or Code Official" shall be meant to refer to the Fire Code
6 Official.

7 **Sec. 4-109. Administration; Section 104, Duties and Powers of Building Official.**

8 (a) Section 104.1.1 is added to read as follows: "Fire Safety Provisions." The Fire Code
9 Official or the Fire Code Official's authorized representative shall enforce all fire safety
10 provisions of this Code. Where references to fire safety provisions in this Code indicate the term
11 "Building Official or Code Official," they shall be construed to refer to the Fire Code Official or
12 the Fire Code Official's authorized representative. In any conflict of opinion concerning fire
13 safety of structures, the decision of the Fire Code Official shall supersede. In all other matters
14 relating to structures, the decision of the Building Code Official shall supersede. The Fire Code
15 Official shall be responsible for the final technical interpretation of all fire safety provisions
16 within this code.

17 (b) Section 104.7 is amended to read as follows: "Departmental Records." The Code
18 Official shall keep official records of applications received, permits and certificates issued, fees
19 collected, and reports of inspection hours. Construction Documents shall be retained in
20 accordance with Section 107.5 of this Code.

21 (c) Section 104.11 is modified to include the following language: When determined in the
22 opinion of the code official/designee, the applicant shall achieve compliance with future
23 edition(s) or portions thereof, of codes/standards adopted by the county, where the adopted
24 code/standard does not address, or where future edition(s) have more stringent requirements for
25 the scope of work proposed by the applicant.

1 [(c)] (d)Section 104.12 is added to read as follows: "Rulemaking Authority." The Code
 2 Official shall have authority as necessary in the interest of public health, safety, and general
 3 welfare, to adopt and promulgate rules and regulations, to interpret and implement the provisions
 4 of this Code to secure the intent thereof, and to designate requirements applicable because of
 5 local climate or other conditions. Such rules shall not have the effect of waiving the structural or
 6 fire performance requirements specifically provided for in this Code, nor shall such rules violate
 7 accepted engineering practice involving public safety.

8 **Sec. 4-110. Conflicts of Interest.**

9 Section 104.13 is added to read as follows: No official or employee of the Department shall
 10 directly or indirectly engage in any private work or business transaction or activity, which tends
 11 in any way to interfere with the performance of his or her duties, including:

12 (a) Furnishing of Services. Being engaged in, or directly or indirectly connected with, the
 13 furnishing of labor, materials or appliances for the construction, alteration or maintenance of a
 14 building under the jurisdiction of the County's Building Codes, or the preparation of plans or
 15 specifications of a building under the jurisdiction of the County's Building Code, unless the
 16 official or employee is the principal owner of the building.

17 (b) Conflict with Official Duties. Engaging in any private work or business which conflicts
 18 with official duties or with the interest of the Department.

19 **Sec. 4-111. Administration; Section 105, Permits.**

20 (a) Section 105.2, Work Exempt from Permit. Notwithstanding the foregoing, except
 21 for property located within Chesapeake Bay Critical Area Overlay Zones, permits shall not be
 22 required for the following, provided that the construction does not result in any violation of this
 23 Subtitle and the building codes: [a one-story detached accessory structure (tool, storage shed,
 24 playhouse and similar uses) on one- and two-family dwelling properties with less than one
 25 hundred fifty (150) square feet of floor space not designed or intended for occupation or

1 habitation and limited to one (1) accessory structure only per property; all forms of paving less
2 than five hundred (500) square feet except for parking surfaces; a retaining wall not greater than
3 two (2) feet in height unless supporting a structure; fence not greater than four (4) feet in height;
4 and satellite dishes not greater than two (2) feet in diameter and height. Permits shall not be
5 required for commercial properties, installation of siding, roofing, or storm door/window
6 installations, provided that no construction is involved.]

7 1. Building Permits:

8 (a) A one-story detached accessory structure (tool, storage shed, playhouse and
9 similar uses) on one- and two-family dwelling properties with less than one hundred fifty
10 (150) square feet of floor space not designed or intended for occupation or habitation and
11 limited to one (1) accessory structure only per property.

12 (b) All forms of impervious area less than five hundred (500) square feet except for
13 parking surfaces (per property/lot) and except for impervious area in the public road right of
14 way.

15 (c) A retaining wall not greater than two (2) feet in height unless supporting a
16 structure.

17 (d) Fence(s) (4) feet or less in height a permit is not required except fences on a
18 corner lot per Subtitle 27-421.

19 (1) Any component of fencing, regardless of height, that obstructs the public
20 or private pedestrian path, building structure, access to a cross-walk or sidewalk, or other
21 paved portion of the right-of-way; shall be prohibited,

22 (e) Satellite dish(es) not greater than two (2) feet in diameter and height.

23 (f) Residential: Installation of siding including vinyl siding replacement, roofing, or
24 storm door/window installations, provided that no construction is involved.

25 (g) Painting, papering, tiling (floor), carpeting, installation of cabinets, countertops

1 and similar finish work.

2 (h) Prefabricated swimming pools accessory to a one- and two-family dwelling
 3 occupancy (not any other use group or public swimming pool) that are less than 24 inches
 4 deep, are not greater than 5,000 gallons and are installed entirely above ground provided a
 5 four-foot fence is installed around the pool perimeter.

6 (i) Swings and other playground equipment accessory to detached one- and two-
 7 family dwelling.

8 (j) An agricultural building per Maryland Code, Pub. Safety § 12-508 and Subtitle
 9 27. Consult with Prince George’s Soil Conservation District for approval/permitting
 10 requirements.

11 (k) Unless required by the Code Official or designee, replacement (in-kind) of non-
 12 fire rated interior/exterior doors, with same door hardware and windows with no structural
 13 modification.

14 (l) If any of the above activities in this Section result in land disturbance that exceeds
 15 5,000 square feet, exceeds 100 cubic yards of earth, and/or exceeds twelve inches of grade
 16 change, then a grading permit is required in accordance with Subtitle 32-127.

17 (m) If any of the above activities in this Section alter drainage patterns, then a permit
 18 is required.

19 (n) If any of the above activities involve the clearing of trees and/or woodland, the
 20 permittee shall receive approval or an exemption from The Maryland–National Capital Park and
 21 Planning Commission pertaining to tree conservation.

22 2. Mechanical Permits:

23 (a) Portable heating appliance.

24 (b) Portable ventilation equipment.

25 (c) Portable cooling unit.

- 1 (d) Modification of steam, hot or chilled water piping within any heating or cooling
- 2 equipment regulated by this code that does not alter its approval (Listing) or make
- 3 it unsafe.
- 4 (e) Replacement of any part that does not alter its approval (Listing) or make it
- 5 unsafe.
- 6 (f) Portable evaporative cooler.
- 7 (g) Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of
- 8 refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
- 9 (h) One-to-one in-kind replacement of plug-in appliances.
- 10 (i) Replacement of gas appliances shall require a permit from Washington Suburban
- 11 Sanitary Commission.

12 3. Electrical

13 (a) Repairs and maintenance: Minor repair work, including the replacement of

14 lamps or the connection of approved portable electrical equipment to approved permanently

15 installed receptacles.

16 4. Repairs/Replacement Permits

17 (a) Ordinary repairs and replacements, other than those that include cutting

18 away of any wall, partition or portion thereof, the removal or cutting of any structural beam

19 or load-bearing support, or the removal or change of any required means of egress, or

20 rearrangement of parts of a structure affecting the egress requirements; or include additions

21 to, alteration of, replacement or relocation of water supply, sewer, drainage, drain leader, gas,

22 soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting

23 public health or general safety.

24 (b) Ordinary repairs shall include replacement-in-kind of the following:

- 25 (1) Siding, roofing, gutters, leaders and downspouts, private sidewalks,

1 driveways, patios, awnings and canopies (repair only), equipment, cabinets, slabs, handrails,
2 window screens, or storm doors.

3 (2) Not more than 80 square feet (7.4 sq. meters) of gypsum board (dry wall)
4 excluding installation of fire-rated gypsum wall board or shaft liner.

5 (c) Repair of non-fire rated interior/exterior doors and windows with no structural
6 modification.

7 (d) Computation of the cost of repairs for purposes of this Section shall exclude
8 carpeting replacement, electrical panel capacity upgrades, painting, wallpapering, re-grading
9 and landscaping, lighting fixture replacements, appliance replacements, bathroom cabinetry
10 and fixture replacements, and modifications necessary to comply with the Americans with
11 Disabilities Act ("ADA") requirements. Each street address shall be considered a separate
12 dwelling for application of this Section. All repairs for which a building permit is required
13 that are conducted within a 365-day period shall be deemed a single cumulative repair cost
14 for purposes of the application of this Section.

15 (b) Section 105.2.2.1, Historic Area Work Permit Requirement. Notwithstanding the
16 provisions of Section 105.2.2, a Historic Area Work Permit must be issued by the Historic
17 Preservation Commission prior to any work on the exterior features of a property that contains a
18 historic site or unclassified historic resource identified on the master plan for historic
19 preservation or that is located within a local historic district. At the time the Historic Area Work
20 Permit is issued, the Historic Preservation Commission shall notify the Director, or the Director's
21 designee by transmitting a copy of the Historic Area Work Permit to the Director. The Director,
22 or the Director's designee shall maintain and enroll the Historic Area Work Permit into the
23 registry of issued permits maintained by the Director. The Director shall not require the issuance
24 of a County building permit for ordinary repairs as defined in Section 105.2.2, or for ordinary
25 maintenance as defined in [Section 29-107](#)(d), in addition to any Historic Area Work Permit that

1 is determined by the Historic Preservation Commission to be required.

2 (c) Section 105.2.2.2, Inventory of Historic Sites, Properties within Local Historic
3 Districts, and Unclassified Historic Resources. The Director, or the Director's designee shall
4 maintain an electronic inventory of historic sites, properties within local historic districts, and
5 unclassified historic resources in Prince George's County. The Historic Preservation Commission
6 shall transmit the listing of historic sites, properties within local historic districts, and
7 unclassified historic resources to the Director or the Director's designee on or about January 1
8 and July 1 of each year. The listing shall be utilized to notify the Director or his Designee and
9 applicants for County building permits issued by the Director or his Designee that the Historic
10 Area Work Permit requirement described in Sec. 105.2.2.1 applies to any property that contains a
11 historic site or unclassified historic resource or is located within a local historic district. The
12 Director and/or his Designee shall not issue any permits for a property that contains a historic
13 site or unclassified historic resource or is located within a local historic district, unless the
14 Historic Preservation Commission has first issued a Historic Area Work Permit as required under
15 Sec. 105.2.2.1.

16 [(d) Section 105.2.3, Repairs. Application or notice to the Director or the Director's
17 designee is not required for ordinary repairs to structures, replacement of lamps or the
18 connection of approved portable electrical equipment to approved permanently installed
19 receptacles. Ordinary repairs shall include the replacement in kind of the following: siding,
20 roofing, gutters, leaders and downspouts, private sidewalks, driveways, patios, awnings and
21 canopies, equipment, cabinets, slabs, handrails, window screens, storm doors, not more than 80
22 square feet (7.4 sq. meters) of gypsum board excluding installation of fire rated gypsum wall
23 board or shaft liner, and recirculation range hoods.]

24 [(e) Section 105.2.3.1, Repairs to Residential Structures. Use Group R-1, Use Group
25 R-2, Use Group R-3, and Use Group R-4 which, because of lack of maintenance or structural

1 damage due to a fire, explosion, or natural causes, undergo repairs or renovations which, in the
2 opinion of the Director or the Director's designee, exceed fifty percent (50%) of the building
3 shall have an approved automatic fire sprinkler system installed throughout the building as part
4 of the scope of repairs to be completed.]

5 [(f)] (d) Section 105.3.1.1, Required Documents for Permits Application. The application
6 shall include: (1) any and all documents showing the business partners of the owner or lessee
7 involved in the operation and or ownership of the building structure or use for which the permit
8 is being sought; (2) any and all organizational documentation of the entity that owns, uses or
9 leases the building or structure; (3) any and all documents showing who will operate the
10 business; and (4) any other data and information supported by documentation that is required by
11 the Director or the Director's designee deemed necessary for furtherance of the intent of this
12 Code.

13 [(g)] (e) Section 105.3.1.2, Review of Application. The application will be reviewed to
14 ensure that it conforms with all the requirements of the pertinent laws, including but not limited
15 to the requirements of this Code, State and local laws and ordinances. An application for a permit
16 will be reviewed by the Director or the Director's designee, in consultation with the Police
17 Department and the Fire/EMS Department. The Director or the Director's designee shall have the
18 authority to deny any application under the provisions of this Division and shall also have the
19 authority to deny an application upon a violation of this Division.

20 [(h)] (f) Section 105.3.1.3, Application Exemption. The Director or the Director's designee
21 may refuse to accept an application for a permit from any applicant: (1) who is or was in default
22 on a previously issued permit, or who is the permittee listed on an expired permit which is not
23 currently in the process of being extended by County administrative action, or who has not fully
24 complied with the application process; (2) for any other reason the Director or the Director's
25 designee deems necessary in furtherance of the intent of this Code; or (3) for any reason that is

1 necessary to maintain the health, safety and welfare of the public.

2 [(i)] (g) Section 105.3.1.4, By Whom an Application is Made. Application for a permit
3 shall be made by the owner or lessee of the building or structure, or the agent of either, or by the
4 licensed engineer or architect employed in connection with the proposed work. If the application
5 is made by a person other than the owner in fee, the applicant shall attest on the permit
6 application or by separate written statement, that the proposed work is authorized by the owner
7 in fee and that the applicant is authorized to make such application. The full names and addresses
8 of the owner, lessee, applicant, and the responsible officer if the owner or lessee is a corporate
9 body, shall be stated on the application. Subsequent permits will be issued in the name of the
10 owner of record at time of permit issuance.

11 [(j)] (h) Section 105.3.2, Time Limitation of an Application. An application for a permit
12 for any proposed work shall be deemed to have been abandoned twelve (12) months after the
13 date of filing, unless such application has been diligently pursued in good faith or a permit has
14 been issued. Extensions of time may be authorized by the Director or the Director's designee.
15 The Director or the Director's designee may request any documentation or certification deemed
16 necessary and assess an extension fee as appropriate.

17 [(k)] (i) Section 105.5, Expiration. Every permit issued shall become invalid unless the
18 work on the site authorized by such permit is commenced within one hundred eighty (180) days
19 after the issuance, or if the work authorized on the site by such permit is suspended or abandoned
20 for a period of one hundred eighty (180) days after the time the work is commenced. The
21 Director or the Director's designee is authorized to grant, in writing, one or more extensions of
22 time, for periods not more than one hundred eighty (180) days each. The extension shall be
23 requested in writing and justifiable cause shall be demonstrated. Any permit issued for property
24 within the area of a pending Sectional Map Amendment (as provided for in the County Zoning
25 Ordinance) that is rezoned to a less intense zone, shall expire on its own terms upon approval of

1 the Sectional Map Amendment by the District Council if a completed building foundation for a
2 use not permitted in the less intense zone has not been completed. The Director or the Director's
3 designee shall notify the permit holder of the expiration of the permit.

4 [(l)] (j) Section 105.5.1, Expiration of Permit and Correction of Code Violations. Any
5 permit issued for residential property to correct a building code or housing code violation issued
6 pursuant to Subtitle 4 or Subtitle 13 of the County Code shall be issued only for a period of time
7 reasonably necessary to correct the violation, not to exceed ninety (90) days. The initial period of
8 the permit shall be established by the Director or the Director's designee based upon the extent of
9 the work required to correct the violation. The permit may be extended or renewed for an
10 additional period of one hundred eighty (180) days if, in the opinion of the Director or the
11 Director's designee, the applicant has demonstrated substantial progress to complete the work in
12 accordance with the permit and has demonstrated substantial justification for failure to complete
13 the work within the period of the permit. The Board of Administrative Appeals shall have no
14 authority to grant an extension to the period of the permit.

15 [(m)] (k) Section 105.9, Building Location. No permit for building shall be issued for a
16 structure that overlaps the County line. Location of the County line on the site plan shall be
17 certified by a Professional Land Surveyor.

18 [(n)] (l) Section 105.10, Date and Hours of Operation Limits. All permits shall be issued
19 with date and hours of operation limits listed as determined by the Director or the Director's
20 designee. All permits shall be issued indicating that no work shall be performed during the hours
21 of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to [Section 4-120](#) of this Subtitle.

22 [(o)] (m) Section 105.1.3, After Hours Permit. Any request to work pursuant to a permit
23 beyond permitted construction hours shall be made by application to the Code Official and shall
24 be subject to noise regulations of Prince George's County Code and in accordance with the fee
25 schedule established in [Sec. 2-253.63](#). No after-hours permit shall be issued for work in an area

1 zoned "residential" under the Zoning Regulations then in effect, or in an area within 500 feet
2 (152 400 mm) of such residential zone, or within 500 feet (152 400 mm) of a building with
3 sleeping quarters, unless the Code Official determines that not issuing such permit would pose a
4 threat to public safety, health and welfare.

5 **Sec. 4-112. - Administration; Section 105, Permits.**

6 [(a)] [A new Subsection 105.5.1, Expiration of Permit. Any permit issued for property
7 within the area of a pending Sectional Map Amendment, as provided for in Subtitle 27 of this
8 Code, that is rezoned to a less intense zone, shall expire on its own terms upon approval of the
9 Sectional Map Amendment by the District Council, if a completed building foundation for a use
10 not permitted in the less intense zone has not been completed. The Director or the Director's
11 designee shall notify the permit holder of the expiration of the permit.]

12 [(b)] [A new Subsection 105.5.2, Expiration of Permit; Correction of Code Violations.
13 Any permit issued for residential property to correct a building code or housing code violation,
14 issued pursuant to Subtitle 4 or Subtitle 13 of this Code, shall be issued only for a period of time
15 reasonably necessary to correct the violation, not to exceed 90 days. The initial period of the
16 permit shall be established by the Director or the Director's designee based upon the extent of the
17 work required to correct the violation. The permit may be extended or renewed for an additional
18 period of 180 days if, in the opinion of the Director or the Director's designee, the applicant has
19 demonstrated substantial progress to complete the work in accordance with the permit and has
20 demonstrated substantial justification for failure to complete the work within the period of the
21 permit. The Board of Appeals shall have no authority to grant an extension to the period of the
22 permit.]

23 (a) Section 105.6, Suspension or Revocation and Reissuance of Permits. Section 105.6,
24 Suspension or Revocation and Reissuance of Permits. The Director or the Director's designee is
25 authorized to suspend or revoke a permit issued under the provisions of this Code as follows: (1)

1 whenever the permit is issued in error, (2) incorrectly, (3) inaccurately, (4) in an incomplete
2 manner, (5) for any reason that is necessary to maintain the health, safety and welfare of the
3 public, (6) in violation of any ordinance, regulation or any of the provisions of this Code, and (7)
4 the Director or the Director's designee, in consultation with the Police Department and the
5 Fire/EMS Department, shall have the authority to deny, suspend, or revoke any application or
6 permit under the provisions of this Division and upon a violation of this Division. In addition, the
7 failure to have utility lines located on site through the Utility Service Protection Center ("Miss
8 Utility") and any nonmember utilities prior to starting any excavation deeper than twelve (12)
9 inches will result in permit revocation."

10 (1) A permit under which no work [is] has commenced and an inspection has not
11 been performed within one hundred eighty (180) days after issuance shall expire and become
12 null and void; provided, however, that the Director or the Director's designee may extend the
13 time herein not to exceed an additional one hundred eighty (180) days upon sufficient
14 justification shown.

15 (2) A permit under which work has been started and later suspended or discontinued
16 shall expire and become null and void six (6) months after the work has stopped. Work will be
17 considered suspended or discontinued when the builder fails to prosecute the work so as to
18 ensure completion within a reasonable period of time considering the type of construction
19 involved. The Director or the Director's designee may extend the time herein not to exceed an
20 additional twelve (12) months upon sufficient justification shown.

21 (3) A permit issued in error or not in compliance with County Code at time of
22 issuance may be suspended by the Director or the Director's designee.

23 (4) When a permit has expired for failure to commence work, it may be renewed
24 within a period of thirty (30) days from the date of expiration if the conditions under which the
25 permit was originally issued have remained unchanged and there has been no change in law or

1 ordinance that would adversely affect the permit. A fee shall be collected for each renewal;
2 however, no permit may be renewed more than two (2) times.

3 (5) Whenever the Director or the Director's designee determines by inspection that
4 work started on any building or structure for which a permit has been issued has been suspended
5 for a period of six (6) months, the owner of the property upon which the structure is located, or
6 other person or agent in control of said property, shall, within thirty (30) days from the receipt of
7 written notice from the Department, obtain a new or renewal permit to complete the required
8 work and diligently pursue the work to completion, or shall remove work not completed or
9 demolish the incomplete structures or buildings within sixty (60) days from the date of the
10 printed notice.

11 (6) Permits suspended for failure to comply with the County Code or ordinances may
12 be reinstated by the Director or the Director's designee upon compliance or approved validation.

13 (7) A permit issued for property within the area of a pending Sectional Map
14 Amendment, as provided for in Subtitle 27 of this Code, that is rezoned to a less intense zone,
15 shall expire if a completed building foundation for a use not permitted in the less intense zone
16 has not been constructed pursuant to a validly issued permit prior to District Council approval of
17 the Sectional Map Amendment. The determination of the Director or the Director's designee
18 made in accordance with Subsection 105.5.1 of this Subtitle shall not be appealable to the Board
19 of Appeals.

20 (8) The Director or the Director's designee may reissue a permit subject to all
21 applicable laws or regulations in effect at the time the permit was originally issued, for a period
22 not to exceed one (1) year after expiration provided that:

23 (A) The County Executive, by Executive Order, has made a finding of
24 severe economic factors adversely affecting real estate development and construction in the
25 County during a specified period and the County Council has been notified by the County

1 Executive of such finding at least seven (7) days prior to issuance of the Executive Order;

2 (B) There is a reasonable showing that these economic factors contributed
3 to the expiration of the permit;

4 (C) There has been no change in the zoning of the property which would
5 affect the issuance of the permit; and

6 (D) A processing fee has been paid in an amount equal to the amount that
7 would be required if the permit was renewed.

8 (b)[(d)]Subsection 105.6.1, Revocation of Permits. In addition, the failure to locate utility
9 lines on site, prior to starting any excavation deeper than twelve (12) inches, by not contacting in
10 due time the Utility Service Protection Center, "Miss Utility," and nonmember utilities, as
11 known, and having such utilities locate lines on site, shall be cause - irrespective of whether or
12 not a utility line is ruptured - for revocation of the permit. In order to continue work for which a
13 permit has been revoked, a new application shall be required as specified in Section 105, Permits
14 of IBC/IRC.

15 (c) [(e)] A new 105.1.3.4 Post Construction Permit. Any owner cited for unpermitted
16 construction shall be required to obtain a "Post Construction Permit" to complete and certify that
17 the unpermitted construction is in compliance with the Code or to remove the unpermitted work.
18 The Post Construction Permit fee must be paid in addition to any other fees required to obtain
19 permits.

20 (1) Post construction plans submitted for approval must be certified by a Maryland
21 Registered Professional Engineer (PE) or a Maryland Licensed Architect.

22 (d) Section 105.7 - Posting of permit. The permit, or a copy thereof, shall be kept on the
23 work site and conspicuously displayed at a location visible from the street until the completion of
24 work for which the permit is issued.

25 **Sec. 4-113. - Administration; Section 107, Submittal Documents.**

1 (a) Amend section 107.2.1 of IBC to include the following:

2 (1) All construction documents shall be:

3 (i) Drawings to scale (1/8" = 1' - 0" minimum as determined by the
4 Code Official or designee.)

5 (ii) Maximum sheet size 24 x 36

6 (iii) No pencil/No handwriting

7 (iv) Title block that includes project address and design professional's
8 contact information including e-mail address

9 (v) Signed and sealed plans (original/digital signature) with
10 Maryland State License #, Expiration Date and Professional Statement, where applicable or
11 when required by Code Official or designee.

12 (vi) Key plan showing proposed location within a building when
13 space is not within a standalone building

14 (vii) Energy Calculation, where applicable or when required by code
15 official or designee

16 (viii) Code Analysis indicating applicable codes with the code editions

17 (a) Building data including:

18 (1) Construction Type (as per IBC)

19 (2) Use Group Classification(s) (as per IBC)

20 (3) Height and number of stories

21 (4) Area (square footage) of building, each floor and of
22 tenant space

23 (5) Indicate if any fire protection systems and type are
24 present (fire alarm, sprinkler, smoke detection, smoke control, voice alarm, etc.)

25 (6) Occupant load calculation (Include the area of each

1 room/space, occupant load factor used, occupant load of each room/space and the total occupant
2 load for the entire tenant space.)

3 [(a)] (b) Section 107. 2.5.9., Location of Underground Utility Lines Prior to Commencement
4 of Work. For all work that requires excavation deeper than twelve (12) inches, the permit
5 holder (permittee) accepting the permit agrees to contact the Utility Service Protection
6 Center, "Miss Utility," and nonmember utility companies, as known, in due time and prior to
7 beginning any excavation work for the purpose of having each utility company locate its
8 lines on site. In the event that the permittee fails to obtain the services of the utilities, then in
9 such event, and irrespective of whether or not a utility line is ruptured, the Director or the
10 Director's designee may revoke the building or grading permit, or both. In such event, all fees
11 paid to the County shall be forfeited and, in order to continue work, a new application with
12 requisite fee for a permit shall be filed. Drawings shall be reexamined to determine that all
13 utilities have been located and verified by the utility companies having knowledge of the
14 location of such underground utilities. However, in the event any or all of the respective
15 utility companies fail to furnish the requisite information to the permittee within a reasonable
16 period of time as determined by the Director or the Director's designee under all of the
17 circumstances, then, in such event, the foregoing revocation provisions shall not apply.

18 [(b)] (c) Section 107.2.10. Acknowledgement of Final Grade. Builders and developers shall
19 place on record with each utility company a written acknowledgment that final grade has
20 been achieved to within six (6) inches. Utility lines shall not be installed until such
21 acknowledgment has been received by the utilities.

22 [(c)] (d) Section 107.11., Fire Protection Engineering Design Evaluation (FPEDE). All plans
23 and specifications for which a building permit is required for buildings of the Use Groups
24 listed in this Section shall be evaluated in accordance with the requirements of this Section
25 for design compliance with adopted fire related code requirements concerning:

- 1 (1) Documentation of the title and edition of all applicable State and local
2 Building and Fire codes and standards, and amendments thereto, on which the
3 design is based;
- 4 (2) Designated Use Group Classification(s) of all spaces;
- 5 (3) Type of construction requirements identified, with supportive calculations;
- 6 (4) Documentation of fire endurance ratings of structural elements and related
7 components (walls, floors, roofs, parapets, opening protectives);
- 8 (5) Height and area calculations and limitation compliance and required property
9 line setback criteria;
- 10 (6) Occupant load calculations and egress capacity and travel distance analysis;
- 11 (7) Interior finishes analysis;
- 12 (8) Fire protection systems required (suppression, fire alarm, smoke detection,
13 heat detection, smoke control, other required fire protection systems);
- 14 (9) Fire hydrant locations, fire department connection locations, and emergency
15 fire and medical vehicle access;
- 16 (10) Emergency lighting and emergency power systems;
- 17 (11) Applicable provisions of Chapter 4 of the IBC, "Special Detailed
18 Requirements Based on Use and Occupancy"; and
- 19 (12) Compliance with applicable NFPA Codes and Standards for specific
20 processes, materials, or hazards which are referenced within the IBC, [or] the
21 NFPA 101, Life Safety Code or NFPA 1 Fire Code. A written Fire Protection
22 Engineering Design Evaluation (FPEDE) concerning these items shall be
23 submitted with the plans accompanying the application for a building permit.
24 It shall be in the format established by the Director or the Director's designee
25 and shall be signed and sealed by the preparer. If, in the course of performing

1 the FPEDE, the evaluating fire protection engineer determines that there are
 2 fire related code deficiencies in the drawing or specifications, all such
 3 deficiencies shall be remedied prior to the submittal of the FPEDE and the
 4 building permit application and drawings. A tracking of the deficiencies and
 5 their resolution must be included.

6 The FPEDE must include a signed and sealed statement by both the evaluating
 7 fire protection engineer and the engineer or architect of record attesting:

8 "These drawings and specifications are in full compliance with the fire safety
 9 provisions of all adopted State and local Building Code, Fire Codes,
 10 Mechanical Codes, local amendments and referenced codes and standards to
 11 the best of their knowledge and belief."

12 (13) A firm or person conducting FPEDE must be independent from the
 13 design team.

14 [(d)] (e) Section 107.3.11.1, Use Groups and Fire Protection Systems Requiring a Fire
 15 Protection Engineering Design Evaluation (FPEDE) unless otherwise determined by the
 16 Code Official. A FPEDE is required for the following buildings or fire protection systems for
 17 which a building permit application is made:

- 18 (1) Use Group "A", Assembly, with an occupant load of one thousand (1,000)
 19 persons or more for a new building, an addition to an existing Assembly
 20 building or occupancy change of a building to an Assembly occupant type;
- 21 (2) Use Group "H", High Hazard; For new building, an addition to an existing
 22 building or occupancy change when exceeding a construction cost of
 23 \$100,000 or the area of work exceeds 1,000 square feet.
- 24 (3) Use Groups "I-2" and "I-3", Institutional; For new building, an addition to
 25 an existing building or occupancy change when exceeding a construction

1 cost of \$100,000 or the area of work exceeds 1,000 square feet.

- 2 (4) Use Group "M" exceeding thirty thousand (30,000) square feet in gross
 3 area, including all covered malls and open malls exceeding thirty thousand
 4 (30,000) square feet in gross area;
- 5 (5) Use Groups R-1 and R-2 with an estimated construction cost of Ten (10)
 6 Million Dollars (\$10,000,000.00) or more;
- 7 (6) Any Use Group when deemed necessary by the Director or the Director's
 8 designee due to complexity or scope of the design;
- 9 (7) Any automatic fire suppression, fire detection, fire alarm or smoke
 10 management system shop drawings when deemed necessary by the
 11 Director or the Director's designee due to complexity or scope of the
 12 design;
- 13 (8) Any building design for a Use Group when deemed necessary by the
 14 Director or the Director's designee due to submission of drawings
 15 containing extensive or repeated code deficiencies, which create an undue
 16 burden upon the review process.
- 17 (9) The completed FPEDE must be submitted with the initial plan submission
 18 for the review to take place. The FPEDE must include any comments given
 19 during the review and how they were remedied as part of the report
 20 submitted for review.

21 [(e)] (f) Section 107.3.11.2, Qualifications of Fire Protection Engineering Design Evaluation
 22 (FPEDE) Preparer. The FPEDE must be prepared by a Fire Protection Engineer who is a
 23 registered professional engineer in the State of Maryland. The preparer must also possess:

- 24 (1) A Bachelor of Science degree in Fire Protection Engineering from an
 25 Accreditation Board for Engineering and Technology (ABET) accredited

1 University; or

2 (2) At least five (5) years of documented experience as a professional
 3 engineer in the review and evaluation of buildings and fire protection systems
 4 for code compliance; and

5 (3) Verification of qualifications must be provided with each FPEDE
 6 submission to verify qualifications, if requested by the Director or the
 7 Director's designee.

8 [(f)] (g) Section 107.3.3.1, Approval of Partial Plans. The code official is authorized to issue
 9 a partial permit for the construction of foundations or any other part of a building or structure
 10 before the entire plans and specifications for the whole building or structure have been
 11 submitted, provided adequate information and detailed statements have been filed complying
 12 with all pertinent requirements of the County Building Code. Issuance of a partial permit by
 13 the code official does not constitute assurance that a permit for the entire structure will be
 14 granted. The holder of such partial permit for the foundations or other part of a building or
 15 structure will proceed with the building operation at the holder's own risk and without
 16 assurance that a permit for the entire structure will be granted.

17 [(g)] (h) Transitory Provisions

18 (1) Applicable Codes. The laws and regulations in force on the date that a new
 19 edition of the Construction Codes are adopted pursuant to [Section 122, shall remain in effect for
 20 the purposes specified in Sections 123.1.1 through 123.1.4.] the sections below.

21 (2) Existing Valid Permit. Work authorized by a permit issued before the
 22 effective date of the new edition of the Construction Codes shall be allowed to be carried to
 23 completion, subject to the conditions of Sections 105.5 and 105.6.

24 (3) Existing Filed Application. Applications for permits for which the
 25 application filing deposit has been paid before the effective date of the new edition of the

1 Construction Codes, pursuant to Section 108.2.1.1, shall be allowed to be processed to issuance
2 of the permit, and any work authorized thereby shall be allowed to be carried to completion,
3 under the edition of the Construction Codes in effect on the date said applications were filed,
4 subject to the following conditions:

5 (a) Each such application shall have been filed accompanied by plans and
6 other information conforming to Sections 106.1 and 106.1.1, sufficiently complete to allow
7 processing of the permit without substantial change or deviation;

8 (b) Each such permit shall be paid in full and taken out by the applicant within
9 one year after the effective date of the new edition of the Construction Codes;

10 (c) All work authorized by such permit shall be carried to completion under
11 the terms of the permit; and

12 (d) Permits granted under Section 123.1.2 shall not be extended if permitted
13 to expire, pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.

14 (4) Existing Design Contracts. Buildings and other structures under contract for design
15 on the effective date of the new edition of the Construction Codes, for which no permit
16 applications have been filed, shall be allowed to be filed, processed to issuance of permit, and
17 any work authorized thereby shall be allowed to be carried to completion, under the previous
18 edition of the Construction Codes, subject to the following conditions:

19 (a) The applicant shall file the permit application, accompanied by plans and
20 other information conforming to Sections 106.1 and 106.1.1 of the new edition of the
21 Construction Codes, sufficiently complete to allow processing of the permit without substantial
22 change or deviation, within one year after the effective date of the new edition of the
23 Construction Codes;

24 (b) The applicant shall submit a copy of the design contract, with a notarized
25 affidavit stating that the submitted copy is a true and accurate copy of the contract for the design

1 of the building or other structure, that the contract was in effect on or before the effective date of
 2 the Construction Codes, and that the design submitted with the permit application was made
 3 under such contract;

4 (c) The permit shall be obtained, and the permit fee paid in full by the
 5 applicant within one year after the filing date;

6 (d) All work authorized by such permit shall be carried to completion under
 7 the terms of the permit; and

8 (e) Permits granted under Section 123.1.3 shall not be extended if permitted
 9 to expire pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.

10 (5) Tenant Layout Permits. The work necessary to finish the interior layout of every
 11 tenant space of a building permitted under previous editions of the Construction Codes for first
 12 occupancy of each such tenant space, shall be considered part of the completion of said building,
 13 and the permits for such tenant work shall be allowed to be processed under the same edition of
 14 the Construction Codes as the base building permit utilizing IEBC, regardless of when the tenant
 15 layout project began.

16 (6) Violations or Infractions. The laws and regulations in force on the date that a new
 17 edition of the Construction Codes is adopted [pursuant to Section 122] and shall apply with
 18 respect to violations or infractions committed prior to said date, whether the prosecutions or
 19 adjudications of those violations of infractions are begun before or after said date.

20 **Sec. 4-114. Through Sec. 4-115. Reserved.**

21 **Sec. 4-116 - Administration; Section 114, Violations.**

22 (a) Section 114.2 of the IBC is amended to read as follows:

23 "Notice of Violation"

24 114.2.1 Issuance of Notice of Violation

25 The Building Official is authorized to serve a notice of violation or order on the person

1 responsible for the erection, construction, alteration, extension, repair, moving, removal,
2 demolition or occupancy of a building or structure in violation of the provisions of this
3 code, or in violation of a detail statement or a plan approved thereunder, or in violation of
4 a permit or certificate issued under the provisions of this code. Such order shall direct the
5 discontinuance of the illegal action or condition and the abatement of the violation.

6 114.2.2 Administrative Lien

7 Upon issuance of a notice of violation, the Building Official may place an administrative
8 lien on the property that shall serve as notice to prospective purchasers, lessees, or other
9 transferees. The Building Official may release the administrative lien upon abatement or
10 correction of the underlying violation(s) giving rise to the notice of violation or upon
11 verification that the prospective purchaser, lessee, or other transferee has been notified of
12 the existence of the Stop Work Order.

13 (b) Section 114.4 of the IBC is amended to read as follows: "Violation Penalties"

14 114.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or
15 combination thereof who shall violate a provision of the International Building Code
16 (IBC) or of this Subtitle, or fail to comply with any of the requirements thereof, violates a
17 lawful order issued thereunder, or any person who shall erect, construct, alter, or repair a
18 building or structure or mechanical or electrical system without all required permits or in
19 violation of an approved plan or directive of the Building Official, or of a permit or
20 certificate issued under the provisions of this Subtitle or the IBC may be liable for a civil
21 fine in accordance with the provisions of this section. A civil fine imposed under this
22 subsection is in addition to any other sanction provided by law.

23 A civil fine may be assessed in conjunction with a written notice of violation or through
24 the issuance of a civil citation or an administrative citation in accordance with the
25 provisions of this Subtitle.

1 114.4.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed
2 through a notice of violation, the notice of violation shall state the amount of the civil
3 fine and a description of the circumstances giving rise to the assessment. A civil fine
4 imposed through a notice of violation shall be one thousand dollars (\$1,000) per
5 violation. Each day that a violation continues shall be deemed a separate offense. A civil
6 fine assessed through a notice of violation shall be due and payable within 30 days after
7 the Building Official issues the written notice.

8 114.4.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written notice of
9 violation assessing a civil fine under this section shall be a final decision of the Director
10 or the Director's designee.

11 114.4.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a notice of
12 violation has not been paid within 30 days after the written notice of violation, the
13 Director may cause the written notice of violation to be recorded with the Director of
14 Finance for Prince George's County. Recordation of the notice of violation shall
15 constitute a lien on the subject property and shall be collected in the same manner as
16 other County real estate taxes. The filing of an appeal of a civil fine shall not affect the
17 recordation of a tax lien under this subsection.

18 Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor of
19 an appellant regarding a civil fine imposed under this subsection, the Director of Finance
20 shall release the tax lien.

21 114.4.1.2 Civil Fine Imposed Through Civil Citation

22 114.4.1.2.1 In the event that a responsible party does not comply with a notice of
23 violation within the time period provided, including any period allowed by appeal,
24 and upon verification by the Director or the Director's designee that the violation still
25 exists, the Director or the Director's designee may issue upon the responsible parties a

1 civil citation pursuant to Subtitle 28, Division 3, of this Code.

2 114.4.1.2.2 Separate Violation: Each day the violation continues is deemed a separate
 3 offense and is subject to an additional citation and fine in the same dollar amount as
 4 the repeat citation(s).

5 114.4.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed
 6 under this subsection is in addition to any other sanction provided by law.

7 114.4.1.3 Administrative Citation

8 114.4.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.4.1.2 above,
 9 upon verification of a violation of this Section, the Director or Director's designee
 10 may issue upon the responsible parties an administrative citation as that term is
 11 defined in [Section 13-1121](#) of this Code.

12 114.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance
 13 of an administrative citation shall comply in all respects with the requirements of [Sec.](#)
 14 [13-1125](#) of this Code.

15 114.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in
 16 accordance with the provisions outlined in Sections [13-1126](#), [13-1127](#), [13-1128](#), [13-](#)
 17 [1129](#), [13-1130](#), [13-1131](#), and [13-1132](#) of this Code.

18 114.4.1.3.4 A civil fine imposed through an administrative citation under this section
 19 shall be One Thousand dollars (\$1,000.00) per violation and shall be due and payable
 20 within 30 days after the citation is issued. Each day that a violation continues shall be
 21 deemed a separate offense.

22 (c) Section 114.5 of the IBC is added and shall read as follows:

23 114.5 Disclosure Requirements:

24 114.5.1 Disclosure to Prospective Purchaser or Lessee: When the owner of a
 25 dwelling unit or structure has received a notice of violation issued under this

1 Subtitle, the owner shall provide a copy of the notice of violation to a prospective
 2 purchaser or lessee.

3 114.5.2 Recordation: The Director may record a notice of violation issued under
 4 this Subtitle among the land records in the Circuit Court for Prince George's
 5 County.

6 **Sec. 4-117. Administration; Section 115, Stop Work Order.**

7 (a) Section 115.2 of the IBC is amended to read as follows:

8 115.2.1 Issuance

9 Upon notice from the Building Official that work on any building or structure is
 10 being executed contrary to the provisions of this code or in an unsafe and dangerous
 11 manner, such work shall be immediately stopped. The Stop Work Order shall be in
 12 writing and shall be given to the owner of the property involved, the owner's
 13 authorized agent or the person performing the work. Upon issuance of a Stop Work
 14 Order, the cited work shall immediately cease. The Stop Work Order shall state the
 15 reason for the order and the conditions under which the cited work will be permitted
 16 to resume. Stop Work Order will be in full force until all fees and penalties are paid
 17 and permits have been secured for all illegal and/or unpermitted construction.

18 115.2.2 Administrative Lien

19 Upon issuance of a Stop Work Order, the Building Official may place an
 20 administrative lien on the property that shall serve as notice to prospective
 21 purchasers, lessees, or other transferees. The Building Official may release the
 22 administrative lien upon abatement or correction of the underlying violation(s)
 23 giving rise to the Stop Work Order or upon verification that the prospective
 24 purchaser, lessee, or other transferee has been notified of the existence of the Stop
 25 Work Order.

1 (b) Section 115.3 of the IBC is amended to read as follows: Unlawful Continuance:

2 115.3.1 Civil Penalties: Any person, firm, association, partnership, or corporation, or
3 combination thereof, who shall continue work in violation of the provisions of a Stop Work
4 Order, or shall remove or cause to be removed a Stop Work Order sign still in effect and
5 operation, may be liable for a civil fine in accordance with the provisions of this section. A civil
6 fine imposed under this subsection is in addition to any other sanction provided by law.

7 A civil fine may be assessed in conjunction with a written notice of violation or through the
8 issuance of a civil citation or an administrative citation in accordance with the provisions of this
9 Subtitle.

10 115.3.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is
11 imposed through a notice of violation, the notice of violation shall state the amount
12 of the civil fine and a description of the circumstances giving rise to the
13 assessment. A civil fine imposed through a notice of violation shall be one
14 thousand dollars (\$1,000) per violation. Each day that a violation continues shall
15 be deemed a separate offense. A civil fine assessed through a notice of violation
16 shall be due and payable within 30 days after the Building Official issues the
17 written notice.

18 115.3.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written
19 notice of violation assessing a civil fine under this section shall be a final decision
20 of the Director or the Director's designee.

21 115.3.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a
22 notice of violation has not been paid within 30 days after the written notice of
23 violation, the Director may cause the written notice of violation to be recorded
24 with the Director of Finance for Prince George's County. Recordation of the
25 notice of violation shall constitute a lien on the subject property and shall be

1 collected in the same manner as other County real estate taxes. The filing of an
2 appeal of a civil fine shall not affect the recordation of a tax lien under this
3 subsection.

4 Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor
5 of an appellant regarding a civil fine imposed under this subsection, the Director of
6 Finance shall release the tax lien.

7 115.3.1.2 Civil Fine Imposed Through Civil Citation

8 115.3.1.2.1 In the event that a responsible party does not comply with a notice of
9 violation within the time period provided, including any period allowed by appeal,
10 and upon verification by the Director or the Director's designee that the violation
11 still exists, the Director or the Director's designee may issue upon the responsible
12 parties a civil citation pursuant to Subtitle 28, Division 3, of this Code.

13 115.3.1.2.2 Separate Violation: Each day the violation continues is deemed a
14 separate offense and is subject to an additional citation and fine in the same dollar
15 amount as the repeat citation(s).

16 115.3.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed
17 under this subsection is in addition to any other sanction provided by law.

18 115.3.1.3 Administrative Citation

19 115.3.1.3.1 In lieu of issuing a civil citation pursuant to Section 115.3.1.2 above,
20 upon verification of a violation of this Section, the Director or Director's designee
21 may issue upon the responsible parties an administrative citation as that term is
22 defined in Section 13-1121 of this Code.

23 115.3.1.3.2 In addition to any other matters that the Director prescribes, the
24 issuance of an administrative citation shall comply in all respects with the
25 requirements of Sec. 13-1125 of this Code.

1 115.3.1.3.3 Administrative citations issued under this subtitle shall be adjudicated
2 in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128,
3 13-1129, 13-1130, 13-1131, and 13-1132 of this Code.

4 115.3.1.3.4 A civil fine imposed through an administrative citation under this section
5 shall be One Thousand dollars (\$1,000.00) per violation and shall be due and payable
6 within 30 days after the citation is issued. Each day that a violation continues shall be
7 deemed a separate offense.

8 115.3.2 Criminal Penalties: Any person, firm, association, partnership, or corporation, or
9 combination thereof, who shall continue work in violation of the provisions of a Stop Work
10 Order, or shall remove or cause to be removed a Stop Work Order sign still in effect and
11 operation, shall be guilty of a misdemeanor, punishable by a fine of not more than One Thousand
12 Dollars (\$1,000.00) per violation for as long as that the unlawful work continues, or
13 imprisonment for six (6) months, or both.

14 (c) Section 115.4 is added and shall read as follows:

15 115.4 Disclosure Requirements:

16 115.4.1 Disclosure to Prospective Purchaser or Lessee: When a stop work order
17 has been issued under this Subtitle and remains effective at the time of a
18 prospective transfer or lease, the owner shall provide notice of the stop work order
19 to a prospective purchaser or lessee.

20 115.4.2 Recordation: The Director may record evidence of a stop work order
21 issued under this Subtitle among the land records in the Circuit Court for Prince
22 George's County.

23 **Sec. 4-118. - Administration; Section 111, Certificate of Use and Occupancy.**

24 (a) Section 111.1.1, One-Family Dwelling Units. Prior to the consummation of the sale
25 (settlement) of any new, one-family dwelling, including the sale of a new condominium unit

1 which is offered for sale for the first time, there shall be an inspection of the unit and premises by
2 the Director or the Director's designee and a Certificate of Occupancy issued or a list of the
3 violations or deficiencies requiring correction prior to issuance of such certificate. At the time of
4 consummation of such sale, the Certificate of Occupancy, or a list of the deficiencies or
5 violations which remain to be corrected prior to issuance of such Certificate, shall be presented
6 to the builder. Unless contractually relieved of such responsibility, the seller shall be responsible
7 for correction of any violations or deficiencies necessary for the Certificate to be issued. When a
8 Certificate of Occupancy has not been issued prior to consummation of the sale, there shall be
9 required a separate, written contractual agreement indicating responsibility for correction of all
10 deficiencies or violations cited by the Department of Permitting, Inspections, and Enforcement
11 by a date certain. The provisions of this Section are not applicable when a new dwelling unit is
12 purchased for resale as a new dwelling unit.

13 (1) Nothing herein shall be construed to relieve a builder or seller of a dwelling unit
14 from any responsibility for correction of building code violations which were
15 caused, created, or constructed by the builder or seller, and the transfer of title to
16 the property to a subsequent owner shall not relieve the builder or seller of the
17 responsibility for making such corrections.

18 (b) Section 113.9, Transfer of Ownership. It shall be unlawful for the owner of any
19 building, or other structure upon whom a notice of violation or order has been served to see,
20 transfer, mortgage, lease or otherwise dispose of such building, or other structure to another
21 person or entity until the provisions of the notice or order have been complied with, or until such
22 owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or
23 order issued by the code official and shall furnish to the code official a signed and notarized
24 statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such
25 notice or order and fully accepting responsibility without condition for making the corrections or

1 repairs required by such notice or order.

2 (c) Section 111.1.2, Issuance of Certificates of Occupancy. No Certificate of
3 Occupancy for any building or structure, erected, altered, repaired, changed to a different
4 use group, or transferred to a new owner or occupant shall be issued unless such building
5 or structure was erected, altered, or repaired and is otherwise in compliance with the
6 provisions of this Division and other provisions of State or local laws, ordinances, and
7 regulations.

8 (1) A Use and Occupancy Verification Letter [Certificate of Occupancy]
9 [Use and Occupancy Verification Letter] shall be issued in compliance with the
10 provisions of this Division and other provisions of State or local laws,
11 ordinances, and regulations. Such Verification Letter shall certify to the owner
12 of any building or structure that the current use of building is compliant with
13 applicable parts of this Subtitle, and other applicable State or local laws,
14 ordinances, and regulations.

15 (2) Exceptions: All buildings which undergo a change of owner or tenant
16 only, with no construction and with no change of intended [use group]
17 occupancy classification and use per IBC/IRC, are not required to meet the fire
18 safety requirements for a new building in order to obtain a Certificate of
19 Occupancy. Such buildings are required to comply with the provisions of state
20 and local laws, ordinances, and regulations with respect to fire safety for
21 existing buildings.

22 (d) Section 111.2.1, Change of Use Group, Owner or Tenant. No change in use group,
23 owner, or tenant of a building, structure, or land shall be permitted, wholly or in part,
24 until a new Certificate of Occupancy has been issued by the Building Official
25 certifying compliance with applicable parts of this Subtitle and other applicable State

1 or local laws, ordinances, and regulations. This provision shall not apply to a change
2 of tenant for R-2, change of owner or tenant for R-3, or change of tenant for R-4
3 structures.

4 (e) Section 111.5, Uninhabitable Dwellings. When the Director or the Director's
5 designee has determined that a dwelling is unfit for human habitation pursuant to Subtitle 13 of
6 the County Code and the dwelling has remained unoccupied for a subsequent period of one
7 hundred eighty (180) days, the Director or the Director's designee shall revoke the Certificate of
8 Occupancy, or if no Certificate of Occupancy has been issued, the Director or the Director's
9 designee shall revoke authorization for the dwelling to be occupied and require that a Certificate
10 of Occupancy be obtained prior to any occupancy of the dwelling. The notice of revocation shall
11 specify the violations of Subtitle 13 and the corrective action required for each violation. Within
12 one hundred eighty (180) days after the date of the revocation of the Certificate of Occupancy,
13 the owner of the dwelling shall apply for a building permit to correct the violations. The
14 application for a building permit shall include a rehabilitation plan which identifies all of the
15 work required to be performed and a schedule for performing the work. The permit shall be
16 issued for a period of one hundred eighty (180) days and may be renewed once for another one
17 hundred eighty (180) day period if, in the opinion of the Director or the Director's designee, the
18 applicant has demonstrated substantial progress in accordance with the rehabilitation plan and
19 has demonstrated substantial justification for failure to complete the work in accordance with the
20 rehabilitation plan. If the owner of the dwelling does not submit a rehabilitation plan within one
21 hundred eighty (180) days after the date that the Certificate of Occupancy was revoked, or if the
22 owner of the dwelling fails to complete the work required to be performed by the rehabilitation
23 plan prior to the expiration of the building permit, including any renewal period, the dwelling
24 shall be considered abandoned and the Director or the Director's designee shall cause the
25 dwelling to be demolished in accordance with the provisions of Subtitle 13.

1 **Sec. 4-119. Administration; Section 113, Board of Appeals.**

2 (a) Section 113.2 is hereby amended to read as follows: Limitations on Authority. An
 3 application for appeal shall be based on a claim that the true intent of this code or the rules
 4 legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not
 5 fully apply or an equally good or better form of construction is proposed. The board shall not
 6 have authority to waive requirements of this code and shall not have jurisdiction over matters for
 7 which adjudication or appeal is expressly assigned. [to the procedures outlined in Section 13,
 8 Division 15 of this Code.]

9 (b) Section 113.4 of the IBC is hereby added as follows: Construction in the One
 10 Hundred (100) Year Floodplain.

11 (1) In accordance with Section 32-210, variances [Variances] for construction in the
 12 One Hundred (100) Year Floodplain shall be issued by the Board of Administrative Appeals
 13 upon:

14 (A) A showing of good and sufficient cause;

15 (B) A determination that failure to grant the variance would result in
 16 exceptional hardship to the applicant;

17 (C) A determination that the granting of a variance will not result in
 18 increased flood heights, additional threats to public safety, extraordinary public expense, create
 19 nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or
 20 ordinances;

21 (D) A determination that the variance is the minimum necessary to afford
 22 relief upon consideration of the flood hazard; and

23 (E) Upon meeting the performance standards of Section 401.2 or 401.3 of
 24 the "Flood Proofing Regulations," promulgated by the Office of the Chief of Engineers, U.S.
 25 Army, Washington, District of Columbia.

1 (F) A determination that the variance is in compliance with Subtitle 32
 2 Section 32-203 through 32-212.

3 (2) The Board of Administrative Appeals shall notify the aggrieved party, in writing, of its
 4 decision that:

5 (A) The issuance of a variance to construct a structure below the base flood
 6 level will result in increased premium rates for flood insurance up to twenty five dollars (\$25.00)
 7 for one hundred dollars (\$100.00) of insurance coverage; and

8 (B) Such construction below the base flood level increases the risks to life
 9 and property. Such notification shall be maintained with a record of all variance actions, as
 10 required in Section (4)(B).

11 (3) Each decision of the Board of Administrative Appeals, with respect to the
 12 granting or denial of a variance, as described herein, shall be forwarded to the Department of
 13 Permitting, Inspections and Enforcement and to the Prince George's County Planning Board.

14 (4) The Department of Permitting, Inspections and Enforcement shall:

15 (A) Maintain a record of all variance actions, including justification for
 16 their issuance; and

17 (B) Report such variances issued in its annual report submitted to the
 18 Federal Insurance Administrator.

19 **Sec. 4-120. Administration; Section 116, Unsafe Structures and Equipment.**

20 (a) Section 116.3, Notice. If an unsafe condition is found in a building or structure,
 21 the Director or the Director's designee shall serve on the owner, agent, or person in control of the
 22 building or structure a written notice describing the building or structure deemed unsafe and
 23 specifying the required repairs or improvements to be made to render the building or structure
 24 safe and secure, or requiring the unsafe building or structure, or portion thereof, to be demolished
 25 within a stipulated time. Such notice shall require the person thus notified to immediately declare

1 to the Director or the Director's designee his acceptance or rejection of the terms of the order.

2 (b) Section 116.3.1, Notice Involving Historic Resource. If a building or structure
3 found to be unsafe by the Director or the Director's designee is an identified historic resource on
4 the Adopted and Approved Historic Sites and District Plan of Prince George's County, Maryland,
5 a copy of the notice shall also be sent to the Historic Preservation Commission and demolition
6 shall not be authorized without approval of the Historic Preservation Commission, except when
7 an emergency situation exists where there is actual and immediate danger of collapse or failure
8 of the building or structure, or any part thereof, which would endanger human life.

9 **Sec. 4-121. Administration; Section 117, Emergency Measures.**

10 (a) Section 117.1, Imminent Danger. When, in the opinion of the Director or the
11 Director's designee, there is imminent danger of failure or collapse of a building or structure or
12 any part thereof which endangers life or when any structure or part of a structure has fallen and
13 life is endangered by the occupation of the building or structure, the Director or the Director's
14 designee is hereby authorized and empowered to order and require the occupants to vacate the
15 same forthwith. The Director or the Director's designee shall cause to be posted at each entrance
16 to such structure, a notice reading as follows: 'This structure is unsafe and its occupancy has been
17 prohibited by the Director or the Director's designee.' It shall be unlawful for any person to enter
18 such structure except for the purpose of making the required repairs or of demolishing the same.

19 (b) Subsection 117.1.1, Abatement of Uncompleted Structures. In the event that the
20 responsible party fails to complete construction of a structure at the time of expiration,
21 abandonment, or revocation of the building permit, and in the event that the responsible party
22 fails to comply with the lawful order of the Director or the Director's designee to make safe by
23 the completion of the construction or to demolish an unsafe and uncompleted structure, the
24 Director or the Director's designee shall cause emergency work to be completed as required, to
25 abate the unsafe conditions by appropriate means, including the demolition and removal of

1 dangerous structures, using such public or private resources required and available.

2 (c) Section 117.1.2, Abatement of Unsafe Conditions. When, in the opinion of the
3 Director or the Director's designee, there is an imminent danger to human life or the public
4 welfare due to an unsafe condition, the Director or the Director's designee shall cause the
5 necessary work to be done to eliminate the condition including, but not limited to, the demolition
6 of the structure or structures. The Director or the Director's designee shall cause to be published,
7 for three (3) consecutive days, in a County newspaper of record, notice setting forth the address
8 of the building; a description of the real estate sufficient for its identification; a statement that the
9 property is unsafe and constitutes an immediate and continuing hazard to the community; and a
10 statement that the County intends to demolish same if the owner fails to do so. The provisions of
11 Section 4-121(a) shall not apply. A person objecting to the proposed actions of the County may
12 file an objection in an appropriate form in a court of competent jurisdiction. If the building is not
13 demolished within thirty (30) days of mailing the notice to the owners of record, or within thirty
14 (30) days of the last day of publication of the notice in a County newspaper of record, whichever
15 is later, the Director or the Director's designee shall have the power to demolish the structure or
16 structures.

17 (d) Section 117.2, Temporary Safeguards. When, in the opinion of the Director or the
18 Director's designee, there is imminent danger due to an unsafe condition, the Director or the
19 Director's designee shall cause the necessary work to be done to render such structure
20 temporarily safe, whether or not the legal procedure herein described has been instituted. The
21 Director or the Director's designee shall cause the necessary work to be completed in the
22 following manner: to secure doors and windows the material shall be cut to fit either within the
23 recess of the exterior finish wall if the door or window is recessed or to fit on the door or window
24 trim if the trim is applied on top of the exterior wall. The preferred material for windows shall be
25 a transparent material such as Lexan or Plexiglas. If solid materials are used to secure either

1 windows or doors, the solid material shall be painted either white or to match the color of the
2 trim. At the time the structure is secured, the Director or the Director's designee shall notify the
3 owner that the temporary measures have been taken and that the owner is required to restore the
4 structure within thirty (30) days and that the owner is subject to citation directing that the
5 building be repaired to restore the building envelope. If the structure is not restored within thirty
6 (30) days, the owner shall be fined one thousand dollars (\$1,000) for each month that the
7 structure is not restored and that the violation continues. For damage to the building as a result of
8 a storm or fire, the Director or the Director's designee may exercise discretion to extend the
9 initial 30-day period without assessing a fine where the owner and insurer are promptly and
10 actively undertaking repairs to the building.

11 (e) Section 117.3, Closing Streets. When necessary for the public safety, the Director
12 or the Director's designee shall temporarily close structures and close, or order the authority
13 having jurisdiction to close, sidewalks, streets, public ways and places adjacent to the unsafe
14 structure and prohibit the same from being used.

15 (f) Section 117.4, Emergency Repairs. For the purpose of this Section, the Director
16 or the Director's designee shall employ the necessary labor and materials to perform the required
17 work as expeditiously as possible.

18 (g) Section 117.5, Cost of Emergency Repairs. Costs incurred in the performance of
19 emergency work shall be paid from the treasury of the jurisdiction on certificate of the Building
20 Official. The legal counsel of the jurisdiction shall institute appropriate action against the owner
21 of the premises where the unsafe condition was located for recovery of such costs, including, but
22 not limited to, certification for a tax lien as provided by Section 117.7.

23 (h) Section 117.6, Unsafe Equipment. Equipment deemed unsafe by the Director or
24 the Director's designee shall not be operated after the date stated in the notice unless the required
25 repairs or changes have been made and the equipment has been approved, or unless an extension

1 of time has been secured from the Director or the Director's designee in writing.

2 (i) Section 117.6.1, Authority to Seal Equipment. In the case of an emergency, the
3 Director or the Director's designee shall have the authority to seal out of service immediately any
4 unsafe device or equipment regulated by this Code.

5 (j) Section 117.6.2, Unlawful to Remove Seal. Any device or equipment sealed out
6 of service by the Director or the Director's designee shall be plainly identified in an approved
7 manner. The identification shall not be tampered with, defaced or removed except by the
8 Director or the Director's designee and shall indicate the reason for such sealing.

9 (k) Section 117.7, Creation of a Tax Lien. There is created a tax lien on real property
10 for monies expended by the County for the making safe of buildings or structures and/or
11 abatement of other unsafe nuisances or conditions constituting a danger to the public health and
12 safety. Upon certification from the County Attorney that a tax lien has been created, the amount
13 of such lien shall be collected by the Director of Finance in the same manner as other County
14 real estate taxes.

15 **Sec. 4-122. Reserved.**

16 **Sec. 4-123. - Definitions; Section 202, General Definitions.**

17 The following definition shall apply to Section 105 as set forth in Section 4-111 of this
18 Code:

19 **Building Foundation:** The placement of a shallow foundation, a deep foundation, or DPIE-
20 approved ground-improvement methods placed or performed to adequately and safely support all
21 superimposed live and special loads of the building or structure for which the building permit has
22 been issued, and that complies with all requirements of Chapter 18 of the IBC and Chapter 4 of
23 the IRC.

24 The following amendments, additions, and/or deletions are made to Sections 202 of the IBC
25 and the IRC:

1 **Condominium:** The ownership of single units in a multiunit structure with common
2 elements.

3 **Condominium Project:** A real estate condominium project; a plan or project whereby five
4 or more apartments, rooms, office spaces, or other units in any existing or proposed building or
5 buildings are offered or proposed to be offered for sale.

6 **Condominium Unit:** An enclosed space consisting of one or more rooms occupying all or
7 part of one or more floors in buildings of one or more floors or stories regardless of whether they
8 are designed for residence, for office, for the operation of any industry or business, for any other
9 type of independent use, and shall include such accessory facilities as may be related thereto,
10 such as garage space, storage space, balcony, terrace or patio, provided said unit has a direct exit
11 to a thoroughfare or to a given common element leading to a thoroughfare.

12 **Director:** The Director of the Prince George's County, Maryland, Department of
13 Permitting, Inspections, and Enforcement or the Director's designee.

14 **Family Home Daycare (Adults):** A day care center for adults within the owner's single
15 family home with a maximum of 12 adults receiving care by other than their relatives or legal
16 guardian for less than (24) hours per day.

17 **Family Home Daycare (Children):** A day care center for children within the daycare
18 owner's home with a maximum of 12 children. Family Home Daycare of eight (8) or less are
19 under the IRC and those from nine (9) to twelve (12) are under the IBC.

20 **Fire Area:** The Fire Area has a specific definition for use regarding automatic sprinkler
21 protection under the Section 4-158 [(a)] (b) modifying Section 903.1 of [2015] 2021 IBC
22 Chapter 9.

23 **Hot Water Supply Heater:** A pressure vessel directly fired by oil, gas, or electricity and
24 which does not exceed the following limitation: two hundred thousand (200,000) British thermal
25 units per hour (Btu/hr) input, and two hundred (200) degrees Fahrenheit temperature, and

1 nominal water capacity of one hundred twenty (120) gallons.

2 **Interior Demolition:** work that involves the removal of interior non-bearing or bearing
3 walls, elements or systems, or interior finishes.

4 **Intermodal Shipping Container:** A container with strength suitable to withstand
5 shipment, storage, and handling. Often used in the international shipping trade, "container" or
6 "shipping container" is virtually synonymous with "intermodal freight container" (sometimes
7 informally called a "sea can"), a container designed to be moved from one mode of transport to
8 another without unloading and reloading, or for construction purposes to safeguard materials.

9 **Local Fire Department:** Any full-time or volunteer fire department located within three
10 (3) miles of the building.

11 **Occupancy:** The ownership or tenancy of a building, structure, or land.

12 **[Public Way:** A paved thoroughfare at least twenty-one (21) feet in width which is located
13 on privately owned, privately maintained property but is designated for public use or which is
14 publicly owned and maintained, and which must be kept accessible at all times to the local fire
15 department. This public way shall not be farther from the building than will allow the fire
16 department aerial equipment to reach seventy-five (75) feet in height.]

17 **Raze:** Raze is the removal of existing structural elements including roof framing, floor
18 framing, wall framing, utilities, with or without the removal of exterior walls and below grade
19 portions of a structure as determined by DPIE Director or designee.

20 **Story:** That portion of a building included between the upper surface of a floor and the
21 upper surface of the floor or roof next above as defined in the IBC Chapter 2. A story is
22 measured as the vertical distance from top to top of two successive tiers of beams or finished
23 floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling
24 joists or, where there is not a ceiling, to the top of the roof rafters. Occupied roof top spaces such
25 as amenity and recreational areas [shall be treated as a non-sprinklered story for the purpose of

1 occupant load, common path of travel, travel distance, number of exits and means of egress
 2 components] shall comply with IBC. A single structure on a roof top constructed with non-
 3 combustible materials not exceeding 8 feet in height from the roof surface and with an area not
 4 exceeding 100 square feet is permitted.

5 **Sec. 4-124. Reserved.**

6 **Sec. 4-125. - Use and Occupancy Classification; Section 302[;] [Classification.]**

7 [(a) Section 302.1, Structures, or portions of structures, shall be classified with respect
 8 to occupancy in one or more of the groups listed in this section. A room or space that is intended
 9 to be occupied at different times for different purposes shall comply with all of the requirements
 10 that are applicable to each of the purposes for which the room or space will be occupied.

11 Structures with multiple occupancies or uses shall be classified according to Section 508. Where
 12 a structure is proposed for a purpose that is not specifically provided for in this Code, such
 13 structure shall be classified in the group that the occupancy most nearly resembles, according to
 14 the fire safety and relative hazard involved.]

15 [(1) Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5

16 (a) Assembly Group A-3: "Occupied roof top spaces such as amenity and recreational
 17 areas"

18 (2) Business (see Section 304): Group B

19 (3) Educational (see Section 305): Group E

20 (4) Factory and Industrial (see Section 306): Groups F-1 and F-2

21 (5) High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4, and H-5

22 (6) Institutional (see Section 308): Groups I-1, I-2, I-3, and I-4

23 (7) Mercantile (see Section 309): Group M

24 (8) Residential (see Section 310): Groups R-1, R-2, R-3 and R-4 as applicable in Section
 25 101.2]

1 [(a) A facility with five or fewer persons receiving custodial care shall be classified as
 2 Group R-3 or shall comply with the IRC provided an automatic sprinkler system is installed in
 3 accordance with Section 903.3.1.3.]

4 [(b) Lodging houses. Owner-occupied lodging houses with five or fewer guest rooms
 5 shall be permitted to be constructed in accordance with the IRC provided an automatic sprinkler
 6 system is installed in accordance with Section 903.3.1.3.]

7 (a) Section 310.4.1 is amended to read as follows: Care Facilities Within a Dwelling -
 8 Care facilities for five (5) or fewer persons receiving care that are within a single-family
 9 dwelling are permitted to comply with the International Residential Code provided an automatic
 10 sprinkler system is installed in accordance with Section 903.3.1.3.

11 (b) Section 310.4.2 is amended to read as follows: Lodging houses. Owner-occupied
 12 lodging houses with five (5) or fewer guest rooms shall be permitted to be constructed in
 13 accordance with the IRC provided an automatic sprinkler system is installed in accordance with
 14 Section 903.3.1.3.

15 [(9) Storage (see Section 311): Groups S-1 and S-2]

16 [(10) Utility and Miscellaneous (see Section 312): Group U]

17 [(11)](c) Section 313 is added to read as follows: Use Group U-PU- public utility facilities
 18 as defined in Section 4-127.

19 [(12) Master Use and Occupancy Permit: No entity or person shall operate a special
 20 food service facility in a Food Hall without first having obtained authorization to operate under
 21 the Master Use and Occupancy Permit.

22 (a) Each Food Hall shall operate pursuant to the Master Use and
 23 Occupancy Food Hall Permit; and

24 (b) Each Food Hall vendor is entitled to operate under the Master Food
 25 Hall Use and Occupancy Permit during occupancy at the Food Hall; and

1 (c) The Food Hall Operator shall obtain a Master Use and Occupancy
 2 Permit from the Department of Permitting, Inspections and Enforcement before authorizing any
 3 vendor to conduct business in the Food Hall; and

4 (d) The Department of Permitting, Inspections and Enforcement shall be
 5 responsible for the review and approval of a Master Use and Occupancy permit.]

6 [b] (d) Section 302.[1.1]2.1 is added to read as follows;, Other Provisions.
 7 Where a type of occupancy, system, or use is not specifically governed by this Code, the
 8 Director or the Director's designee may utilize a recognized standard which addresses the
 9 occupancy, system, or use adequately.

10 **Sec. 4-126. - Reserved.**

11 **Sec. 4-127. - Use and Occupancy Classification; Section 313, Use Group U-PU, Public**
 12 **Utility Facilities.**

13 (a) Section 313.1, General. This use group is specifically intended to apply to
 14 installations constructed by public utilities or similar public service agencies to house equipment
 15 and/or mechanical facilities within or on buildings or premises used exclusively by the owning
 16 utility or agency which are designed and constructed in accordance with the recognized practices
 17 and requirements of the specific utility industry. To qualify for inclusion in use group U-PU, the
 18 building or structure, designated portion of a mixed use occupancy shall:

19 (1) Be exclusively for the use of housing equipment or facilities of the public
 20 utility or public service agency which operates the installation;

21 (2) Not permit entrance or access to the general public;

22 (3) Provide that access for employees or designated contractors be controlled and
 23 limited to certain designated persons and not accessible to all employees;

24 (4) Provide that there be no other designated use within the limits of the special
 25 purpose use group area;

1 (5) Specify that design and construction be done in accordance with recognized
 2 industry practices or codes, and shall be so noted on original drawings, to clearly indicate
 3 deviations from this IBC; and

4 (6) Not diminish [degrade] the [applicable] requirements of [this IBC] this subtitle
 5 and other applicable Maryland State or local laws, ordinances, regulations where such other code
 6 is used.

7 (7) Buildings that contain electrical energy storage systems or when classified as
 8 group H shall comply with the adopted codes and shall not be classified as U-PU.

9 (b) Section 313.2, Exceptions. By the special purpose nature of structures and/or buildings,
 10 in use group U-PU, and the limited or controlled access thereto, and denial of access to the
 11 public, the structures shall not be subject to the provisions of the International Energy
 12 Conservation Code (IECC).

13 (c) Section 313.3, Maintenance and Repairs. Within this controlled access area of any use
 14 group U-PU building, the owner/operator of the equipment shall be responsible for the safe and
 15 sanitary maintenance of the building or structure and the equipment and/or facilities at all times.
 16 Ordinary repairs of such buildings or structures shall be deemed to include structural and
 17 mechanical changes exclusively within the controlled area necessary to maintain proper
 18 performance for the intended function. Specifically engineered structural and mechanical
 19 components designed for removal and replacement in kind during such maintenance shall be
 20 considered as ordinary repairs for purposes of this use group only.

21 **Sec. 4-128. through Sec. 4-130. Reserved.**

22 **Sec. 4-131. Special Detailed Requirements Based on Use and Occupancy; Section 403,**
 23 **High-Rise Buildings.**

24 (a) Section 403.1.1, Applicability under Sloping Site Conditions. The provisions of
 25 this Section shall also apply to buildings of Use Groups B, R-1, and R-2 when such buildings

1 have floors used for human occupancy located more than ninety (90) feet above the grade level
2 on any side of the building.

3 (b) Section 403.1.2, Applicability under Rescue Conditions. The automatic sprinkler
4 provisions of this Section shall also apply to any building intended for human occupancy which
5 is four (4) or more stories above grade level or over forty-five (45) feet in height unless such a
6 building complies with all of the following:

7 (1) Accessibility is provided on two (2) sides of the perimeter of such a
8 building by virtue of a public way;

9 (2) Height above grade shall be determined by using the lowest
10 [evaluation]elevation of the public way as a reference datum; and

11 (3) The local fire department must have at least one (1) approved first line
12 piece of aerial equipment capable of reaching the roof of the building. Structures or buildings
13 used exclusively for open-air parking, wherever located, and buildings used exclusively for
14 agricultural purposes shall not be classified as a high-rise building for the purposes of this
15 Subtitle.

16 (c) Section 403.2.1.2 is deleted.

17 (d) Section 403.4.6.1, Fire Command Center Construction Features. The central
18 control room shall be located with convenient access to, and in close proximity to, the grade
19 level entrance lobby, unless an alternate location is approved. The room shall be used for no
20 other purpose than a central control station or guard location. The room shall be equipped with a
21 U.L. listed battery operated emergency lighting unit. The type, arrangement, and functions of the
22 fire command station and emergency fire alarm must comply with Section 911, "Fire Command
23 Center" and shall be subject to approval by the Fire Code Official or the Fire Code Official's
24 authorized representative.

25 **Sec. 4-132. through Sec. 4-134. Reserved.**

1 **Sec. 4-135. - Special Detailed Requirements Based on Use and Occupancy; Section 406,**
 2 **Motor-Vehicle-Related Occupancies.**

3 (a) Section 406.4. 4 is added to read as follows: "Separation." Every opening located
 4 between a public garage and another occupancy shall be designed to prevent the transmission of
 5 liquids and vapors from entering adjacent occupancies.

6 (b) Sec. 406.6.2 A mechanical ventilation system and exhaust system shall be
 7 provided in accordance with Chapters 4 and 5 of the International Mechanical Code. Minimum
 8 ventilation Automatic operation of the system shall not reduce the ventilation airflow rate below
 9 0.05 cfm per square foot ($0.00025 \text{ m}^3/\text{s} \times \text{m}^2$) of the floor area and the system shall be capable of
 10 producing a ventilation airflow rate of 1.00 cfm per square foot ($0.0005 \text{ m}^3/\text{s} \times \text{m}^2$) of floor area.

11 (c) Public open parking garages that do not have more than 20 percent of the linear
 12 perimeter facing to a fire access road shall be provided with a sprinkler system throughout the
 13 building as defined by Subtitle 11 of this Code.

14 **Sec. 4-136. Reserved.**

15 **Sec. 4-137. Special Detailed Requirements Based on Use and Occupancy; Section 410;**
 16 **Stages, Platforms and Technical Production Areas.**

17 (a) Section 410.3.1[4][.1] is amended to read as follows: "Temporary Platforms."
 18 Platforms installed for a period of not more than thirty (30) days shall be considered temporary
 19 platforms. Temporary platforms that exceed four hundred (400) square feet in area in places of
 20 assembly use shall be of fire-retardant treated lumber. Temporary platforms in other uses may be
 21 constructed of any materials permitted by this Code. The space between the floor and the
 22 platform above shall only be used for plumbing and electrical wiring to platform equipment.

23 **Table 410**
 24 **Temporary Platforms**

TYPE OF BUILDING CONSTRUCTION	REQUIRED TYPE OF PLATFORM CONSTRUCTION
Type 1	Type 2 Note (1)
Type 2	Type 2 Note (1)
Type 3	5B
Type 4	5B
Type 5	5B

Note (1): When the platform is not larger than 20% of the room and not more than 200 square feet, fire-retardant treated wood may be used.

Sec. 4-138. Special Detailed Requirements Based on Use and Occupancy; Section 415, Use Groups H-1, H-2, H-3, H-4 and H-5.

(a) Section, 415.9.1.2.1, Underground Storage. All underground storage tanks for flammable or combustible liquids shall be separated from adjacent property lines and buildings by not less than five (5) feet.

Sec. 4-139. through Sec. 4-140. Reserved.

Sec. 4-141. General Building Heights and Areas; Section 506 Building Area Modifications.

(a) Section 506.3.4 Minimum Accessible Perimeter. All buildings and structures must have at least twenty-five (25) percent of the building perimeter fronting on a street or other unoccupied space not less than thirty (30) feet in width which is accessible from a road or a posted fire lane not less than twenty (22) feet in width. The access road or fire lane and the unoccupied space must be capable of providing fire apparatus access under all weather conditions to within one hundred (100) feet of the building or structure.

Exceptions: (1) Buildings which are fully sprinklered in accordance with Section 903, and (2) Structures and buildings in Use Group U and U-PU.

(b) Section 506.3.5[m] Arrangement of Access. Access shall be in accordance with

1 the 2012 NFPA 1141, Standard for Fire Protection Infrastructure for Land Development in
2 Wildland, Rural and Suburban Area, except as otherwise provided for in this Subtitle.

3 **Sec. 4-142. General Building Heights and Areas; Section 507, Unlimited Area Buildings.**

4 (a) The following deletions are made to Section 507.1 of the IBC: Section 507.1
5 General. The area of buildings of the occupancies and configurations specified in Sections 507.1
6 through 507.12 shall not be limited. Basements shall not be permitted.

7 (b) Section 507.4 Sprinklered one-story buildings. The area of a Group A-4 building
8 no more than one story above grade plane of other than Type V construction, or the area of a
9 Group B, F, M or S building no more than one story above grade plane of any construction type,
10 shall not be limited when the building is provided with an automatic sprinkler system throughout
11 in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not
12 less than sixty (60) feet in width.

13 Exceptions: Buildings and structures of Types I and II construction for rack storage facilities
14 which do not have access by the public shall not be limited in height provided that such buildings
15 conform to the requirements of Section 507.3 and NFPA 13 and Chapter 32 of the International
16 Fire Code. In addition, the automatic sprinkler system shall not be required directly over the
17 sports floor areas or swimming areas of buildings occupied for indoor participant sports, such as
18 tennis, skating, swimming and equestrian activities in occupancies in Group A-4, provided that
19 (1) exit doors directly to the outside are provided for occupants of the participant sports area; and
20 (2) the building is equipped with a fire alarm system with manual fire alarm boxes installed in
21 accordance with Section 907; and (3) the building owner furnishes to the Director or the
22 Director's designee a notarized statement acknowledging that future use of the unprotected
23 sporting floor areas of the facility will be limited to sporting activities of a low hazard nature
24 with minimal occupant loadings and no combustibility of contents and furnishings other than
25 necessary to the sporting events.

Sec. 4-143. - General Building Heights and Areas; Section 509, Incidental Uses.

The following additions are made to Table 509 of the IBC:

(a)

Room or Area	Separation and/or Protection
Storage areas ¹ over [50]1,000 square feet not in an S or F	1 hour or Automatic Sprinkler Protection
Storage areas ¹ over [100]2,500 square feet not in an S or F	1 hour and Automatic Sprinkler Protection
<u>New residential buildings with attached garages and carports where rooms or spaces store electric powered vehicles</u>	<u>2 hour fire barrier with 90 minute door and heat detector</u>

¹ Storage areas include walk-in freezers and refrigerators.

(b) Electric energy storage systems shall comply with IFC, Section 1207, and NFPA 1. When there is a conflict the most stringent code shall apply. Electrochemical Energy Storage Systems with 15 kWh or more capacity, located within 100 feet of a residential, school, library or hospital area shall have a minimum 2-hour fire resistance rated exterior walls and ceilings with opening protectives and ventilation systems.

Sec. 4-144 Sec. - Fire and Smoke Protection Features; Section 704, Fire-Resistance Rating of Structural Members.

(a) Section 704.14 is added to read as follows: “Protection of Truss Framing Members.” All combustible truss framing members which comprise a portion of a nonrated floor assembly shall be protected by the installation of a ceiling. The ceiling material shall not be less than one-half (1/2) inch gypsum board or an approved equivalent alternative material. The ceiling must be adequately supported by direct mechanical fastening to the structural framing or be suspended by not less than No. 12 MSG galvanized steel wire or by an equivalent method.

1 Where combustible truss joist framing is used as a portion of a required rated floor-ceiling
2 assembly, the structural members shall be protected in accordance with an appropriate tested and
3 listed design.

4 Exceptions:

- 5 1. Buildings protected throughout, excluding crawlspaces less than forty-two (42) inches
6 in depth by an automatic sprinkler system; and
- 7 2. Crawl spaces of not more than forty-two (42) inches in depth, measured from the top
8 of the floor surface above to the surface of the crawl space floor.

9 **Sec. 4-145. Exterior Walls; Section 705, Combustible Materials on the Exterior Side of**
10 **Exterior Walls.**

11 (a) Section 705.2.3.1 is amended to read as follows: "Balconies and Similar
12 Projections." Balconies and similar projections of combustible construction other than fire-
13 retardant treated wood shall be fire resistance rated where required by Table 601 for floor
14 construction or shall be of heavy timber construction in accordance with Section 2304.11. The
15 aggregate length of the projections shall not exceed 50 percent of the building's perimeter on
16 each floor. Existing balconies which are subject to repair or replacement due to deterioration or
17 damage shall comply with this Section.

18 (b) Section 705.2.5 is added to read as follows: "Soffits of Roof Projections."
19 Exterior walls in R-1 and R-2 occupancies meeting the requirements of Section 705 shall be
20 provided soffits comprised of noncombustible material one-half (1/2) inch in thickness. No soffit
21 screens or openings are permitted within the soffits.

22 Exception: Building equipped with an automatic sprinkler system in habitable areas are
23 permitted to have unlimited soffit vents.

24 **Sec. 4-146. through Sec. 4-148. Reserved.**

25 **Sec. 4-149. Fire and Smoke Protection Features; Section 705, Exterior Walls.**

1 (a) Section 705.11, Parapets. Parapets shall be provided on exterior walls of
2 buildings. However, a parapet is not required on an exterior wall where any of the following
3 conditions (1) through (6) exist:

4 (1) The wall is not required to be fire-resistance rated in accordance with
5 Table 602 because of fire separation distance;

6 (2) The building has an area of not more than one thousand (1,000) square
7 feet on any floor;

8 (3) The walls terminate at roofs of not less than two (2) hour fire-
9 resistance-rated construction or at a roof, including the deck and supporting construction,
10 constructed entirely of noncombustible materials;

11 (4) The exterior walls are one (1) hour fire-resistance-rated that terminate
12 at the underside of the roof sheathing, deck or slab, provided that conditions A through D below
13 are met:

14 (A) Where the roof or ceiling framing elements are parallel to the
15 walls, such framing and elements supporting such framing shall not be of less than one (1) hour
16 fire-resistance-rating construction for a width of four (4) feet, measured from the interior side of
17 the wall for Groups R and U and ten (10) feet for other occupancies;

18 (B) Where roof or ceiling framing elements are not parallel to the
19 walls, the entire span of such framing and elements supporting such framing shall not be of less
20 than one (1) hour fire-resistance-rated construction;

21 (C) Openings in the roof are not located within five (5) feet of the
22 one (1) hour fire-resistance-rated exterior wall for Groups R and U and ten (10) feet for other
23 occupancies; and

24 (D) The entire building is provided with not less than a Class B roof
25 covering.

1 (5) In occupancies of Use Groups R-2 and R-3 as applicable in Section
2 101.2, both provided with a Class C roof covering, the exterior wall shall be permitted to
3 terminate at the roof sheathing or deck in Types III, IV and V construction provided that:

4 (A) The roof sheathing or deck is constructed of approved
5 noncombustible materials or of fire-retardant-treated wood for the distance of four (4) feet, or

6 (B) The roof is protected with 0.625 inch Type X gypsum board
7 directly beneath the underside of the roof sheathing or deck, supported by a minimum of nominal
8 two (2) inch ledgers attached to the sides of the roof framing members for a minimum distance
9 of four (4) feet. Exception: Occupancies of Use Groups R-2 and R-3 are exempt from the
10 requirements of Subsections (5)(A) and (5)(B) of this Section when equipped with residential
11 sprinkler systems installed in accordance with Section 903 of this Code, and the roof is covered
12 with a minimum of a Class C roof covering.

13 (6) Where the wall is permitted to have at least twenty-five (25%) percent
14 of the exterior wall areas containing unprotected openings based on the location from a lot line as
15 determined in accordance with Section 705.8.1 of this Code.

16 **Sec. 4-150. Reserved.**

17 **Sec. 4-151. - Fire and Smoke Protection Features; Section 708, Fire Partitions.**

18 (a) Section 708.1(9)[(6)] is added to read as follows: "Tenant Separations." Walls
19 separating tenant spaces in all occupancies shall be in accordance with Section 708.3. and 708.4.

20 1. Exception: Ancillary tenant spaces of use group[s] M [or B] that do not exceed
21 three thousand (3,000) square feet located within a main mercantile occupancy do not have to be
22 separated. Examples of such spaces are, but not limited to, optical services, banking services,
23 prescription services, beauty shops and similar tenant spaces located within mercantile
24 occupancies.

25 2. Kiosks do not require separation in use group M.

1 Exception: Tenant and guest room separation walls may terminate at the underside of a
2 noncombustible ceiling in Use Group B, buildings having a complete supervised automatic
3 sprinkler system.

- 4 (1) The wall need not be extended into the crawlspace below where the
5 floor above the crawlspace has a minimum one (1) hour fire-resistance-
6 rating;
- 7 (2) Where the room-side fire-resistance-rated membrane of the corridor is
8 carried through to the underside of a fire-resistance-rated floor or roof
9 above, the ceiling or the corridor shall be permitted to be protected by
10 the use of ceiling materials as required for a one (1) hour fire-
11 resistance-rated floor or roof system;
- 12 (3) Where the corridor ceiling is constructed as required for the corridor
13 walls, the walls shall be permitted to terminate at the upper membrane
14 of such ceiling assembly;
- 15 (4) Fireblocking or draftstopping is not required at the partition line in
16 Group R-2 buildings that do not exceed four (4) stories in height,
17 provided that the attic space is subdivided by draftstopping in to areas
18 not exceeding three thousand (3,000) square feet or above every two
19 dwelling units, whichever is smaller;
- 20 (5) Fireblocking or draftstopping is not required at the partition line in Use
21 Group B, F, and S buildings equipped with an automatic sprinkler
22 system installed throughout in accordance with Section 903.3.1.1 or
23 903.3.1.2 of this Code, and provided that automatic sprinklers are
24 installed in combustible floor/ceiling and roof/ceiling spaces.

25 **Sec. 4-152. Floor and Roof Assemblies; Section 711, Dwelling Units and Sleeping Units.**

1 The following deletions are made to Sections 711.2.4.3 of the IBC: Delete the Exception.

2 **[Sec. 4-153. Reserved.]**

3 **Sec. 4-153[2]. Through Sec. 4-156[5]. Reserved.**

4 **[Sec. 4-156. Reserved.]**

5 **Sec. 4-157. - Fire Protection Systems; Section 901, General.**

6 (a) Section 901.2.1, Fire Protection System Shop. Construction documents or shop
7 drawings, or both, for the installation of all fire protection and suppression systems (i.e.,
8 fire sprinkler and alarm systems etc.) shall be required to be reviewed and certified for
9 compliance to this Code by a DPIE-approved Third-Party [Peer] Reviewer for submission
10 to the Director or the Director's designee as provided for in the joint Memorandum of
11 Understanding between the Fire/EMS Department and the Department of Permitting,
12 Inspections and Enforcement prior to the issuance of a building permit.

13 Exception 1: Plans are not required for automatic sprinkler system [modifications in]
14 replacement in-kind for commercial buildings involving ten (10) sprinkler heads or less [that do
15 not involve the shifting of any cross mains or risers or create a more hydraulically demanding
16 remote area]. Inspection and testing shall still be required after completion of the work.

17 Exception 2: Plans are not required for automatic sprinkler system [modifications in]
18 replacement in-kind for NFPA 13D or NFPA 13R single family dwelling for [adding or]
19 relocating sprinkler heads on the basement level or grade level involving six (6) or less heads
20 that does not involve the shifting of any cross mains or risers or create a more hydraulically
21 demanding remote area. Inspection and testing shall still be required after completion of the
22 work.

23 (b) Section 901.2.1.2, Review Assumptions. The operational assumption during the
24 review and inspection of all fire suppression systems shall be as follows:

25 (1) Total area protection: All areas shall be protected, including, but not limited to

1 attics, bathrooms, closets, combustible concealed spaces, loading docks, and open areas
 2 beneath the projection of the structure footprint, planned for storage or vehicle traffic; unless
 3 specifically noted, and supported by a Section of this Code on the shop drawings submitted
 4 for review.

5 (2) Conditioned space: All areas through which any portion of a fire suppression
 6 system passes shall be provided with an ambient temperature of no less than forty (40)
 7 degrees Fahrenheit unless specifically noted on the plans submitted for review.

8 (3) Code compliance: A note shall be placed on all plans submitted for review
 9 indicating that the installation shall comply with required standards.

10 **Sec. 4-158. - Fire Protection Systems; Section 903, Automatic Sprinkler Systems.**

11 (a) General. Sprinklers systems designed in accordance with NFPA 13D shall be
 12 protected from backflow [supplied and back flowed] in accordance with the WSSC Plumbing
 13 and Fuel Code.

14 (b) Section 903.2.1, General. Approved automatic sprinkler systems in buildings and
 15 structures shall be provided in the locations described in this Section. For the purposes of this
 16 Section, the fire area is defined as the aggregate floor area enclosed and bounded by firewalls
 17 [and], exterior walls, fire barriers or horizontal assemblies of a building. Areas of the building
 18 not provided with surrounding walls shall be included in the fire area if such areas are included
 19 within the horizontal projection of the roof or floor next above.

20 (1) Repairs to Residential Structures. Use Group R-1, Use Group R-2, Use
 21 Group R-3, and Use Group R-4 which, because of lack of maintenance or structural damage due
 22 to a fire, explosion, or natural causes, undergo repairs or renovations which, in the opinion of the
 23 Director or the Director's designee, exceed fifty percent (50%) of the building shall have an
 24 approved automatic fire sprinkler system installed throughout the building as part of the scope of
 25 repairs to be completed.

1 (c) Section 903.2.1.1, Group A-1. An automatic sprinkler system shall be provided
2 throughout stories and a fire area containing a Group A-1 occupancy to and including
3 intervening floors and the level of exit discharge serving that occupancy where one of the
4 following conditions exists:

- 5 (1) The fire area exceeds six thousand (6,000) square feet;
6 (2) The fire area has an occupant load of three hundred (300) or more;
7 (3) The fire area is located on a floor other than the level of exit discharge
8 serving such occupancies; or
9 (4) The fire area contains a multi-theatre complex.

10 (d) Section 903.2.1.3, Group A-3. An automatic sprinkler system shall be provided
11 throughout stories and fire area containing a Group A-3 occupancy to and including intervening
12 floors and the level of exit discharge serving that occupancy where one of the following
13 conditions exists:

- 14 (1) The fire area exceeds six thousand (6,000) square feet;
15 (2) The fire area has an occupant load of three hundred (300) or more; or
16 (3) The fire area is located on a floor other than the level of exit
17 discharge.

18 (e) Section 903.2.1.4, Group A-4. An automatic sprinkler system shall be provided
19 throughout stories and a fire area containing a Group A-4 occupancy to and including
20 intervening floors and the level of exit discharge serving that occupancy where one of the
21 following conditions exists:

- 22 (1) The fire area exceeds six thousand (6,000) square feet;
23 (2) The fire area has an occupant load of three hundred (300) or more; or
24 (3) The fire area is located on a floor other than the level of exit
25 discharge.

1 Exception: Sprinklers shall not be required directly over participant floor areas or swimming
 2 areas of buildings occupied exclusively for indoor participant sports such as indoor firearm
 3 ranges without tactical floor exercises, tennis, skating, swimming and equestrian activities,
 4 provided that the main floor area is located at the same level as the level of exit discharge of the
 5 main entrance and exit, and the building owner furnishes to the Director or the Director's
 6 designee a notarized statement acknowledging that the future use of the unprotected sporting
 7 floor areas of the facility will be limited to sporting activities of a low hazard nature with
 8 minimal occupant loadings and no combustibility of the contents and furnishings other than
 9 necessary to the sporting events.

10 (f) Under 903.2.6 Group I. An automatic sprinkler system shall be provided throughout
 11 buildings with a Group I fire area.

12 Exception: Family Home Daycare exceeding eight (8) and up to twelve (12) shall provide
 13 automatic sprinkler as per 903.3.1.3 throughout the entire building. Existing residential homes
 14 governed by the International Residential Code (IRC), without a fire protection sprinkler system,
 15 used for Family Home Daycare with five (5) or less occupants receiving care shall not be
 16 required to install a new sprinkler system required by IRC.

17 (g) Section 903.2.7, Group M. An automatic sprinkler system shall be provided
 18 throughout buildings where the fire area containing a Group M occupancy where one of the
 19 following conditions exists:

- 20 (1) A Group M fire area exceeds six thousand (6,000) square feet[.,].
 21 (2) A Group M fire area is located more than two (2) stories above grade
 22 plane.
 23 (3) The combined fire area on all floors, including any mezzanines,
 24 exceeds twelve thousand (12,000) square feet.

25 (4) A Group M occupancy used for the sales, storage, or display of upholstered

1 furniture or mattresses over five thousand (5,000) square feet.

2 (h) Section 903.2.7.1, High-Piled Storage. An automatic sprinkler system shall be
3 provided in all buildings of Group M where storage of merchandise is in high-piled or rack
4 storage arrays. High-piled storage shall be considered storage in excess of twelve (12) feet above
5 the floor for purposes of this Section.

6 (i) Section 903.2.8, Group R-2. An automatic sprinkler system shall be provided
7 throughout buildings with a Group R-2 fire area. The following reductions in construction
8 requirements are permitted when a building of use Group R-2 is fully sprinklered and is not over
9 four (4) stories above grade on any side of the building:

10 (1) Attic sprinklers may be omitted provided that the ceiling of the top
11 level is of five-eighths (5/8) inch fire code type gypsum board and the attic is draft_stopped at
12 each two (2) units maximum and all ceiling ductwork penetrations are provided with UL listed
13 ceiling dampers;

14 (2) Section 11-258 of the County Code (County Fire Safety Law) requiring
15 heat detectors in apartments is not applicable;

16 (3) Balconies of apartments may be of combustible construction, provided
17 the balconies are sprinklered;

18 (4) Sprinklers may be omitted from open-air exterior stair enclosures
19 provided that a Class A finish is used in the stairs; and

20 (5) Balcony soffit vents in unsprinklered attics are permitted.

21 (j) Section 903.2.9, Group S-1. An automatic sprinkler system shall be provided
22 throughout buildings where the fire area containing a Group S-1 where one of the following
23 conditions exists:

24 (1) Occupancy exceeds six thousand (6,000) square feet.

25 (2) [Where a Group S-1 occupancy used for storage of upholstered

1 furniture or mattresses exceeds two thousand five hundred (2,500) square feet.] Where fire area
 2 is located more than two (2) stories above grade plane.

3 (3) Where a Group S-1 fire area used for the storage of commercial motor
 4 vehicles where fire area exceeds five thousand (5,000) square feet.

5 (4) [Where fire area is located more than two (2) stories above grade
 6 plane.] The combined area of all Group S-1 fire areas on all floors, including mezzanines,
 7 exceeds 24,000 square feet (2230 m2).

8 [(5) Combined are on all floors, including mezzanines, exceeds 24,000 square feet
 9 (2230 m2).]

10 (k) 903.2.9.4 Group S-1 upholstered furniture and mattresses. An automatic
 11 sprinkler system shall be provided throughout a Group S-1 fire area where the combined areas
 12 used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m2).

13 [(k)] (l) Section 903.3.9, Riser and Water Supply Requirements. Every building which
 14 is required to be fully sprinklered shall be provided with a complete and separate sprinkler
 15 system riser. The riser shall include an alarm check valve or indicating device and check valve, a
 16 drain and connection for a fire department pumping connection and a control valve. The
 17 arrangement and location shall be subject to the approval of the authority having jurisdiction. A
 18 separate main supply source shall be required for each system riser. The system supply shall be
 19 based upon the low hydraulic grade shown on the Hydraulic Information Sheet, as determined by
 20 the Washington Suburban Sanitary Commission or lowest hydraulic point per the water authority
 21 in areas not served by WSSC. The demand for the automatic sprinkler system must be below the
 22 available water supply curve, unless approved by the Fire Code Official or designee as follows:

23 (1) Automatic sprinkler demand plus, 10% or 10 psi, whichever is greater
 24 for commercial systems under NFPA 13 and NFPA13R.

25 (2) Automatic sprinkler demand plus 5% or 5 psi, whichever is greater for

1 residential systems for under NFPA 13D.

2 [(1)] (m) Section 903.6, Zones. Automatic fire suppression system zones shall
 3 coincide with the fire alarm zones required in Section 907.6.4 of this Code unless specifically
 4 exempted by the Director or the Director's designee.

5 [(m)] (n) Section 903.7, Thermal Protection. Heat tracing tape shall not be an
 6 acceptable means of thermal protection for any portion of a fire suppression system.
 7 Exception: Wet pipe suppression systems with heat trace tape specifically listed for intended
 8 application and installed in accordance with the listing as acceptable as approved by the Director
 9 or the Director's designee.

10 [(n)](o) Section 903.3.7.1, Mechanical Protection. All piping comprising any portion of
 11 a fire protection system shall be protected against reasonable mechanical vehicular damage.

12 **Sec. 4-159. through Sec. 4-162. – Reserved**

13 **Sec. 4-163. Fire Protection Systems; Section 903, Automatic Sprinkler Systems.**

14 (a) Section 903.3.7.1, Number of Inlets shall be per NFPA 14, section 7.10. [The
 15 number of inlets shall comply with Table 903.3.] For systems exceeding 2,000 gpm of fire
 16 sprinkler flow demand, the number and arrangement of the fire department connection inlets
 17 shall be as directed by the Director or the Director's designee.

18 [TABLE 903.3]

19 [The number of 2½-inch fire department connection inlets shall be based on the following
 20 schedule:]

[HIGHEST SYSTEM WATER DEMAND]	[NUMBER OF 2 1/2 INCH FIRE DEPARTMENT CONNECTIONS]
[0 gpm to 500 gpm]	[1]

[500+ gpm to 1,000 gpm]	[2]
[1,000+ gpm to 1,500 gpm]	[3]
[1,500+ gpm to 2,000 gpm]	[4]
[For systems exceeding 2,000 gpm of fire sprinkler flow demand, the number and arrangement of the fire department connection inlets shall be as directed by the Director or the Director's designee.]	

1 **Sec. 4-164. Reserved.**

2 **Sec. 4-165. - Fire Protection Systems; Section 907, Fire Alarm and Detection Systems.**

3 (a) Section 907.2.1.1, System initiation in Group A occupancies with an occupant
 4 load of 300 or more. Activation of the fire alarm in Group A occupancies with an occupant load
 5 of 300 or more shall initiate a signal using an emergency voice/alarm communications system in
 6 accordance with NFPA 72. Section 907.5.2.2.

7 Exception: (1) Where approved, the prerecorded announcement is allowed to be manually
 8 deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live
 9 voice announcement from an approved, constantly attended location.

10 (b) Section 907.6.4, Zones. Each floor shall be zoned separately and a zone shall not
 11 exceed twenty-two thousand five hundred (22,500) square feet. The length of any zone shall not
 12 exceed three hundred (300) feet in any direction. Annunciation shall be provided in all buildings
 13 that contain more than one zone. A floor shall be subdivided into zones when the maximum area
 14 for a sprinkler, smoke control or alarm system is exceeded. The zones' coverage areas shall be
 15 arranged to coincide.]

16 [Exception](2) Automatic sprinkler system zones shall not exceed the area permitted by NFPA
 17 13. Fire alarm zones may exceed twenty-two thousand five hundred (22,500) square feet where
 18 necessary to match sprinkler zones.

19 [(c)] (b) Section 907.6.4.1, Graphic Zoning Indicator Panel. A zoning indicator panel

1 with a graphic display and the associated controls shall be provided at the main entrance(s) of the
 2 building or structure. If the building is not constantly attended, the display shall be visible and
 3 discernible from the exterior. The visual zone indication shall lock in until the system is reset and
 4 shall not be canceled by the operation of an audible alarm-silencing switch. The Graphic Zoning
 5 Panel shall provide the following information:

- 6 1. Full name and address of building
- 7 2. Location of Sprinkler Room and/or Fire Pump Room
- 8 3. Location of fire hydrant(s)
- 9 4. Fire Command Center, if applicable
- 10 5. Location of Fire Alarm Control Panel
- 11 6. Location of all Fire Alarm Control Unit(s), if applicable
- 12 7. Location of main electrical disconnect for Building and Photovoltaic

13 Systems

- 14 8. Location of main gas shutoff, if applicable
- 15 9. North Arrow
- 16 10. Location of all generator(s), if applicable

17 [(d)](c)Fire alarm system within a building must not have conflicting:

- 18 1. audio devices
- 19 2. visual devices

20 **Sec. 4-166- Fire Protection Systems; Section 909, Smoke Control Systems.**

21 Section 909.2.1, Smoke Control Systems Design Report. All active mechanical smoke
 22 control systems shall be reviewed, signed and stamped by a professional engineer who is
 23 licensed in the State of Maryland and who meets the requirements of Section 107.3.4 prior to
 24 submission for review. The professional engineer shall submit a Design Report with supportive
 25 calculations to the Director or the Director's designee attesting to the design's compliance with

1 Sections 909.8 and 909.9 of this Code, as well as applicable adopted NFPA Codes for smoke
2 control systems.

3 **Sec. 4-167 - Fire Protection Systems; Section 912, Fire Department Connections.**

4 (a) Section 912.2.3 is added to read as follows: "Location and Performance of Fire
5 Hydrants." Every building of more than one thousand (1,000) square feet in area shall be
6 provided with sufficient fire hydrants located such that no exterior portion of the building is
7 located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as
8 a hose line would be laid along paved streets, through parking lot entrances, and around
9 obstructions, in accordance with the determination of the authority having jurisdiction. A fire
10 hydrant is required within two hundred (200) feet of any required fire department connection, as
11 hose is laid. The fire department connection must be located on the front, address side of the
12 building and be visible from a fire hydrant or as approved by the Fire Code Official. Each
13 hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty
14 (20) psi.

15 Exception: An approved alternate water supply source may be acceptable in areas not served by
16 a public water supply. In addition, a fire hydrant is not required to be situated within two
17 hundred (200) feet of any required fire department connection that is intended to supply an
18 automatic fire sprinkler system that has been retrofitted into an existing building of any use
19 group, provided that the area of the building has not been increased in size or the use group
20 classification has not been changed to require an automatic fire suppression system under any
21 other provision of this Division.

22 **Sec. 4-168. through Sec. 4-171. - Reserved.**

23 **Sec. 4-172. - Means of Egress; Section 1015, Guards.**

24 (a) Section 1015.2.2, All retaining walls thirty (30) inches or higher shall be
25 provided with guard rails in accordance with this Section.

1 (b) Section 1015.4.1, Ladder Effect. Guards shall not have an ornamental pattern that
 2 would provide a ladder effect for all of the following uses: Assembly (A), Educational (E),
 3 Institutional (I), Mercantile (M), Residential (R) or any other open to the public.

4 (c) Exceptions: Section (b) above shall not apply where A, E, M, and R are accessory uses
 5 only.

6 **Sec. 4-173. Means of Egress: Section 1027, Exterior Exit Stairways and Ramps.**

7 Section 1027.6.1, Types of Protection. In other than Use Group R-3 (one-and-two-family
 8 dwellings) treads, platforms and landings or other walking surfaces that are part of a required
 9 exterior stairway, or egress system, located more than thirty (30) inches above grade, or below
 10 grade and are in climates subject to snow or ice shall be protected by either:

- 11 1. Roof overhang, canopy or awning consistent with the type of construction.
- 12 2. Heated slab.
- 13 3. Reliable snow maintenance program approved by the Director or the Director's

14 designee.

15 a. [Not] For use with new buildings or new occupancy types [without specific
 16 approval by the Director or Director's designee].

17 b. Owner / owner's representative shall complete the Snow Removal
 18 Agreement form which must be notarized.

19 1. The form shall contain the following information:

20 (A) Shall identify the Owner, Tenant's and Contractor's contact
 21 information.

22 (B) The period of the time the Agreement covers.

23 (C) Case Number.

24 (D) Project Name.

25 (E) Location and/or Street Address.

1 (F) The Agreement must be notarized.

2 (G) The Agreement shall contain the following language: This
 3 document will serve as an agreement to establish and maintain a snow and ice removal
 4 maintenance program at (address) that is acceptable to the Department of Permitting,
 5 Inspections, and Enforcement of Prince George's County Government. If the weather forecast
 6 predicts at least 2" of accumulation, the owner/contractor will remove snow and ice
 7 accumulation from all exterior ramps, stairways, landings, and walkways in accordance with
 8 Prince George's County Subtitle 4-173.

9 (H) The above shall be submitted along with the submittal document
 10 for plan review and approval as part of the permit application submission.

11 **Sec. 4-174. through Sec. 4-179. - Reserved.**

12 **Sec. 4-180. - Chapter 11 - Accessibility.**

13 (a) Chapter 11 of the IBC relating to Accessibility is hereby replaced with the Maryland
 14 Accessibility Code set forth in the Code of Maryland Regulations (COMAR) Section 05.02.02.

15 (b) The following provisions shall supplement the Maryland Accessibility Code.
 16 Swimming pool access: All public swimming pools shall have an approved lift with a capacity of
 17 not less than three hundred (300) pounds for ingress to and egress from the pool or a suitable
 18 system of ramps which would readily and safely accomplish the same purpose.

19 (c) Ramps serving as the main means of egress or ingress for a building shall have a
 20 width of not less than five (5) feet measured between the handrails.

21 **Sec. 4-181. - Interior Environment; Section [1203] 1202, Ventilation.**

22 (a) Section [1203.4.1.3] 1202.5.4 (IBC) is added to read as follows:

23 (1) "Locations." Every door or window which opens directly from any
 24 dwelling unit of a multifamily dwelling to the outdoors; fifty percent (50%) of the
 25 nominal area of every double-hung and horizontal sliding window, and that portion of

1 every other type window normally used for ventilation; and all other openings, unless
 2 specifically exempt or modified by the Building Official or designee in accordance with
 3 the hardship or modification provisions of this Subtitle and the IBC, shall be screened
 4 with not less than sixteen (16) mesh per inch material. In addition, every hinged screen
 5 door shall have a self-closing device in good working condition; except that no screens
 6 shall be required for a dwelling unit on a floor above the fifth floor. Screen doors shall
 7 not be required on the main entrance door.

8 (2) "Governing Code." Screens required by this Section shall be installed or
 9 be available to be installed on all dwelling units. The actual times that screens must be
 10 provided and installed for use on all dwellings will be governed by the Prince George's
 11 County Housing Code, unless exempt or modified by the Building Official or designee.
 12 These provisions shall be applicable to all dwelling structures irrespective of the date of
 13 construction.

14 **Sec. 4-182. through Sec. 4-185. – Reserved.**

15 **Sec. 4-186. – Roof Assemblies and Rooftop Structures; Section 1502, Roof Drainage.**

16 Section [1503.4.4] 1502.5 is added to read as follows: "Gutters and Downspouts." Unless
 17 constructed with parapet walls and coping, all exterior walls shall be provided with gutters and
 18 downspouts or leaders to dispose of roof drainage to comply with the [WSSC] International
 19 Plumbing Code or other local jurisdiction codes.

20 **Sec. 4-187. – Structural Design; Section 1608, Snow Loads.**

21 (a) Section 1608.1, General. Design snow loads shall be determined in accordance with
 22 Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section
 23 1607 of this Code. However, in no case shall a roof be designed for less than thirty (30) pounds
 24 per square foot (psf) snow load plus the drift.

25 (b) Section 1608.2, Ground Snow Loads. The minimum ground snow loads to be used in

1 determining the design snow loads for roofs, including snow drift shall be thirty-five (35) pounds
2 per square foot (psf).

3 **Sec. 4-188. – Soils and Foundations; Section 1805, Dampproofing and Waterproofing.**

4 (a) Section 1805.4.3.1 is added to read as follows: "Foundation Drainage." In no case shall
5 a discharge pipe of foundation drainage be connected to a public sanitary sewer or a septic
6 system.

7 (b) Section 1805.4.3.4, Sump Pumps and Pits. Where subsoil drains do not discharge by
8 gravity, the drains shall discharge to an accessible sump pit with an automatic electric pump. A
9 battery back-up or water-powered back-up sump pump will also be provided. Sump pit shall be a
10 minimum of twenty-four (24) inches in diameter, or eighteen (18) inches square and twenty-four
11 (24) inches in depth and be provided with a fitted cover. The sump pump shall have adequate
12 capacity to discharge all water coming into the sump as it accumulates, but in no case shall the
13 capacity of the pump be less than fifteen (15) gallons per minute. The discharge from the pump
14 shall be a minimum of one and one-fourth (1¼) inches and shall have a union in the discharge
15 piping to make the pump accessible for servicing. Subsoil drains and sump pump discharge may
16 discharge to a properly graded open area provided the point of discharge is ten (10) feet from any
17 property line or Building Restriction Line (BRL). Where a continuously flowing spring or high
18 groundwater table is encountered during the design stage, basement floors shall be designed at
19 least two and one-half (2.5) feet above the groundwater's highest detected level. Alternatively,
20 pre-approved methods of permanent dewatering shall be provided, and groundwater level shall
21 be verified again before construction. If such condition is encountered after construction, and
22 subsoil drains are pre-approved by the County, these drains must be piped to a storm drain or
23 approved outfall where they shall be fitted with an accessible backwater valve. Residential sump
24 pumps are not to be relied on for lowering high groundwater table.

25 (c) Section 1805.4.3.5, Areaway Drains. All open subsurface space adjacent to a building

1 serving as an exit or entrance shall be provided with a drain or drains. Such areaway drains shall
2 be of approved material in accordance with the International Plumbing Code (IPC) and not less
3 than two (2) inches in diameter and shall discharge by gravity or mechanical means. Areaway
4 drains for areas exceeding 100 square feet shall be sized in accordance with Section 1114 of the
5 2015 IPC and be a pre-approved design.

6 (d) Section 1805.4.3.6, Window Well Drains. Window well areaways shall have drains.
7 Window well areaways ten (10) square feet or less may discharge to the subsoil drain through a
8 two-inch minimum diameter pipe.

9 (e) Section 1805.4.3.7, Foundation Weep Holes. Where subsoil drains are required by
10 Section 1805.4.2, foundations of hollow core masonry shall have foundation weep holes. Weep
11 holes shall be placed a maximum of 4-foot o/c intervals and shall discharge into the aggregate of
12 interior subsoil drainage system.

13 (f) Section 1805.4.3.8, Site Grading. The ground immediately adjacent to the foundation
14 shall be sloped away from the building at a slope of not less than one unit vertical in twelve (12)
15 units horizontal (1:12) for a minimum distance of 5 feet (914 mm) measured perpendicular to the
16 face of the wall or an approved alternate method of diverting water away from the foundation
17 shall be used. Consideration shall be given to the possible additional settlement of the backfill
18 when establishing the final ground level adjacent to the foundation.

19 **Sec. 4-188.01 Section 1808 Foundation, 1809, Shallow Foundation**

20 (a) Section 1808.1 is modified to include the following: Minimum size: All footings shall
21 be designed for a soil load bearing value of 1500 pounds per square foot (psf) unless a
22 geotechnical report is submitted.

23 (b) Section 1808.7, Footings on or Adjacent to Slopes. The placement of buildings and
24 structures on or adjacent to slopes steeper than one (1) unit vertical in three (3) units horizontal
25 (or a 33.3% slope) shall conform to Section 1808.7.1 through 1808.7.5 of this Code. However, if

1 there is a conflict between the requirements of this Section and Subtitle 32 of the County Code,
 2 the more restrictive requirements shall apply.

3 **Sec. 4-189. Soils and Foundations; Section 1809, Shallow Foundation.**

4 [(a) Section 1808.7, Footings on or Adjacent to Slopes. The placement of buildings and
 5 structures on or adjacent to slopes steeper than one (1) unit vertical in three (3) units horizontal
 6 (or a 33.3% slope) shall conform to Section 1808.7.1 through 1808.7.5 of this Code. However, if
 7 there is a conflict between the requirements of this Section and Subtitle 32 of the County Code,
 8 the more restrictive requirements shall apply.]

9 [(b)] (a) Section 1809.5, Frost Protection. Except when erected upon solid rock or
 10 otherwise protected from frost, foundation walls, piers, and other permanent supports of all
 11 buildings and structures shall extend thirty (30) inches below finished grade and placed on
 12 undisturbed ground or compacted fill material, certified by a geotechnical engineer licensed to
 13 practice in the State of Maryland, and spread footings of adequate size shall be provided when
 14 necessary to properly distribute the load within the allowable bearing value of the soil, or such
 15 structures shall be supported on piles, piers or pre-approved methods of ground improvement
 16 when solid earth to rock is not available.

17 **Sec. 4-189.01 Soils and Foundations; Section 1809.01, Ground Improvement Foundation.**

18 Section 1809.01 Aggregate Pier or similar Ground Improvement Foundation System is
 19 added.

- 20 (a) Construction tolerance of the pier installed location shall not be more than 6 inches.
- 21 (b) For the 3-pier footing, the centroid of the installed piers, the centroid of the footing and
 22 the centerlines of the supported column shall be coincided.
- 23 (c) The capacity of the single-pier-, and 2-pier footings used in supporting column/wall
 24 loads shall be reduced due to the eccentricity (allowed construction tolerance) of the
 25 pier location.

1 **Sec. 4-189.02. - Foundations; Section R-404, Foundations and Retaining Walls.**

2 (a) The following amendments, additions, and/or deletions are made:

3 (1) Design Loads. In addition to other applicable loads, the basement walls shall be
4 designed for the at-rest pressure (lateral soil load) as described in Table 1610.1 of the [2018]
5 2021 International Building Code.

6 (2) Design of Concrete Masonry. Design of concrete masonry unit (CMU) walls
7 shall conform to the Building Code Requirements for Masonry Structures (ACI 530/TMS 402)
8 Chapters 1, 2 and 3. Minimum horizontal joint reinforcement consisting of not less than two
9 continuous wires each with a minimum cross-sectional area of 0.017 square inch (9 gage) shall
10 be provided in horizontal bed joints spaced not more than every second course vertically. For
11 basement walls subjected to lateral earth pressure, minimum vertical reinforcement shall consist
12 of one No. 5 rebar (ASTM A615 grade 60) spaced not more than sixteen (16) inches (for
13 nominal 8", 10", or 12" walls). Cells having vertical reinforcement shall be filled with concrete
14 or masonry grout meeting the requirement of ASTM C476. Vertical steel reinforcement shall be
15 placed not more than 2 inches from the inside face of the walls.

16 (3) Design of Concrete Walls. Design of concrete walls subjected to lateral earth
17 pressure shall conform to the Building Code Requirements for Reinforced Concrete (ACI 318-
18 14) Chapter 10. Minimum reinforcement in each direction shall not be less than that required by
19 Chapter 7 (i.e. for ASTM A615 grade 60, No. "@14" for 8-inch thick, No. "@12" for 10-inch
20 thick, and No. "@10" for 12-inch thick wall). For design of concrete walls subjected to lightly
21 loaded lateral earth pressure (4 feet or less of unbalanced backfill) or concrete walls with
22 insignificant stress components (for example, stresses reduced by mean of wall stiffeners) the
23 ACI 318-14 Chapter 22 may be used to determine the amount of reinforcement required.

24 (b) For walls that are proposed to serve as floods walls, the permittee shall secure approval
25 from the US Army Corps of Engineers prior to submittal to Prince George's County for building

1 permit. The applicant shall submit evidence of approval.

2 (c) The following requirements shall be met for retaining wall permits, not including
 3 cantilevered retaining walls for basements, which are covered by the 2021 IBC, Chapter 18.

4 (1) The Height of a retaining wall is measured from lowest ground elevation on the
 5 lower or bottom side of wall to the highest elevation on the top of the retaining wall structure, at
 6 any given cross section of the wall.

7 (2) Soil investigation is required at a minimum rate of one soil test boring per 100
 8 linear ft of the retaining wall length.

9 (3) Timber retaining walls are not allowed.

10 (4) In general, on residential developments, the height of retaining walls shall be
 11 minimized preferably to less than 6 feet, for ease of maintenance. This also applies to the
 12 cumulative height of tiered retaining walls.

13 (5) Retaining walls shall be located on common homeowner or business park
 14 association parcels, to the maximum extent practical. Retaining walls shall not be located in the
 15 public storm drain or storm water management easements. Retaining walls shall not be located in
 16 the County public road right of way, except for abutment walls for bridges.

17 (6) For Segmental Retaining walls (SRW) including Mechanically Stabilized
 18 Earth Walls (MSEW) higher than 2 feet, and other proprietary products, the applicant shall
 19 include in the permit submittal the manufacturer's information and specifications, and a valid
 20 evaluation report from a DPIE approved listing agency. The permittee shall submit an
 21 acceptance letter for the geotechnical aspects only of the wall design from the Geotechnical
 22 Engineer of Record (GER) if the GER is not the wall designer.

23 (7) Declaration of Easements for Retaining Walls

24 (i) Retaining walls and tiered walls with a cumulative height of 6 feet or
 25 greater are required to have a permanent easement in front of and behind the wall. The easement

1 dimension shall not be less than 10 feet wide on the low side of the wall.

2 (ii) On the high side of the wall, the easement shall contain the select
3 backfill zone, including soil reinforcement including geogrids, tiebacks, anchors, and footings.

4 (iii) The easement dimension on the high side of the wall shall not be less
5 than 10 feet wide.

6 (iv) Grading and retaining wall permit plans shall reflect the limits of the
7 retaining wall easements and the horizontal extent of soil reinforcement, footing, and select
8 backfill zone.

9 (v) The following site elements shall not be located inside retaining wall
10 easements:

11 (aa) Buried utilities (except as noted in (9)(aa) and (9)(bb) below

12 (bb) Building additions

13 (cc) Porches

14 (dd) Structures

15 (ee) Pools

16 (ff) Decks

17 (gg) Stormwater management devices and storm drain pipe

18 (hh) Trees

19 (vi) The following site elements are permissible inside retaining wall
20 easements:

21 (aa) Storm drain outfall pipe located perpendicular to the wall, if there
22 is no alternative but to penetrate through the wall. The storm drain shall have a drop manhole
23 on the high side of the wall, and the storm drain pipe under the footing of the retaining wall shall
24 be encased in an outer pipe sleeve that is at least 12 inches larger in size than the conveying
25 storm drain pipe.

1 (bb) Storm drain inlets and pipes necessary to capture the swale
2 immediately above the wall. These storm drain systems must be designed shallow enough to be
3 built above the soil reinforcement (not deeper than 2 feet).

4 (cc) Sheds

5 (dd) Fences - fence posts shall be located a minimum of 3 feet from the
6 face of wall.

7 (ee) Patios

8 (ff) Pergolas

9 (gg) Benches

10 (hh) Sidewalks

11 (ii) Trails

12 (jj) Signage

13 (kk) Landscaping (not including trees)

14 (ll) Private roads and parking lots – guardrails and traffic barriers
15 shall be provided and located between the wall and the roadway, a minimum of 3 feet from the
16 face of the wall.

17 (vii) Above features in (9)(cc, dd, ee, ff, gg, hh, ii, kk and ll) are only
18 allowable within retaining wall easements if the Declaration of Easement language obligates the
19 owner/maintainer of these features to remove and replace these elements, as may be required for
20 wall maintenance or reconstruction.

21 (viii) The retaining wall Declaration of Easement shall specify maintenance
22 responsibility.

23 (ix) The Declaration of Easement shall restrict future construction of
24 unacceptable elements.

25 (x) Retaining walls that span across multiple residential lots shall be

1 maintained by the Homeowner's Association.

2 (8) Retaining wall plans shall show wall drainage systems and select backfill
3 behind the wall, filter fabric between the select backfill and adjacent soils, structural elements,
4 and reinforcement type and size.

5 (9) Retaining walls shall be designed to meet the minimum safety factor of 1.5
6 against sliding and overturning.

7 (10) Retaining wall plans shall show in site plan view, wall profile view, and wall
8 sections the extent of select backfill, soil reinforcement, filter fabric, and other pertinent
9 information. The design professionals (structural, civil, geotechnical) shall fully coordinate select
10 backfill and soil reinforcement with all site features.

11 (11) Retaining walls shall be located with the toe of the wall a minimum of 25
12 feet from creeks, streams, and swales, as these locations have the potential for eroding and
13 undermining retaining wall structures. The design engineer shall submit a scour analysis for
14 streams and swales in close proximity to retaining walls. If the scour analysis requires, the
15 retaining wall permit documents shall be designed with a foundation system capable of
16 withstanding the scour, for example deep foundation system and/or armoring of the stream, as
17 required.

18 (12) Segmental retaining walls (SRWs), including the leveling pads, shall not be
19 placed below the 100- year floodplain elevation, due to concerns with scour and migration of soil
20 backfill.

21 (13) For retaining wall permits, a global stability analysis shall be signed and
22 sealed by a licensed geotechnical engineer and must be provided for the following conditions:

23 (aa) Walls with cumulative height taller than 10ft;

24 (bb) Walls with cumulative height taller than 6 ft and with back slope
25 steeper than 3 horizontal to 1 vertical;

1 (cc) Walls on or adjacent to unstable soils, such as over-consolidated clay;

2 or

3 (dd) When deemed necessary by DPIE or the Geotechnical Engineer of
 4 record (GER).

5 (ee) The retaining wall calculations shall achieve a 1.5 minimum factor of
 6 safety for global stability.

7 (ff) The global stability analysis is also required for a series of tiered
 8 retaining walls, for which the cumulative height of all walls exceeds the heights described in (17)
 9 above.

10 (14) Retaining walls shall be drained by a system that includes:

11 (aa) Perforated drainage pipes at the toe of the wall. Toe drainage pipes
 12 shall be connected to a solid storm drain or discharge to grade;

13 (bb) An upright drainage layer behind the wall façade that ties into the toe
 14 drainage behind the wall bottom. This drainage layer can consist of gravel or a prefabricated geo-
 15 composite if recommended by the design engineer;

16 (cc) Filter fabric between the gravel and soil; and

17 (dd) Perforated two (2)-inch minimum diameter PVC weep holes, through
 18 the wall, for the entire length of the wall, and at a maximum spacing of 20 feet.

19 (15) Within the select backfill zone, the upper soil layer shall consist of 4 inches
 20 of topsoil and 12 inches of impervious clay soil or an impermeable geo-membrane below the
 21 topsoil. The purpose of this is to limit surface water infiltration into the select backfill zone of the
 22 retaining wall.

23 (16) To prevent surface storm water from flowing over the top wall of wall, a
 24 swale is required immediately behind the wall. The swale may be located at least 12 inches
 25 behind the high side of the wall, with a depth of at least 6 inches. The swale shall have 4 inches

1 of topsoil at the surface and 12” of impervious lean clay soil or an impermeable geo-membrane
2 below the topsoil. If the length of land adjacent to and perpendicular to the wall is negligible, for
3 example less than 5 feet wide, such that surface sheet flow down the slope and towards the wall
4 is minimal, then the swale above the wall is not required. All concentrated flows shall be
5 intercepted into a storm drain system and conveyed thru the wall.

6 (17) If the groundwater elevation is 2 feet or less below the retaining wall
7 leveling pad or is expected to rise seasonally to the bottom of the leveling pad or higher, a
8 blanket drain is required below the retaining wall, near the bottom of the leveling pad.

9 (18) If an identified water source such as groundwater or springs are located on
10 the high side of a retaining wall, a drainage blanket and chimney drains at least 6” thick are
11 required. The drainage blanket shall extend laterally from the wall to the chimney drain at a
12 rising slope of 3%. The chimney drain shall rise to the elevation of the groundwater source, and
13 shall have a heel drain pipe with a minimum four (4) inch diameter at its bottom. Blanket and
14 chimney drains are also required if surface drainage runoff or subsurface water may otherwise
15 flow to the wall, which frequently comes from unconfirmed or unidentified water sources. The
16 blanket shall extend back from the wall to cover the entire select backfill and to reach the
17 possible water source. The chimney height shall be seventy (70) percent of the wall height, with
18 a heel drain pipe.

19 (19) Soil reinforcement and/or other slope stabilization measures, such as
20 caissons, piles, piers, deep dynamic compaction, or other means shall be shown to scale on the
21 site grading plans in profile and plan views.

22 (20) Retaining walls that retain multiple lots shall pass final inspection
23 successfully before structures on all retained lots can receive final inspection.

24 **Sec. 4-190. – Special Inspections and Tests; Section 1705, Required Soils.**

25 Section 1705.6, Soils. The special inspections for existing site soil conditions, fill

1 placement and load bearing requirements shall follow Division 2 of Subtitle 32 of the County
2 Code entitled, "Grading, Drainage and Erosion and Sediment Control.

3 Section 1706.19, Fire Inspections. A third party inspection is required for fire protection
4 system work under the Third-Party Inspections Program (TPIP).

5 This includes all new buildings other than single family dwellings. In all cases, the
6 determination for inspection responsibility is made in writing prior to the issuance of a building
7 permit for the structure or alteration. Owners of projects that are subject to the Third-Party
8 Inspections Program (TPIP) must submit, as part of the permit application, a Statement of Third-
9 Party Inspections (STPI). The STPI shall identify the names of all design professionals of record,
10 Third-Party Inspectors of Record (TPIR), and the Inspection and Testing Agency retained by the
11 Owner to provide inspections and/or testing services. An individual's signature on the STPI
12 certifies that they have read and understand their role under the TPIP.

13 Small tenant work is not normally included in the TPIP program and is generally inspected
14 by County inspection personnel. The owner may elect, or the County inspector may require, a
15 third party Certification on small systems at their discretion based on system size or complexity.
16 The format of these third party inspections shall be the same as utilized for TPIP compliance.

17 1. It is the responsibility of the owner to engage and pay for the third party fire
18 protection system inspection. Please notice that no contractor may utilize a person of their own
19 employment to inspect the construction work of their own firm.

20 2. All work on fire protection systems is subject to inspection regardless of the
21 number of heads or devices involved. All suppression systems and alarm systems (suppression
22 monitoring, fire and voice alarm) require a valid fire protection system permit.

23 3. All pressurized fire protection systems shall undergo hydrostatic testing after any
24 work on the pressurized part of the system is completed. County inspection personnel may waive
25 the hydrostatic testing of altered fire sprinkler systems of less than 50 added or relocated heads

1 where the workmanship is without question, the existing piping appears to be in good condition,
2 and no pipe larger than two and one-half (2 ½) inches in diameter is altered.

3 4. A third party inspector shall submit the fire protection system Certification form
4 in accordance with TPIP. On small projects outside the scope of the TPIP, the third party
5 inspector shall submit [personally present] the Certification form to the County inspector. In all
6 cases the Certification form shall be accompanied by inspection documentation as outlined in the
7 appropriate National Fire Protection Association Standard (i.e. Contractor's Material and Test
8 Certification – NFPA 13, Inspection and Testing Form – NFPA 72, etc.) or similar.

9 Where a specific format does not exist for a fire protection system, a submission shall be
10 made to the Fire Code Official and the Inspection division for approval. The submission shall
11 document compliance with the important aspects and testing of the proposed system.

12 **Sec. 4-191. Through Sec. 4-192. Reserved.**

13 **Sec. 4-193 - Masonry; Section 2109, Empirical Design of Masonry.**

14 (a) Section 2109.2.3 is added to read as follows: "Masonry Wall Reinforcement." All
15 masonry walls and cavity walls, except those systems which encompass engineered systems in
16 accordance with standards of Chapter 35, of this Code shall be bonded by joint reinforcement
17 (truss type) at vertical intervals not to exceed sixteen (16) inches.

18 **Sec. 4-194. Steel; Section 2204, Connections.**

19 (a) Section 2204.4 is added to read as follows: For construction of steel moment frames,
20 direct welding connection between steel column and steel beam/girder without the use of
21 connecting elements (i.e. plates, angles, etc.) is prohibited.

22 **Sec. 4-195. - Electrical; Section 2701, General.**

23 (a) Section 2701.1 is amended to read as follows: "Scope." [This Chapter governs the
24 electrical components, equipment and systems used in buildings and structures covered by this
25 Code. Electrical components, equipment and systems shall be designed and constructed in

1 accordance with the provisions of the National Electrical Code, as adopted and amended by
 2 Subtitle 9 of the County Code.] The provision of this chapter and NFPA 70 and amended by
 3 Subtitle 9 of the County Code shall govern the design, construction, erection and installation of
 4 the electrical components, appliances, equipment and systems used in buildings and structures
 5 covered by the code. The International Fire Code, the International Property Maintenance Code
 6 and NFPA 70 as amended by Subtitle 9 of the County Code shall govern the use and
 7 maintenance of electrical components, appliances, equipment and systems. The International
 8 Existing Building Code and NFPA 70 and amended by Subtitle 9 of the County Code shall
 9 govern the alteration, repair, relocation, replacement and addition of electrical components,
 10 appliances, or equipment and systems.

11 **Sec. 4-196. - Electrical; Section 2702, Emergency and Standby Power Systems.**

12 (a) Section 2702.2, Emergency and Standby Power Systems. Where required,
 13 emergency and standby power systems shall be installed in accordance with the National
 14 Electrical Code, International Fire Code, Chapter 12, NFPA 110 and NFPA 111, and shall be
 15 provided where required by Section 2702.2 of this Code and Subtitle 9.

16 (b) Section 2702.2.2 (a) is added to read as follows: "Standby Power." Elevator cars
 17 required by Section 3002.4 of this Code to accommodate ambulance stretchers shall be furnished
 18 with standby power, meeting the requirements of Section 3003.1 of this Code.

19 **Sec. 4-197. - Electrical; Section 2704, Parking Lots and Exterior Passageways.**

20 (a) Section 2704.1 is added to read as follows: "Scope." This Section applies to all new
 21 construction as well as existing multiunit dwellings, except for use group R-3.

22 (b) Section 2704.2 is added to read as follows: "Exterior Passageways." All exterior
 23 walkways serving all use groups other than R-3 and R-4 between buildings, between parking
 24 lots, and between buildings and parking lots shall be illuminated with no less than a one foot-
 25 candle.

1 (c) Section 2704.3 is added to read as follows: "Parking Lots." Parking facilities serving
2 all use groups other than R-3 shall be illuminated with no less than a one foot-candle in the
3 darkest portion of the parking facility.

4 **Sec. 4-198. through Sec. 4-200. - Reserved.**

5 **Sec. 4-201. Mechanical Systems; Section 2803, Minimum Heating Standards.**

6 (a) Section 2801 is added to read as follows: "Scope." To provide minimum protection of
7 health, every dwelling unit shall be provided with a heating system or heat supply in compliance
8 with the IBC and IMC that will maintain a temperature of sixty-eight (68) degrees Fahrenheit in
9 all habitable spaces, bathrooms, and toilet compartments when the outdoor ambient temperature
10 is, at design condition of fourteen (14) degrees Fahrenheit.

11 (b) Section 2801 is added to read as follows: "Design Standards." Heating system design
12 shall be based on accepted engineering practice standards and/or methods established by
13 accredited authoritative agencies listed in the ASHRAE Standard. Certification of calculations
14 and design by a registered professional engineer may be accepted by the Building Official as to
15 compliance with this Section of the IBC.

16 (c) Section 2801 is added to read as follows: "Plans." The actual design conditions used
17 shall be stated on plans submitted for permit. The minimum design condition required by this
18 Section shall be met.

19 **Sec. 4-202. - Plumbing Systems; Section 2901, General.**

20 Section 2901.1 is amended to read as follows: "Scope." The provisions of this Chapter and
21 the Plumbing and Gasfitting regulations [Fuel Gas Code] adopted by the Washington Suburban
22 Sanitary Commission known as the WSSC [International] Plumbing and Fuel Gas Code and
23 [International] Fuel Gas [(natural and liquefied petroleum) Code and WSSC addendums] shall
24 govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or
25 maintenance of plumbing equipment and systems.

1 **Sec. 4-203. - Elevators and Conveying Systems; Section 3001, General.**

2 Section 3001.3 is amended to read as follows: "Reference Standards." Except as otherwise
 3 provided for in this Code, the design, construction, installation, alteration, repair and
 4 maintenance of elevators and conveying systems and their components shall conform to the State
 5 of Maryland Elevator Code, ASME A17.1, Safety Code for Elevators and Escalators, as adopted
 6 by the Maryland Department of Labor, Licensing and Regulation. The Department of Permitting,
 7 Inspections and Enforcement will perform plan review to ensure compliance with building,
 8 electrical, mechanical, and fire/life safety codes pursuant to the Prince George's County Code.
 9 Inspections of elevators shall be conducted by State of Maryland Division of Labor and Industry
 10 – Elevator and Escalator Safety Unit.

11 **Sec. 4-204. - Special Construction; Section 3103, Temporary Structures.**

12 (a) Section 3103.5 is added to read as follows: "Certification." An affidavit or affirmation
 13 shall be submitted to the Director or Director's designee and a copy retained on the premises on
 14 which the tent or air-supported structure is located. The affidavit shall attest to the following
 15 information relative to the flame-resistance of the fabric:

- 16 (1) Names and addresses of the owners of the tent or air-supported structure;
- 17 (2) Date the fabric was last treated with flame resistant solution;
- 18 (3) Trade name or kind of chemical used in treatment;
- 19 (4) Name of person or firm treating the material; and
- 20 (5) Name of testing agency and test standard by which the fabric was tested.

21 (b) Section 3115 Intermodal Shipping Containers is amended as follows: For buildings
 22 constructed under International Residential Code (IRC), the use of shipping containers is allowed
 23 only during permitted construction for temporary storage of construction materials only. The
 24 shipping containers must be removed at the end of construction prior to permit closure.

25 **Sec. 4-205. - Special Construction; Section 3104, Pedestrian Walkways and Tunnels.**

1 (a) Section 3104.1 is amended as follows: This section shall apply to connections between
2 buildings, exterior to buildings such as pedestrian walkways, stairs, ramps or tunnels, located at,
3 above or below grade level, that are used as a means of travel by persons. The pedestrian
4 walkway shall not contribute to the building area or the number of stories or height of connected
5 buildings.

6 (b) Section 3104.3 is amended as follows: Any stair, ramp or walking surface that is used
7 by a pedestrian as a means of travel shall comply with 2021 IBC chapter 10 and Sec. 4-180
8 Accessibility. Bike trough or similar features shall be located at the sides/edges of the stairs and
9 shall have handrail within 30 inches.

10 (c) Section 3104.3 is amended to read as follows: "Construction." The pedestrian walkway
11 shall be of noncombustible construction.

12 **Sec. 4-206. through Sec. 4-207. - Reserved.**

13 **Sec. 4-208. - Special Construction; Section 3108, Telecommunications and Broadcast**
14 **Towers.**

15 (a) Section 3108.3 is added to read as follows: "Antennae." No satellite dish antennae
16 greater than twenty-four (24) inches in diameter or twenty-five (25) inches in length, fifteen (15)
17 inches in width and ten (10) inches in height may be installed or erected without obtaining a
18 building permit, except as provided in this Section. An application for a permit shall be
19 accompanied by detailed drawings of the antenna structure and methods of anchorage. All
20 connections to a roof shall be properly flashed to maintain water tightness. All antennae must
21 meet manufacturers' specifications, be of noncombustible and non-corrosive materials, and be
22 erected in a secure, wind-resistant manner. An electrical permit shall be required for all
23 installations in accordance with the requirements of Subtitle 9 of the County Code. A satellite
24 dish antenna which is designed to be installed on a flat roof may be installed or erected without
25 obtaining a building permit under the following conditions:

1 (1) The antenna requires no mechanical penetration of the roof structure;

2 (2) The permissible loading of the roof is not exceeded; and

3 (3) The maximum diameter is twenty-four (24) inches or the maximum dimensions
4 are twenty-five (25) inches in length, fifteen (15) inches in width and ten (10) inches in height.

5 (b) Section 3108.4 is added to read as follows: "Grounding." Towers shall be
6 permanently and effectively grounded according to Subtitle 9 of the County Code entitled
7 "Electricity."

8 **Sec. 4-209. - Special Construction; Section 3109, Swimming Pool Enclosures and Safety**

9 (a) Section 305.2 (ISPSC) is amended to read as follows: Outdoor swimming pools and
10 spas shall include all Public and Residential pools and spas that shall be surrounded by a barrier
11 that complies with Sections 305.2.1 through 305.7 (ISPSC).

12 (b) Section 305.2.1 (ISPSC) is amended to read as follows: "Barrier Height and
13 Clearances." Barrier heights and clearances shall be in accordance with all of the following:

14 1. The top of the barrier shall be at least six (6) feet (1829 mm) above finished
15 ground level measured on the side of the barrier which faces away from the swimming pool or
16 spa.

17 2. The maximum vertical clearance between finished ground level and the barrier
18 shall be two (2) inches for grade surfaces that are not solid, such as grass or gravel, measured on
19 the side of the barrier which faces away from the swimming pool or spa.

20 3. The maximum vertical clearance between the surface, such as concrete, and the
21 bottom of the required barrier shall not exceed four (4) inches (102 mm) where measured on the
22 side of the required barrier that faces away from the pool or spa.

23 4. Where the top of the pool structure is above finished grade level such as an
24 above-ground pool, the barrier shall be at finished ground level, such as the pool structure or
25 shall be mounted on top of the pool structure. Where the barrier is mounted on top of the pool

1 structure, the maximum vertical clearance between the top of the pool structure and the bottom
2 of the barrier shall be four (4) inches. A natural barrier, hedge, pool cover or other protection
3 device approved by the Building Official may [my] be used so long as the degree of protection
4 afforded by the substituted device or structure is not less than the protection afforded by the
5 enclosure, gate and latch described herein.

6 (c) Section 305.2.4 (4) (ISPSC) is amended to read as follows: An attachment device shall
7 attach each barrier section at a height not lower than seventy-two (72) inches (1829 mm) above
8 grade. Common attachments devices include, but are not limited to, devices that provide the
9 security equal to or greater than that of a hook-and-eye type latch incorporating a spring-
10 actuated retaining lever such as a safety gate hook.

11 (d) Section 305.2.5 (ISPSC) is amended to read as follows: Closely spaced horizontal
12 members. Where the barrier is composed of horizontal and vertical members and the distance
13 between the tops of the horizontal members is less than seventy-two (72) inches (1829 mm), the
14 horizontal member shall be located on the pool or spa side of the fence. Spacing between vertical
15 members shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts
16 within vertical members, spacing within the cut outs shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in
17 width.

18 (e) Section 305.2.6 (ISPSC) is amended to read as follows: Widely spaced horizontal
19 members. Where the barrier is composed of horizontal and vertical members and the distance
20 between the tops of the horizontal members is seventy-two (72) inches (1829 mm) or more,
21 spacing between vertical members shall not exceed 4 inches (102 mm). Where there are
22 decorative cutouts within vertical members, spacing within the cut outs shall not exceed 1 $\frac{3}{4}$
23 inches (44 mm) in width.

24 (f) Section 305.6 (ISPSC) is amended to read as follows: Natural barriers. A natural
25 barrier, hedge, pool cover or other protection device approved by the Building Official may be

1 used so long as the degree of protection afforded by the substituted device or structure is not less
2 than the protection afforded by the enclosure, gate and latch described herein.

3 (g) Section 305.8 (ISPSC) is added to read as follows: "Other Bodies of Water." When a
4 fish pond or other body of water such as a stormwater management wet, dry, or extended
5 detention pond deeper than twenty-four (24) inches is located within a densely populated area, or
6 in the proximity of an elementary school, playground, or other area where small children may
7 congregate without adult supervision, the Building Official may require a protective enclosure of
8 such body of water as described in Section 305.2 (ISPSC) as amended by this Code, except
9 where allowed under the County approved stormwater management pond plans, standards, and
10 specifications.

11 **Sec. 4-210. Section 3111 [Photovoltaic Panels And Modules.] Solar Energy Systems**

12 (a) Section 3111.1 General. [Photovoltaic panels and modules] Solar energy systems shall
13 comply with the requirements of this [code] section, 2021 International Fire Code (IFC), and the
14 20[18]21 National Fire Protection (NFPA) 1 Fire Code. The most stringent code shall apply.

15 (b) Section 3111.[1.1.]3 [Rooftop-mounted photovoltaic panels and modules.]
16 Photovoltaic solar energy systems [panels and modules installed on a roof or as an integral part
17 of a roof assembly] shall be designed and installed in accordance with this section, the
18 International Fire Code, NFPA 70, National Fire Protection (NFPA 1) Fire Code and the
19 manufacturer's installation instructions. [comply with the requirements of this Code, Chapter 12
20 of the International Fire Code and 2018 National Fire Protection (NFPA) 1 Fire Code.]

21 (c) [Section 3111.3.5.2 Ground-Mounted Photovoltaic Panels and Modules]
22 Section 3111.[5.2.1] 3.5.1.1. Required Non-combustible Perimeter Surface. [A is ten (10) foot
23 wide] A non-combustible perimeter surface between the solar panels and the security barrier
24 fully enclosing all of the solar field is required and shall be at least ten (10) foot
25 wide. [noncombustible surface fully enclosing all of the solar array panels] A fifteen (15) foot

1 wide brush free stable surface, similar to grasscrete pavers, with a required Vegetation
 2 Maintenance Plan is also acceptable [is required].

3 (1) Dirt with minor growth is not considered a noncombustible surface.

4 (2) The entire width of the ten (10) foot noncombustible surface must be
 5 between the solar array panels and the Security Barrier.

6 a. Access roads which are between the solar panel fields and [are within]
 7 the Security Barrier shall comply with the Fire Access Road requirements. These [maybe] can be
 8 considered as a part of [used and are] the required width and shall be at least ten (10) foot wide
 9 noncombustible surfaces [may be part of the noncombustible surface] for the enclosure.

10 [i.] Please note that Fire Access roads must meet all other code requirements.

11 b. If a loose material is provided for a non-combustible surface, then it
 12 must have a minimum depth of three (3) inches over compacted subgrade soil.

13 (3) The entire width of the of the ten (10) foot wide noncombustible surface
 14 must be on the same finished grade with a maximum cross slope of 2%.

15 (4) The ten (10) foot wide perimeter surface [noncombustible surface minimum
 16 layer of three (3) inches if loose material and] must meet all other codes for grading and storm
 17 water management.

18 (d) Section 3111.[5.2.23.]3.5.1.2. A Vegetation Maintenance Plan or a noncombustible
 19 base, approved by the AHJ shall be installed and maintained under and around the photovoltaic
 20 arrays and associated electrical equipment installations. Stationary fuel cell power systems and
 21 battery storage systems shall have a noncombustible base.

22 [(1) If vegetation maintenance plans are submitted for review, they must be two (2) original
 23 copies of the vegetation maintenance plan and be notarized with the owner's signature. The two
 24 original vegetation maintenance plans must include the owner's printed name, full address,
 25 telephone number and email address.]

1 [(2) The vegetation maintenance plans are required to be accepted and / or approved by the
2 AHJ.]

3 (e) Section 311.3.5.1.3. No point of the solar arrays shall be more than five hundred (500)
4 feet of the fire department access road. When the sloping conditions of the site do not allow the
5 fire department access for inside the solar field, this requirement can be exempt with the director
6 or director's designee's approval.

7 (f) Section 3111.3.5.1.4(3). Vegetation Maintenance Plan.

8 (1) If vegetation maintenance agreement is submitted for review, it must [be two
9 (2) original copies of the vegetation maintenance plan and] be notarized with the owner's
10 signature. The original vegetation maintenance agreement must include the owner's printed
11 name, full address, telephone number and email address.

12 (2) The vegetation maintenance plans shall be accepted and approved by the
13 AHJ.

14 (g) [(e)] Section 3111.3.5.1.5. Security Barriers. Security barriers are required around the
15 [entire enclosure] perimeter of all the ground mounted solar arrays [panels].

16 (h) A sign on the fence shall be provided displaying the address of the property along with
17 the phone number and name of the solar panel installation company.

18 **Sec. 4-211. Special Construction**

19 (a) Section 3115 Intermodal Shipping Containers is amended as follows: For
20 buildings constructed under International Residential Code (IRC), the use of shipping containers
21 is allowed only during permitted construction for temporary storage of construction materials
22 only. The shipping containers must be removed at the end of construction prior to permit closure.

23 **Sec. 4-21[1]2. - Safeguards During Construction; [Section 3314.2, Accessibility for**
24 **Emergency Vehicles.]**

25 [SECTION 3314.2]

1 [ACCESSIBILITY FOR EMERGENCY VEHICLES]

2 (a) **Fire watch during combustible construction.** Section 3314.1 is amended to
 3 read as follows: A fire watch shall be provided during nonworking hours for construction that
 4 exceeds 40 feet (12 192 mm) in height above the lowest adjacent grade at any point along the
 5 building perimeter for new multistory construction with an aggregate area exceeding 20,000
 6 square feet (1858 m2) per story or as required by the Fire Department or Inspections Division.

7 (b) **Accessibility For Emergency Vehicles.** Section 3314.2 is added to read as
 8 follows: "Accessibility for Emergency Vehicles During Construction Operations." At the
 9 beginning of construction operations and during construction, the contractor shall provide and
 10 maintain at all times a minimum twelve (12) foot wide vehicular access roadway that will allow
 11 unimpeded access by fire and emergency rescue vehicles from the improved street to within two
 12 hundred (200) feet of the most remote building under construction on the site. The vehicular
 13 access roadway surface shall be of a compacted material of stone, blacktop or other suitable
 14 material to support a twenty (20) ton vehicle under all weather conditions.

15 [Sec. 4-212. Reserved]

16 Sec 4-213 through Sec. 4-[215]229. - Reserved.]

17 [Sec. 4-216. - Reserved.]

18 [Sec. 4-217. – Reserved.]

19 [Sec. 4-218. - Reserved.]

20 [Sec. 4-219. - Reserved.]

21 [Sec. 4-220. through Sec. 4-221. - Reserved.]

22 [Sec. 4-222. - Reserved.]

23 [Sec. 4-223. - Reserved.]

24 [Sec. 4-224. - Reserved.]

25 [Sec. 4-225. through Sec. 4-229. - Reserved.]

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SUBTITLE 4. BUILDING

DIVISION 1. BUILDING CODE

SUBDIVISION 3. - AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE.

Sec. 4-230. - Amendments, Additions, and Deletions to International Mechanical Code.

The following amendments, additions, and deletions are hereby made to the International Mechanical Code (IMC) adopted by this Subtitle, and the provisions set out in this Subdivision shall be deemed to supersede the text of the IMC where the provisions of this Subtitle are interpreted.

Sec. 4-231. –Mechanical Ventilation; Section 403.

[(a)] [Section 403.3.1.1.2.3.2 is amended to read as follows, The system ventilation efficiency (E) shall be determined using table 403.3.1.1.2.3.2.]

(a) NFPA 90A 6.2 - A single point master shutoff switch shall be provided for the fire department which is capable of shutting down all air handling equipment to prevent the spread of smoke through the building. The switch shall be located at the entrance, inside lobby, near fire alarm annunciator or in fire control room where one present.

Sec. 4-232. through Sec. 4-239. Reserved.

Sec. 4-240. - Amendments to the International Residential Code for One- and Two-Family Dwellings.

(a) The following deletions and amendments are made to the International Residential Code for One and Two-Family Dwellings:

(1) Chapters 25-33 of Part VII - Plumbing are hereby deleted and replaced with the Plumbing and Gasfitting Regulations adopted by the Washington Suburban Sanitary Commission (WSSC), known as the WSSC Plumbing and Fuel Gas Code.

1 (2) Chapters 34 through 43 of Part VIII - Electrical are hereby deleted and
2 replaced with Subtitle 9 of the County Code.

3 (3) Section R112.2 is hereby amended to read as follows: Limitations on
4 Authority. An application for appeal shall be based on a claim that the true intent of this code or
5 the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code
6 do not fully apply or an equally good or better form of construction is proposed. The board shall
7 not have authority to waive requirements of this code and shall not have jurisdiction over matters
8 for which adjudication or appeal is expressly assigned to the procedures outlined in Section 13,
9 Division 15 of this Code.

10 (4) Properties where the structure is being razed and where a new structure is
11 being constructed will be considered new single family dwelling units and will be subjected to
12 applicable public safety and school surcharges as defined by the Fee Table in Section 2-253.63.

13 **Sec. 4-240.01. - Building Planning; Section R-302, Fire Resistant Construction.**

14 (a) Section R-302.2.2, Parapets. Parapets constructed in accordance with Section R-
15 302.2.3 shall be provided for townhouses as an extension of common exteriors or walls in
16 accordance with the following:

17 (1) Where roof surfaces adjacent to the wall or walls are at the same elevation,
18 the parapet shall extend not less than thirty (30) inches above the roof surfaces; and

19 (2) Where roof structures adjacent to the wall or walls are at different elevations
20 and the higher roof is not more than thirty (30) inches above the lower roof, the parapet shall
21 extend not less than thirty (30) inches above the lower roof surface.

22 Exception: A parapet is not required in Subsections (1) and (2) of this Section when
23 townhouses are provided with residential sprinkler systems installed in accordance with Section
24 903 of the IBC, or when the roof is covered with a minimum Class C roof covering and the roof
25 decking or sheathing is of noncombustible materials or approved fire-retardant treated wood for

1 a distance of four (4) feet on each side of the wall or walls, or one layer of five-eighths (5/8)
 2 inch, or Type X gypsum board is installed directly beneath the roof decking or sheathing for a
 3 distance of four (4) feet on each side of the wall or walls.

4 (3) A parapet is not required where roof surfaces adjacent to the wall or walls
 5 are at different elevations and the higher roof is more than thirty (30) inches above the lower
 6 roof. The common wall construction from the lower roof to the underside of the higher roof deck
 7 shall not have less than a one (1) hour fire-resistive rating. The wall shall be rated for exposure
 8 from both sides.

9 (4) All new one - and two-family dwellings and town homes up to 3 stories in
 10 height with private garages and carports shall have a 1 hour fire barrier/separation with 45
 11 minute door and heat detector.

12 **Sec. 4-241. - Building Planning; Section R-303, Light, Ventilation, Sound and Heating.**

13 (a) Section R-303.3.1 is added to read as follows: "Illumination of Toilet Rooms and
 14 Bathrooms." Illumination of toilet rooms and bathrooms is to be the equivalent of at least three
 15 (3) foot candles.

16 (b) Section R-303.4.1 (IRC) is added to read as follows:

17 (1) "Locations." Every door which opens directly from any one or two-family
 18 dwelling to the outdoors; fifty percent (50%) of the nominal area of every double-hung and
 19 horizontal sliding window, and that portion of every other type window normally used for
 20 ventilation; and all other openings, unless specifically exempt or modified by the Building
 21 Official in accordance with the hardship or modification provisions of this Subtitle and the IRC,
 22 shall be screened with not less than sixteen (16) mesh per inch material. In addition, every
 23 hinged screen door shall have a self-closing device in good working condition. Screen doors
 24 shall not be required on the main entrance door.

25 (2) "Governing Code." Screens required by this Section shall be installed or be

1 available to be installed on all dwelling units. The actual times that screens must be provided and
 2 installed for use on all dwellings will be governed by the Prince George's County Housing Code.
 3 These provisions shall be applicable to all dwelling structures irrespective of the date of
 4 construction.

5 (c) Sound Transmission Class (STC) – Appendix AK is hereby adopted.

6 (d) [(c)] Section R-303.7.2 is added to read as follows: "Minimum Illumination of
 7 Stairwells." Minimum illumination of stairwells is to be the equivalent of at least three (3) foot
 8 candles. In all one- and two-family dwellings, at least one (1) light illuminating a stair shall be
 9 controlled by wall switches located at each end of the stair. All exterior steps shall be provided
 10 with a light controlled by a switch on the interior.

11 **Sec. 4-241.01. - Range Hoods; Section M1503.[4]6, Make Up Air Required.**

12 (a) The following revision is made to Section M1503.[4]6 Make Up Air Required of the
 13 International Residential Code:

14 (1) M1503.[4]6. Makeup air required. Exhaust hood systems capable of
 15 exhausting more than 400 cubic feet per minute ([o]0.19m³/s) shall be mechanically or naturally
 16 provided with makeup air at a rate approximately equal to the exhaust air rate in excess of 400
 17 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper.
 18 Each damper shall be a gravity damper or an electrically operated damper that automatically
 19 opens when the exhaust system operates. Dampers shall be accessible for inspection, service,
 20 repair and replacement without removing permanent construction or any other ducts not
 21 connected to the damper being inspected, serviced, repaired or replaced.

22 **Sec. 4-242. - Building Planning; Section R-309, Garages and Carports.**

23 (a) Section R309.2.1 –Rooms or spaces that store electric powered vehicles shall be
 24 separated from adjacent spaces by one (1) hour fire-resistance rating walls, ceilings, opening
 25 protectives and shall contain a heat detector which upon activation will result in local alarm.

1 (b) Section R-309.6 is added to read as follows: "Interconnecting Doors." All doors
2 between garages and living spaces of the one- and two-family dwellings shall be provided with a
3 self-closing device. The self-closer may be non-listed but must be sufficient to close and latch
4 the door from an open position of twelve (12) inches. [Door frames may be of metal or wood
5 construction. Adjacent drywall must butt solidly with the door frame.]

6 **Sec. 4-243. Building Planning; Section R-311, Means of Egress.**

7 (a) Section R-311.4, Minimum Number of Exits in Existing One- and Two-Family
8 Dwellings. One- and two-family dwellings that undergo basement improvements for which a
9 building permit is required and the work performed will render the area as "Habitable" shall have
10 a minimum of two (2) exits. All basements must have an exit door or an emergency escape and
11 rescue opening leading directly to the outside grade in addition to an interior stair leading to the
12 primary means of egress of the dwelling unit.

13 (b) Section R-311.7.5, Stair Treads and Risers. The maximum riser height shall be eight
14 and one-fourth (8¼) inches, and the minimum tread depth shall be nine (9) inches. The riser
15 height shall be measured vertically between the vertical planes of the foremost projection of
16 adjacent treads and at a right angle to the tread's leading edge. The walking face of treads and
17 landings of a stairway shall be sloped no steeper than one (1) unit vertical in forty-eight (48)
18 units horizontal two percent (2%) slope. The greatest riser height within any flight of stairs shall
19 not exceed the smallest by more than three-eighths (3/8) inch. The greatest tread depth within
20 any flight of stairs shall not exceed the smallest by more than three-eighths (3/8) inch.

21 (c) Section R-312.1.3, Ladder Effect. Guards where required shall not be constructed so as
22 to have an ornamental pattern that would provide a ladder effect.

23 **Sec. 4-244. – [Reserved] Scope and Administration: Section R105, Permits**

24 (a) Section R105.2, Work Exempt from Permit. Notwithstanding the foregoing,
25 except for property located within Chesapeake Bay Critical Area Overlay Zones, permits shall

1 not be required for the following, provided that the construction does not result in any violation
2 of this Subtitle and the building codes:

3 1. Building Permits:

4 (a) A one-story detached accessory structure (tool, storage shed, playhouse and
5 similar uses) on one- and two-family dwelling properties with less than one hundred fifty
6 (150) square feet of floor space not designed or intended for occupation or habitation and
7 limited to one (1) accessory structure only per property.

8 (b) All forms of impervious area less than five hundred (500) square feet except for
9 parking surfaces (per property/lot) and except for impervious area in the public road right of
10 way.

11 (c) A retaining wall not greater than two (2) feet in height unless supporting a
12 structure.

13 (d) Fence(s) (4) feet or less in height a permit is not required except fences on a
14 corner lot per Subtitle 27-421.

15 (1) Any component of fencing, regardless of height, that obstructs the public
16 or private pedestrian path, building structure, access to a cross-walk or sidewalk, or other
17 paved portion of the right-of-way; shall be prohibited.

18 (e) Satellite dish(es) not greater than two (2) feet in diameter and height.

19 (f) Residential: Installation of siding including vinyl siding replacement, roofing, or
20 storm door/window installations, provided that no construction is involved.

21 (g) Painting, papering, tiling (floor), carpeting, installation of cabinets, countertops
22 and similar finish work.

23 (h) Prefabricated swimming pools accessory to a one- and two-family dwelling
24 occupancy (not any other use group or public swimming pool) that are less than 24 inches
25 deep, are not greater than 5,000 gallons and are installed entirely above ground provided a

1 four-foot fence is installed around the pool perimeter.

2 (i) Swings and other playground equipment accessory to detached one- and two-
 3 family dwelling.

4 (j) An agricultural building per Maryland Code, Pub. Safety § 12-508 and Subtitle
 5 27. Consult with Prince George’s Soil Conservation District for approval/permitting
 6 requirements.

7 (k) Unless required by the Code Official or designee, replacement (in-kind) of non-
 8 fire rated interior/exterior doors, with same door hardware and windows with no structural
 9 modification.

10 (l) If any of the above activities in this Section result in land disturbance that exceeds
 11 5,000 square feet, exceeds 100 cubic yards of earth, and/or exceeds twelve inches of grade
 12 change, then a grading permit is required in accordance with Subtitle 32-127.

13 (m) If any of the above activities in this Section alter drainage patterns, then a permit
 14 is required.

15 (n) If any of the above activities involve the clearing of trees and/or woodland, the
 16 permittee shall receive approval or an exemption from The Maryland–National Capital Park and
 17 Planning Commission pertaining to tree conservation.

18 2. Mechanical Permits:

19 (a) Portable heating appliance.

20 (b) Portable ventilation equipment.

21 (c) Portable cooling unit.

22 (d) Modification of steam, hot or chilled water piping within any heating or cooling
 23 equipment regulated by this code that does not alter its approval (Listing) or make
 24 it unsafe.

25 (e) Replacement of any part that does not alter its approval (Listing) or make it

1 unsafe.

2 (f) Portable evaporative cooler.

3 (g) Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of
 4 refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

5 (h) One-to-one in-kind replacement of plug-in appliances.

6 (i) Replacement of gas appliances shall require a permit from Washington Suburban
 7 Sanitary Commission.

8 3. Electrical

9 (a) Repairs and maintenance: Minor repair work, including the replacement of
 10 lamps or the connection of approved portable electrical equipment to approved permanently
 11 installed receptacles.

12 4. Repairs/Replacement Permits

13 (a) Ordinary repairs and replacements, other than those that include cutting away of
 14 any wall, partition or portion thereof, the removal or cutting of any structural beam or load-
 15 bearing support, or the removal or change of any required means of egress, or rearrangement
 16 of parts of a structure affecting the egress requirements; or include additions to, alteration of,
 17 replacement or relocation of water supply, sewer, drainage, drain leader, gas, soil, waste, vent
 18 or similar piping, electric wiring or mechanical or other work affecting public health or
 19 general safety.

20 (b) Ordinary repairs shall include replacement-in-kind of the following:

21 (1) Siding, roofing, gutters, leaders and downspouts, private sidewalks,
 22 driveways, patios, awnings and canopies (repair only), equipment, cabinets, slabs, handrails,
 23 window screens, or storm doors.

24 (2) Not more than 80 square feet (7.4 sq. meters) of gypsum board (dry wall)
 25 excluding installation of fire-rated gypsum wall board or shaft liner.

1 (c) Repair of non-fire rated interior/exterior doors and windows with no structural
2 modification.

3 (d) Computation of the cost of repairs for purposes of this Section shall exclude
4 carpeting replacement, electrical panel capacity upgrades, painting, wallpapering, re-grading
5 and landscaping, lighting fixture replacements, appliance replacements, bathroom cabinetry
6 and fixture replacements, and modifications necessary to comply with the Americans with
7 Disabilities Act ("ADA") requirements. Each street address shall be considered a separate
8 dwelling for application of this Section. All repairs for which a building permit is required
9 that are conducted within a 365-day period shall be deemed a single cumulative repair cost
10 for purposes of the application of this Section.

11 (b) A new Section R105.2.1, Historic Area Work Permit Requirement.
12 Notwithstanding the provisions of Section R105.2, a Historic Area Work Permit must be issued
13 by the Historic Preservation Commission prior to any work on the exterior features of a property
14 that contains a historic site or unclassified historic resource identified on the master plan for
15 historic preservation or that is located within a local historic district. At the time the Historic
16 Area Work Permit is issued, the Historic Preservation Commission shall notify the Director, or
17 the Director's designee by transmitting a copy of the Historic Area Work Permit to the Director.
18 The Director, or the Director's designee shall maintain and enroll the Historic Area Work Permit
19 into the registry of issued permits maintained by the Director. The Director shall not require the
20 issuance of a County building permit for ordinary repairs as defined in Section R105.2, or for
21 ordinary maintenance as defined in Section 29-107(d), in addition to any Historic Area Work
22 Permit that is determined by the Historic Preservation Commission to be required.

23 (c) A new Section R105.2.2, Inventory of Historic Sites, Properties within Local
24 Historic Districts, and Unclassified Historic Resources. The Director, or the Director's designee
25 shall maintain an electronic inventory of historic sites, properties within local historic districts,

1 and unclassified historic resources in Prince George's County. The Historic Preservation
2 Commission shall transmit the listing of historic sites, properties within local historic districts,
3 and unclassified historic resources to the Director or the Director's designee on or about January
4 1 and July 1 of each year. The listing shall be utilized to notify the Director or his Designee and
5 applicants for County building permits issued by the Director or his Designee that the Historic
6 Area Work Permit requirement described in Sec. R105.2.1 applies to any property that contains a
7 historic site or unclassified historic resource or is located within a local historic district. The
8 Director and/or his Designee shall not issue any permits for a property that contains a historic
9 site or unclassified historic resource or is located within a local historic district, unless the
10 Historic Preservation Commission has first issued a Historic Area Work Permit as required under
11 Sec. R105.2.1.

12 (d) A new Section R105.3.1.1, Required Documents for Permits Application. The
13 application shall include: (1) any and all documents showing the business partners of the owner
14 or lessee involved in the operation and or ownership of the building structure or use for which
15 the permit is being sought; (2) any and all organizational documentation of the entity that owns,
16 uses or leases the building or structure; (3) any and all documents showing who will operate the
17 business; and (4) any other data and information supported by documentation that is required by
18 the Director or the Director's designee deemed necessary for furtherance of the intent of this
19 Code.

20 (e) A new Section R105.3.1.2, Review of Application. The application will be
21 reviewed to ensure that it conforms with all the requirements of the pertinent laws, including but
22 not limited to the requirements of this Code, State and local laws and ordinances. An application
23 for a permit will be reviewed by the Director or the Director's designee, in consultation with the
24 Police Department and the Fire/EMS Department. The Director or the Director's designee shall
25 have the authority to deny any application under the provisions of this Division and shall also

1 have the authority to deny an application upon a violation of this Division.

2 (f) A new Section R105.3.1.3, Application Exemption. The Director or the Director's
3 designee may refuse to accept an application for a permit from any applicant: (1) who is or was
4 in default on a previously issued permit, or who is the permittee listed on an expired permit
5 which is not currently in the process of being extended by County administrative action, or who
6 has not fully complied with the application process; (2) for any other reason the Director or the
7 Director's designee deems necessary in furtherance of the intent of this Code; or (3) for any
8 reason that is necessary to maintain the health, safety and welfare of the public.

9 (g) A new Section R105.3.1.4, By Whom an Application is Made. Application for a
10 permit shall be made by the owner or lessee of the building or structure, or the agent of either, or
11 by the licensed engineer or architect employed in connection with the proposed work. If the
12 application is made by a person other than the owner in fee, the applicant shall attest on the
13 permit application or by separate written statement, that the proposed work is authorized by the
14 owner in fee and that the applicant is authorized to make such application. The full names and
15 addresses of the owner, lessee, applicant, and the responsible officer if the owner or lessee is a
16 corporate body, shall be stated on the application. Subsequent permits will be issued in the name
17 of the owner of record at time of permit issuance.

18 (h) Section R105.3.2, Time Limitation of an Application. An application for a permit
19 for any proposed work shall be deemed to have been abandoned twelve (12) months after the
20 date of filing, unless such application has been diligently pursued in good faith or a permit has
21 been issued. Extensions of time may be authorized by the Director or the Director's designee.
22 The Director or the Director's designee may request any documentation or certification deemed
23 necessary and assess an extension fee as appropriate.

24 (i) Section R105.5, Expiration. Every permit issued shall become invalid unless the
25 work on the site authorized by such permit is commenced within one hundred eighty (180) days

1 after the issuance, or if the work authorized on the site by such permit is suspended or abandoned
2 for a period of one hundred eighty (180) days after the time the work is commenced. The
3 Director or the Director's designee is authorized to grant, in writing, one or more extensions of
4 time, for periods not more than one hundred eighty (180) days each. The extension shall be
5 requested in writing and justifiable cause shall be demonstrated. Any permit issued for property
6 within the area of a pending Sectional Map Amendment (as provided for in the County Zoning
7 Ordinance) that is rezoned to a less intense zone, shall expire on its own terms upon approval of
8 the Sectional Map Amendment by the District Council if a completed building foundation for a
9 use not permitted in the less intense zone has not been completed. The Director or the Director's
10 designee shall notify the permit holder of the expiration of the permit.

11 (j) A new Section R105.5.1, Expiration of Permit and Correction of Code Violations.
12 Any permit issued for residential property to correct a building code or housing code violation
13 issued pursuant to Subtitle 4 or Subtitle 13 of the County Code shall be issued only for a period
14 of time reasonably necessary to correct the violation, not to exceed ninety (90) days. The initial
15 period of the permit shall be established by the Director or the Director's designee based upon
16 the extent of the work required to correct the violation. The permit may be extended or renewed
17 for an additional period of one hundred eighty (180) days if, in the opinion of the Director or the
18 Director's designee, the applicant has demonstrated substantial progress to complete the work in
19 accordance with the permit and has demonstrated substantial justification for failure to complete
20 the work within the period of the permit. The Board of Administrative Appeals shall have no
21 authority to grant an extension to the period of the permit.

22 (k) A new Section R105.10, Building Location. No permit for building shall be
23 issued for a structure that overlaps the County line. Location of the County line on the site plan
24 shall be certified by a Professional Land Surveyor.

25 (l) A new Section R105.1.1, Date and Hours of Operation Limits. All permits shall

1 be issued with date and hours of operation limits listed as determined by the Director or the
 2 Director's designee. All permits shall be issued indicating that no work shall be performed
 3 during the hours of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to Section 4-120 of
 4 this Subtitle.

5 (m) A new Section R105.1.2, After Hours Permit. Any request to work pursuant to a
 6 permit beyond permitted construction hours shall be made by application to the Code Official
 7 and shall be subject to noise regulations of Prince George's County Code and in accordance with
 8 the fee schedule established in Sec. 2-253.63. No after-hours permit shall be issued for work in
 9 an area zoned "residential" under the Zoning Regulations then in effect, or in an area within 500
 10 feet (152 400 mm) of such residential zone, or within 500 feet (152 400 mm) of a building with
 11 sleeping quarters, unless the Code Official determines that not issuing such permit would pose a
 12 threat to public safety, health and welfare.

13 (n) A new R105.1.3 Post Construction Permit. Any owner cited for unpermitted
 14 construction shall be required to obtain a "Post Construction Permit" to complete and certify that
 15 the unpermitted construction is in compliance with the Code or to remove the unpermitted work.
 16 The Post Construction Permit fee must be paid in addition to any other fees required to obtain
 17 permits. Post construction plans submitted for approval must be certified by a Maryland
 18 Registered Professional Engineer (PE) or a Maryland Licensed Architect.

19 **Sec. 4-244.01 – Scope and Administration: Section R105, Permits**

20 (a) A new Section R105.6, Suspension or Revocation and Reissuance of Permits. The
 21 Director or the Director's designee is authorized to suspend or revoke a permit issued under the
 22 provisions of this Code as follows: (1) whenever the permit is issued in error, (2) incorrectly, (3)
 23 inaccurately, (4) in an incomplete manner, (5) for any reason that is necessary to maintain the
 24 health, safety and welfare of the public, (6) in violation of any ordinance, regulation or any of the
 25 provisions of this Code, and (7) the Director or the Director's designee, in consultation with the

1 Police Department and the Fire/EMS Department, shall have the authority to deny, suspend, or
2 revoke any application or permit under the provisions of this Division and upon a violation of
3 this Division. In addition, the failure to have utility lines located on site through the Utility
4 Service Protection Center ("Miss Utility") and any nonmember utilities prior to starting any
5 excavation deeper than twelve (12) inches will result in permit revocation."

6 (1) A permit under which no work has commenced and an inspection has not been
7 performed within one hundred eighty (180) days after issuance shall expire and become null and
8 void; provided, however, that the Director or the Director's designee may extend the time herein
9 not to exceed an additional one hundred eighty (180) days upon sufficient justification shown.

10 (2) A permit under which work has been started and later suspended or discontinued
11 shall expire and become null and void six (6) months after the work has stopped. Work will be
12 considered suspended or discontinued when the builder fails to prosecute the work so as to
13 ensure completion within a reasonable period of time considering the type of construction
14 involved. The Director or the Director's designee may extend the time herein not to exceed an
15 additional twelve (12) months upon sufficient justification shown.

16 (3) A permit issued in error or not in compliance with County Code at time of
17 issuance may be suspended by the Director or the Director's designee.

18 (4) When a permit has expired for failure to commence work, it may be renewed
19 within a period of thirty (30) days from the date of expiration if the conditions under which the
20 permit was originally issued have remained unchanged and there has been no change in law or
21 ordinance that would adversely affect the permit. A fee shall be collected for each renewal;
22 however, no permit may be renewed more than two (2) times.

23 (5) Whenever the Director or the Director's designee determines by inspection that
24 work started on any building or structure for which a permit has been issued has been suspended
25 for a period of six (6) months, the owner of the property upon which the structure is located, or

1 other person or agent in control of said property, shall, within thirty (30) days from the receipt of
2 written notice from the Department, obtain a new or renewal permit to complete the required
3 work and diligently pursue the work to completion, or shall remove work not completed or
4 demolish the incomplete structures or buildings within sixty (60) days from the date of the
5 printed notice.

6 (6) Permits suspended for failure to comply with the County Code or ordinances may
7 be reinstated by the Director or the Director's designee upon compliance or approved validation.

8 (7) A permit issued for property within the area of a pending Sectional Map
9 Amendment, as provided for in Subtitle 27 of this Code, that is rezoned to a less intense zone,
10 shall expire if a completed building foundation for a use not permitted in the less intense zone
11 has not been constructed pursuant to a validly issued permit prior to District Council approval of
12 the Sectional Map Amendment. The determination of the Director or the Director's designee
13 made in accordance with Subsection R105.5.1 of this Subtitle shall not be appealable to the
14 Board of Appeals.

15 (8) The Director or the Director's designee may reissue a permit subject to all
16 applicable laws or regulations in effect at the time the permit was originally issued, for a period
17 not to exceed one (1) year after expiration provided that:

18 (A) The County Executive, by Executive Order, has made a finding of
19 severe economic factors adversely affecting real estate development and construction in the
20 County during a specified period and the County Council has been notified by the County
21 Executive of such finding at least seven (7) days prior to issuance of the Executive Order;

22 (B) There is a reasonable showing that these economic factors contributed
23 to the expiration of the permit;

24 (C) There has been no change in the zoning of the property which would
25 affect the issuance of the permit; and

1 (D) A processing fee has been paid in an amount equal to the amount that
2 would be required if the permit was renewed.

3 (b) A new Subsection R105.6.1, Revocation of Permits. In addition, the failure to locate
4 utility lines on site, prior to starting any excavation deeper than twelve (12) inches, by not
5 contacting in due time the Utility Service Protection Center, "Miss Utility," and nonmember
6 utilities, as known, and having such utilities locate lines on site, shall be cause - irrespective of
7 whether or not a utility line is ruptured - for revocation of the permit. In order to continue work
8 for which a permit has been revoked, a new application shall be required as specified in Section
9 R105, Permits of IRC.

10 (c) Section R105.7 - Posting of permit. The permit, or a copy thereof, shall be kept on the
11 work site and conspicuously displayed at a location visible from the street until the completion of
12 work for which the permit is issued.

13 **Sec. 4-244.02 – Scope and Administration: Section R106.1, Submittal Documents**

14 (a) Section R106.1.1.2, Location of Underground Utility Lines Prior to Commencement
15 of Work. For all work that requires excavation deeper than twelve (12) inches, the permit holder
16 (permittee) accepting the permit agrees to contact the Utility Service Protection Center, "Miss
17 Utility," and nonmember utility companies, as known, in due time and prior to beginning any
18 excavation work for the purpose of having each utility company locate its lines on site. In the
19 event that the permittee fails to obtain the services of the utilities, then in such event, and
20 irrespective of whether or not a utility line is ruptured, the Director or the Director's designee
21 may revoke the building or grading permit, or both. In such event, all fees paid to the County
22 shall be forfeited and, in order to continue work, a new application with requisite fee for a permit
23 shall be filed. Drawings shall be reexamined to determine that all utilities have been located and
24 verified by the utility companies having knowledge of the location of such underground utilities.
25 However, in the event any or all of the respective utility companies fail to furnish the requisite

1 information to the permittee within a reasonable period of time as determined by the Director or
2 the Director's designee under all of the circumstances, then, in such event, the foregoing
3 revocation provisions shall not apply.

4 (b) Section R106.1.1.3. Acknowledgement of Final Grade. Builders and developers
5 shall place on record with each utility company a written acknowledgment that final grade has
6 been achieved to within six (6) inches. Utility lines shall not be installed until such
7 acknowledgment has been received by the utilities.

8 (c) A new Section R106.3.3.1, Approval of Partial Plans. The code official is
9 authorized to issue a partial permit for the construction of foundations or any other part of a
10 building or structure before the entire plans and specifications for the whole building or structure
11 have been submitted, provided adequate information and detailed statements have been filed
12 complying with all pertinent requirements of the County Building Code. Issuance of a partial
13 permit by the code official does not constitute assurance that a permit for the entire structure will
14 be granted. The holder of such partial permit for the foundations or other part of a building or
15 structure will proceed with the building operation at the holder's own risk and without assurance
16 that a permit for the entire structure will be granted.

17 (d) Transitory Provisions

18 (1) Applicable Codes. The laws and regulations in force on the date that a new
19 edition of the Construction Codes are adopted pursuant to the sections below.

20 (2) Existing Valid Permit. Work authorized by a permit issued before the
21 effective date of the new edition of the Construction Codes shall be allowed to be carried to
22 completion, subject to the conditions of Sections R105.5 and R105.6.

23 (3) Existing Filed Application. Applications for permits for which the
24 application filing deposit has been paid before the effective date of the new edition of the
25 Construction Codes shall be allowed to be processed to issuance of the permit, and any work

1 authorized thereby shall be allowed to be carried to completion, under the edition of the
2 Construction Codes in effect on the date said applications were filed, subject to the following
3 conditions:

4 (a) Each such application shall have been filed accompanied by plans
5 and other information conforming to Section R106, sufficiently complete to allow processing of
6 the permit without substantial change or deviation;

7 (b) Each such permit shall be paid in full and taken out by the applicant within
8 one year after the effective date of the new edition of the Construction Codes;

9 (c) All work authorized by such permit shall be carried to completion under
10 the terms of the permit; and

11 (d) Permits granted under Section Transitory Provisions shall not be extended
12 if permitted to expire, pursuant to Section R105.5, or if revoked pursuant to Sections R105.6 and
13 R105.6.1.

14 (4) Existing Design Contracts. Buildings and other structures under contract for design
15 on the effective date of the new edition of the Construction Codes, for which no permit
16 applications have been filed, shall be allowed to be filed, processed to issuance of permit, and
17 any work authorized thereby shall be allowed to be carried to completion, under the previous
18 edition of the Construction Codes, subject to the following conditions:

19 (a) The applicant shall file the permit application, accompanied by plans and
20 other information conforming to Sections R106 of the new edition of the Construction Codes,
21 sufficiently complete to allow processing of the permit without substantial change or deviation,
22 within one year after the effective date of the new edition of the Construction Codes;

23 (b) The applicant shall submit a copy of the design contract, with a notarized
24 affidavit stating that the submitted copy is a true and accurate copy of the contract for the design
25 of the building or other structure, that the contract was in effect on or before the effective date of

1 the Construction Codes, and that the design submitted with the permit application was made
 2 under such contract;

3 (c) The permit shall be obtained, and the permit fee paid in full by the
 4 applicant within one year after the filing date;

5 (d) All work authorized by such permit shall be carried to completion under
 6 the terms of the permit; and

7 (5) Violations or Infractions. The laws and regulations in force on the date that a new
 8 edition of the Construction Codes is adopted and shall apply with respect to violations or
 9 infractions committed prior to said date, whether the prosecutions or adjudications of those
 10 violations of infractions are begun before or after said date.

11 **Sec. 4-245. - Building Planning; Section R-313, Automatic Fire Sprinkler System.**

12 [Section R-313 is deleted.]

13 (a) R-313.1 Section, Automatic Sprinkler System Requirement for New One- and Two-
 14 Family Dwellings and Industrialized Buildings (Modular and Manufactured Homes to be utilized
 15 as a new One- and Two-Family Dwelling). This Section, R-313.1, supersedes Section R-313 of
 16 the IRC. An automatic sprinkler system shall be provided throughout new one- and two-family
 17 dwellings, including industrialized (modular) and manufactured homes, installed as
 18 manufactured homes after December 31, 2010. The following reductions in construction
 19 requirements are permitted when a one or two family dwelling is fully sprinklered:

20 (1) A basement exit to grade is not required;

21 (2) A second exit from the dwelling is not required;

22 (3) Trusses are not required to be provided with a fire-resistive ceiling
 23 membrane; and

24 (4) Fire separations may be reduced from two (2) hours to one (1) hour rating
 25 and may be constructed with combustible framing. The one (1) hour rated fire separation wall

1 need not be able to withstand collapse of construction on either side under fire conditions.

2 (b) Section R-313.2, Connection from Sprinkler Systems. Sprinklers systems designed in
3 accordance with NFPA 13D shall be supplied and protected from backflow in accordance with
4 the WSSC Plumbing and Fuel Gas Code. Repairs to detached one- and two-family dwellings and
5 townhomes not more than three stories above grade plane which, because of lack of maintenance
6 or structural damage due to fire, explosion, or natural causes, which, in the opinion of the
7 Director or the Director's designee, exceed fifty percent (50%) of the building shall have an
8 approved automatic fire sprinkler system installed throughout the building as part of the scope of
9 repairs completed. Additions to existing structures which exceed one hundred percent (100%) of
10 the total floor (square footage) of the existing structures will cause the altered structure (addition
11 plus existing structure) to be fully sprinklered.

12 (c) Section R-313.4, Sprinklers for Additions. All enclosed or habitable additions to an
13 existing sprinklered one- or two-family dwelling, including industrialized (modular and
14 manufactured) homes must also be fully sprinklered.

15 (d) Section R-313.5, Location and Performance of Fire Hydrants. Every building of more
16 than one thousand (1,000) square feet in an area shall be provided with sufficient fire hydrants
17 located such that no exterior portion of the building is located more than five hundred (500) feet
18 from a fire hydrant. The distance shall be measured as a hose line would be laid along paved
19 streets, through parking lot entrances, and around obstructions, in accordance with the
20 determination of the authority having jurisdiction. For multiple single-family dwellings
21 (townhouses), provide a fire hydrant within five hundred (500) feet of all exterior portions of the
22 building, as hose is laid. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a
23 residual pressure of twenty (20) psi.

24 Exception: An approved alternate water supply source may be acceptable in areas not
25 served by a public water supply. In addition, a fire hydrant is not required to be situated within

1 two hundred (200) feet of any required fire department connection that is intended to supply an
2 automatic fire sprinkler system that has been retrofitted into an existing building of any use
3 group, provided that the area of the building has not been increased in size or the use group
4 classification has not been changed to require an automatic fire suppression system under any
5 other provision of this Division.

6 (e) Section R-313.6, Booster Pump for Automatic Sprinklers. Where a booster pump is
7 required for the water supply to the automatic sprinklers, the pump driver shall follow the
8 requirements of this Section.

9 (f) Section R-313.6.1, Water Pressure and Volume Boost with Standard Drip Proof Pump
10 Drive. Water pressure and volume boost with standard drip proof pump drive shall be installed as
11 follows:

12 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A
13 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
14 location to the pump.

15 (2) Passive electrical supervision to the pump will be accomplished through the
16 following wiring diagram of either the main or subpanel. See figure R-328.6.1.

17 (g) Section R-313.6.2, Water Pressure and Volume Boost with Totally Enclosed, Fan
18 Cooled Pump Driver. Water pressure and volume boost with totally enclosed fan cooled pump
19 driver shall be installed as follows:

20 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A
21 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
22 location to the pump.

23 (2) Passive electrical supervision to the pump will be accomplished through the
24 following wiring diagram of either the main or subpanel. See figure R-313.6.1.

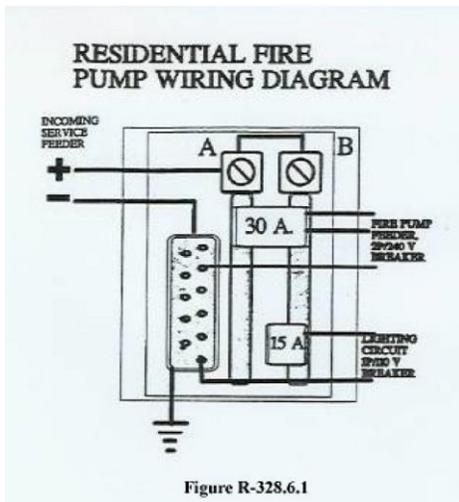
25 (h) Section R-313.6.3, Any Pump with a Stored Water Supply. Any pump with a stored

1 water supply shall be installed as follows:

2 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A
 3 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
 4 location to the pump.

5 (2) Passive electrical supervision to the pump will be accomplished through the
 6 following wiring diagram of either the main or subpanel. See Figure R-313.6.1

7 Figure R-328.6.1



9
 10 (i) Section R-313.6.4, Combination Use Standard Wiring Method. Any pump on a single
 11 circuit shall be installed to be within visual sight of the pump.

12 (j) Section R-313.6.5, Mounting Considerations for Any Pump Serving a Residential
 13 Sprinkler System. Any pump serving a residential sprinkler system shall be installed as follows:

- 14 (1) Wall or floor mounted;
 15 (2) Accessible for inspection or service;
 16 (3) Ensure not located in hazardous area;

1 (4) Install as per manufacturer's requirements.

2 **Sec. 4-246. Building Planning; Section R-302, Fire Resistant Construction.**

3 (a) Section R-302.2.5 is amended to read as follows: "Parapets." Parapets constructed in
4 accordance with Section R-302.2.4 shall be provided for townhouses as an extension of common
5 exterior or walls in accordance with the following:

6 (1) Where roof surfaces adjacent to the wall or walls are at the same elevation,
7 the parapet shall extend not less than thirty (30) inches above the roof surfaces; and

8 (2) Where roof structures adjacent to the wall or walls are at different elevations
9 and the higher roof is not more than thirty (30) inches above the lower roof, the parapet shall
10 extend not less than Thirty (30) inches above the lower roof surface.

11 Exception: A parapet is not required in Subsections (1) and (2) of this Section when
12 townhouses are provided with residential sprinkler systems installed in accordance with Section
13 903 of the IBC, or when the roof is covered with a minimum Class C roof covering and the roof
14 decking or sheathing is of noncombustible materials or approved fire-retardant treated wood for
15 a distance of four (4) feet on each side of the wall or walls, or one layer of five-eighths (5/8)
16 inch, or Type X gypsum board is installed directly beneath the roof decking or sheathing for a
17 distance of four (4) feet on each side of the wall or walls.

18 (3) A parapet is not required where roof surfaces adjacent to the wall or walls
19 are at different elevations and the higher roof is more than thirty (30) inches above the lower
20 roof. The common wall construction from the lower roof to the underside of the higher roof deck
21 shall not have less than a one (1) hour fire-resistive rating. The wall shall be rated for exposure
22 from both sides.

23 (b) Section R305.1: The Exceptions are amended to include Exception 5: The Director or
24 designee shall approve, in writing, any ceiling height above finished floor.

25 **Sec. 4-246.01. [Building Planning; Section R324.6 "Roof access and Pathways."] Reserved**

1 [This section is deleted in its entirety.]

2 **Sec. 4-247. – Swimming Pools, Spas and Hot Tubs: Section R-327, Barrier Requirements.**

3 Section R-327.1, Outdoor Swimming Pool. An outdoor swimming pool, including an in-
4 ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which
5 shall comply with the following: The top of the barrier shall be at least six (6) feet above grade
6 measured on the side of the barrier which faces away from the swimming pool.

7 **Sec. 4-248. – Reserved [Building Planning; Section R-328, Fire Protection Systems.]**

8 [(a) Section R-328.1, Automatic Sprinkler System Requirement for New One- and Two-
9 Family Dwellings and Industrialized Buildings (Modular and Manufactured Homes to be utilized
10 as a new One- and Two-Family Dwelling). This Section, R-328, supersedes Section R-313 of the
11 IRC. An automatic sprinkler system shall be provided throughout new one- and two-family
12 dwellings, including industrialized (modular) and manufactured homes, installed as
13 manufactured homes after December 31, 2010. The following reductions in construction
14 requirements are permitted when a one or two family dwelling is fully sprinklered:

15 (1) A basement exit to grade is not required;

16 (2) A second exit from the dwelling is not required;

17 Escape windows from sleeping rooms and basements (habitable or non-habitable) will
18 not be required to meet any size except that at least one (1) window shall be provided from each
19 sleeping room located in the [and] basement which may be opened from the inside without the
20 use of tools or keys;

21 (3) Trusses are not required to be provided with a fire-resistive ceiling
22 membrane; and

23 (4) Fire separations may be reduced from two (2) hours to one (1) hour rating
24 and may be constructed with combustible framing. The one (1) hour rated fire separation wall
25 need not be able to withstand collapse of construction on either side under fire conditions.

1 (b) Section R-328.2, Connection from Sprinkler Systems. Sprinklers systems designed in
2 accordance with NFPA 13D shall be supplied and back flowed protected in accordance with the
3 WSSC Plumbing Code. Repairs to detached one- and two-family dwellings and townhomes not
4 more than four stories above grade plane which, because of lack of maintenance or structural
5 damage due to fire, explosion, or natural causes, which, in the opinion of the Director of the
6 Director's designee, exceed fifty percent (50%) of the building shall have an approved automatic
7 fire sprinkler system installed throughout the building as part of the scope of repairs completed.
8 Additions to existing structures which exceed one hundred percent (100%) of the total floor
9 (square footage) of the existing structures will cause the altered structure (addition plus existing
10 structure) to be fully sprinklered.

11 Section R-328.2, Connection from Sprinkler Systems. A connection from a sprinkler
12 system designed in accordance with NFPA 13D to a single remote commode (water closet) shall
13 be permitted. Such connection shall be from the sprinkler system piping to the water closet
14 supply piping.

15 (c) Section R-328.4, Sprinklers for Additions. All enclosed or habitable additions to an
16 existing sprinklered one- or two-family dwelling, including industrialized (modular and
17 manufactured) homes must also be fully sprinklered.

18 (d) Section R-328.5, Location and Performance of Fire Hydrants. Every building of more
19 than one thousand (1,000) square feet in an area shall be provided with sufficient fire hydrants
20 located such that no exterior portion of the building is located more than five hundred (500) feet
21 from a fire hydrant. The distance shall be measured as a hose line would be laid along paved
22 streets, through parking lot entrances, and around obstructions, in accordance with the
23 determination of the authority having jurisdiction. For multiple single-family dwellings
24 (townhouses), provide a fire hydrant within five hundred (500) feet of all exterior portions of the
25 building, as hose is laid. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a

1 residual pressure of twenty (20) psi.

2 Exception: An approved alternate water supply source may be acceptable in areas not
3 served by a public water supply. In addition, a fire hydrant is not required to be situated within
4 two hundred (200) feet of any required fire department connection that is intended to supply an
5 automatic fire sprinkler system that has been retrofitted into an existing building of any use
6 group, provided that the area of the building has not been increased in size or the use group
7 classification has not been changed to require an automatic fire suppression system under any
8 other provision of this Division.

9 (e) Section R-328.6, Booster Pump for Automatic Sprinklers. Where a booster pump is
10 required for the water supply to the automatic sprinklers, the pump driver shall follow the
11 requirements of this Section.

12 (f) Section R-328.6.1, Water Pressure and Volume Boost with Standard Drip Proof Pump
13 Drive. Water pressure and volume boost with standard drip proof pump drive shall be installed as
14 follows:

15 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A
16 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
17 location to the pump.

18 (2) Passive electrical supervision to the pump will be accomplished through the
19 following wiring diagram of either the main or subpanel. See figure R-328.6.1.

20 (g) Section R-328.6.2, Water Pressure and Volume Boost with Totally Enclosed, Fan
21 Cooled Pump Driver. Water pressure and volume boost with totally enclosed, fan cooled pump
22 driver shall be installed as follows:

23 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A
24 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
25 location to the pump.

1 (2) Passive electrical supervision to the pump will be accomplished through the
2 following wiring diagram of either the main or subpanel. See figure R-328.6.1.

3 (h) Section R-328.6.3, Any Pump with a Stored Water Supply. Any pump with a stored
4 water supply shall be installed as follows:

5 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A sub-
6 panel may be provided within the line-of-sight of the pump, if the main panel is in a remote
7 location to the pump.

8 (2) Passive electrical supervision to the pump will be accomplished through the
9 following wiring diagram of either the main or subpanel. See figure R-328.6.1

10 **Figure R-328.6.1**

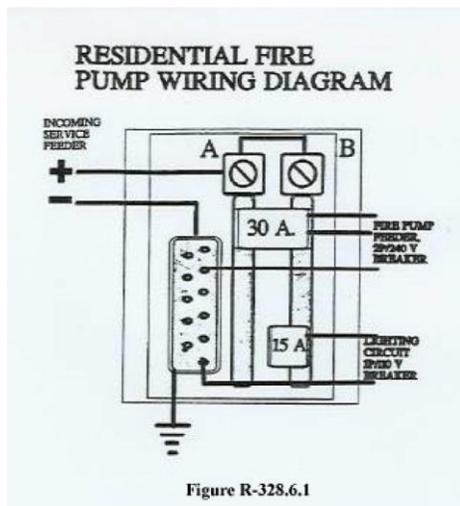


Figure R-328.6.1

11 (i) Section R-328.6.4, Combination Use Standard Wiring Method. Any pump on a single
12 circuit shall be installed to be within visual sight of the pump.

13 (j) Section R-328.6.5, Mounting Considerations for Any Pump Serving a Residential
14 Sprinkler System. Any pump serving a residential sprinkler system shall be installed as follows:

15 (1) Wall or floor mounted;

- 1 (2) Accessible for inspection or service;
 2 (3) Ensure not located in hazardous area;
 3 (4) Install as per manufacture's requirements.]

4 **Sec. 4-249. - Foundations; Section R-403, Footings.**

5 (a) The following amendments, additions, and/or deletions are to Section R-403 of the
 6 IRC:

7 (1) [Unless noted otherwise by engineering design, all footings supporting
 8 reinforced concrete or masonry basement walls shall be provided with footing dowels at the
 9 minimum amount of one-half (1/2) of the vertical wall reinforcement.] At a minimum, every
 10 other vertical reinforcement shall have a footing dowel or use engineer design per IRC code. The
 11 lap length at the top of the footing shall be adequate to develop the full tension capacity of the
 12 reinforcement.

13 (2) [Continuous wall footings shall not be less than sixteen (16) inches wide and
 14 eight (8) inches thick.] Footing design shall be based on minimum soil load bearing capacity of
 15 1,500 psf. See IRC Table 403.1(1) to 403.1(3). Footings in accordance with the engineering
 16 design are acceptable if a geotechnical report including the soil load bearing capacity is provided
 17 for each lot.

18 (3) Section R-403.1.4, Minimum Depth. All exterior footings and foundation
 19 systems shall extend below the frost line. The bottom of [A]all exterior footings shall be placed
 20 at thirty (30) inches below the finished grade.

21 (a) Exception: An exception to Section R-403.1.4 can be granted by the
 22 Director or designee for accessible access.

23 (4) Section R-403.1.6, "the maximum spacing of one-half (1/2) inch diameter
 24 anchor bolts is amended to be four (4) feet."

25 (5) Section R-403.2, titled "Footings for wood foundations" is deleted.

1 **Sec. 4-250. - Foundations; Section R-404, Foundations and Retaining Walls.**

2 (a) The following amendments, additions, and/or deletions are made to Section R-404 of
3 the International Residential Code:

4 (1) Section R-404.1.1, Design Loads. In addition to other applicable loads, the
5 basement walls shall be designed for the at-rest pressure (lateral soil load) as described in Table
6 1610.1 of the [2018] 2021 International Building Code.

7 (2) Section R-404.1.2, Design of Concrete Masonry. Design of concrete masonry
8 unit (CMU) walls shall conform to the Building Code Requirements for Masonry Structures
9 (ACI 530/TMS 402) Chapters 1, 2 and 3. Minimum horizontal joint reinforcement consisting of
10 not less than two continuous wires each with a minimum cross-sectional area of 0.017 square
11 inch (9 gage) shall be provided in horizontal bed joints spaced not more than every second
12 course vertically. For basement walls subjected to lateral earth pressure, minimum vertical
13 reinforcement shall consist of one No. 5 rebar (ASTM A615 grade 60) spaced not more than
14 sixteen (16) inches (for nominal 8", 10", or 12" walls). Cells having vertical reinforcement shall
15 be filled with concrete or masonry grout meeting the requirement of ASTM C476. Vertical steel
16 reinforcement shall be placed not more than 2 inches from the inside face of the walls.

17 (3) Section R-404.1.3, Design of Concrete Walls. Design of concrete walls subjected
18 to lateral earth pressure shall conform to the Building Code Requirements for Reinforced
19 Concrete (ACI 318[-14]) Chapter 10. Minimum reinforcement in each direction shall not be less
20 than that required by Chapter 7 (i.e. for ASTM A615 grade 60, No. 4@14" for 8-inch thick, No.
21 4@12" for 10-inch thick, and No. 4@10" for 12-inch-thick wall). For design of concrete walls
22 subjected to lightly loaded lateral earth pressure (4 feet or less of unbalanced backfill) or
23 concrete walls with insignificant stress components (for example, stresses reduced by mean of
24 wall stiffeners) the ACI 318[-14] Chapter 22 may be used to determine the amount of
25 reinforcement required. Engineered wall design is acceptable for wing walls per ACI-318 code.

1 **(b) For walls that are proposed to serve as floods walls, the permittee shall secure**
2 **approval from the US Army Corps of Engineers prior to submittal to Prince George’s County for**
3 **building permit. The applicant shall submit evidence of approval.**

4 **(c) The following requirements shall be met for retaining wall permits, not including**
5 **cantilevered retaining walls for basements, which are covered by the 2021 IBC, Chapter 18.**

6 **(1) The Height of a retaining wall is measured from lowest ground elevation**
7 **on the lower or bottom side of wall to the highest elevation on the top of the retaining wall**
8 **structure, at any given cross section of the wall.**

9 **(2) Soil investigation is required at a minimum rate of one soil test boring per**
10 **100 linear ft of the retaining wall length.**

11 **(3) Timber retaining walls are not allowed.**

12 **(4) In general, on residential developments, the height of retaining walls shall be**
13 **minimized preferably to less than 6 feet, for ease of maintenance. This also applies to the**
14 **cumulative height of tiered retaining walls.**

15 **(5) Retaining walls shall be located on common homeowner or business park**
16 **association parcels, to the maximum extent practical. Retaining walls shall not be located in the**
17 **public storm drain or storm water management easements. Retaining walls shall not be located in**
18 **the County public road right of way, except for abutment walls for bridges.**

19 **(6) For Segmental Retaining walls (SRW) including Mechanically Stabilized**
20 **Earth Walls (MSEW) higher than 2 feet, and other proprietary products, the applicant shall**
21 **include in the permit submittal the manufacturer’s information and specifications, and a valid**
22 **evaluation report from a DPIE approved listing agency. The permittee shall submit an**
23 **acceptance letter for the geotechnical aspects only of the wall design from the Geotechnical**
24 **Engineer of Record (GER) if the GER is not the wall designer.**

25 **(7) Declaration of Easements for Retaining Walls**

1 (i) Retaining walls and tiered walls with a cumulative height of 6 feet or
2 greater are required to have a permanent easement in front of and behind the wall. The easement
3 dimension shall not be less than 10 feet wide on the low side of the wall.

4 (ii) On the high side of the wall, the easement shall contain the select
5 backfill zone, including soil reinforcement including geogrids, tiebacks, anchors, and footings.

6 (iii) The easement dimension on the high side of the wall shall not be less
7 than 10 feet wide.

8 (iv) Grading and retaining wall permit plans shall reflect the limits of the
9 retaining wall easements and the horizontal extent of soil reinforcement, footing, and select
10 backfill zone.

11 (v) The following site elements shall not be located inside retaining wall
12 easements:

13 (aa) Buried utilities (except as noted in (9)(aa) and (9)(bb) below

14 (bb) Building additions

15 (cc) Porches

16 (dd) Structures

17 (ee) Pools

18 (ff) Decks

19 (gg) Stormwater management devices and storm drain pipe

20 (hh) Trees

21 (vi) The following site elements are permissible inside retaining wall
22 easements:

23 (aa) Storm drain outfall pipe located perpendicular to the wall, if there
24 is no alternative but to penetrate through the wall. The storm drain shall have a drop manhole
25 on the high side of the wall, and the storm drain pipe under the footing of the retaining wall shall

1 be encased in an outer pipe sleeve that is at least 12 inches larger in size than the conveying
2 storm drain pipe.

3 (bb) Storm drain inlets and pipes necessary to capture the swale
4 immediately above the wall. These storm drain systems must be designed shallow enough to be
5 built above the soil reinforcement (not deeper than 2 feet).

6 (cc) Sheds

7 (dd) Fences - fence posts shall be located a minimum of 3 feet from the
8 face of wall.

9 (ee) Patios

10 (ff) Pergolas

11 (gg) Benches

12 (hh) Sidewalks

13 (ii) Trails

14 (jj) Signage

15 (kk) Landscaping (not including trees)

16 (ll) Private roads and parking lots – guardrails and traffic barriers
17 shall be provided and located between the wall and the roadway, a minimum of 3 feet from the
18 face of the wall.

19 (vii) Above features in (9)(cc, dd, ee, ff, gg, hh, ii, kk and ll) are only
20 allowable within retaining wall easements if the Declaration of Easement language obligates the
21 owner/maintainer of these features to remove and replace these elements, as may be required for
22 wall maintenance or reconstruction.

23 (viii) The retaining wall Declaration of Easement shall specify maintenance
24 responsibility.

25 (ix) The Declaration of Easement shall restrict future construction of

1 unacceptable elements.

2 (x) Retaining walls that span across multiple residential lots shall be
3 maintained by the Homeowner's Association.

4 (8) Retaining wall plans shall show wall drainage systems and select backfill
5 behind the wall, filter fabric between the select backfill and adjacent soils, structural elements,
6 and reinforcement type and size.

7 (9) Retaining walls shall be designed to meet the minimum safety factor of 1.5
8 against sliding and overturning.

9 (10) Retaining wall plans shall show in site plan view, wall profile view, and wall
10 sections the extent of select backfill, soil reinforcement, filter fabric, and other pertinent
11 information. The design professionals (structural, civil, geotechnical) shall fully coordinate select
12 backfill and soil reinforcement with all site features.

13 (11) Retaining walls shall be located with the toe of the wall a minimum of 25
14 feet from creeks, streams, and swales, as these locations have the potential for eroding and
15 undermining retaining wall structures. The design engineer shall submit a scour analysis for
16 streams and swales in close proximity to retaining walls. If the scour analysis requires, the
17 retaining wall permit documents shall be designed with a foundation system capable of
18 withstanding the scour, for example deep foundation system and/or armoring of the stream, as
19 required.

20 (12) Segmental retaining walls (SRWs), including the leveling pads, shall not be
21 placed below the 100- year floodplain elevation, due to concerns with scour and migration of soil
22 backfill.

23 (13) For retaining wall permits, a global stability analysis shall be signed and
24 sealed by a licensed geotechnical engineer and must be provided for the following conditions:

25 (aa) Walls with cumulative height taller than 10ft;

1 (bb) Walls with cumulative height taller than 6 ft and with back slope
 2 steeper than 3 horizontal to 1 vertical;

3 (cc) Walls on or adjacent to unstable soils, such as over-consolidated clay;
 4 or

5 (dd) When deemed necessary by DPIE or the Geotechnical Engineer of
 6 record (GER).

7 (ee) The retaining wall calculations shall achieve a 1.5 minimum factor of
 8 safety for global stability.

9 (ff) The global stability analysis is also required for a series of tiered
 10 retaining walls, for which the cumulative height of all walls exceeds the heights described in (17)
 11 above.

12 (14) Retaining walls shall be drained by a system that includes:

13 (aa) Perforated drainage pipes at the toe of the wall. Toe drainage pipes
 14 shall be connected to a solid storm drain or discharge to grade;

15 (bb) An upright drainage layer behind the wall façade that ties into the toe
 16 drainage behind the wall bottom. This drainage layer can consist of gravel or a prefabricated geo-
 17 composite if recommended by the design engineer;

18 (cc) Filter fabric between the gravel and soil; and

19 (dd) Perforated two (2)-inch minimum diameter PVC weep holes, through
 20 the wall, for the entire length of the wall, and at a maximum spacing of 20 feet.

21 (15) Within the select backfill zone, the upper soil layer shall consist of 4 inches
 22 of topsoil and 12 inches of impervious clay soil or an impermeable geo-membrane below the
 23 topsoil. The purpose of this is to limit surface water infiltration into the select backfill zone of the
 24 retaining wall.

25 (16) To prevent surface storm water from flowing over the top wall of wall, a

1 swale is required immediately behind the wall. The swale may be located at least 12 inches
2 behind the high side of the wall, with a depth of at least 6 inches. The swale shall have 4 inches
3 of topsoil at the surface and 12” of impervious lean clay soil or an impermeable geo-membrane
4 below the topsoil. If the length of land adjacent to and perpendicular to the wall is negligible, for
5 example less than 5 feet wide, such that surface sheet flow down the slope and towards the wall
6 is minimal, then the swale above the wall is not required. All concentrated flows shall be
7 intercepted into a storm drain system and conveyed thru the wall.

8 (17) If the groundwater elevation is 2 feet or less below the retaining wall
9 leveling pad or is expected to rise seasonally to the bottom of the leveling pad or higher, a
10 blanket drain is required below the retaining wall, near the bottom of the leveling pad.

11 (18) If an identified water source such as groundwater or springs are located on
12 the high side of a retaining wall, a drainage blanket and chimney drains at least 6” thick are
13 required. The drainage blanket shall extend laterally from the wall to the chimney drain at a
14 rising slope of 3%. The chimney drain shall rise to the elevation of the groundwater source, and
15 shall have a heel drain pipe with a minimum four (4) inch diameter at its bottom. Blanket and
16 chimney drains are also required if surface drainage runoff or subsurface water may otherwise
17 flow to the wall, which frequently comes from unconfirmed or unidentified water sources. The
18 blanket shall extend back from the wall to cover the entire select backfill and to reach the
19 possible water source. The chimney height shall be seventy (70) percent of the wall height, with
20 a heel drain pipe.

21 (19) Soil reinforcement and/or other slope stabilization measures, such as
22 caissons, piles, piers, deep dynamic compaction, or other means shall be shown to scale on the
23 site grading plans in profile and plan views.

24 (20) Retaining walls that retain multiple lots shall pass final inspection
25 successfully before structures on all retained lots can receive final inspection.

1 **Sec. 4-250.01. Foundations; Section R-404.2, titled "Wood Foundation Walls."**

2 This Section is deleted in its entirety.

3 **Sec. 4-251. - Foundations; Section R-405, Foundation Drainage.**

4 (a) The following amendments, additions, and/or deletions are made to Section R-405 of
5 the International Residential Code:

6 (1) Section R-405.1.2, Subsoil Drainage Systems. Subsoil drains shall be required
7 for all buildings having basements, cellars, crawl spaces, or floors below grade. Subsoil drains
8 shall be located inside and outside of the foundation and shall be installed at or below the area to
9 be protected. Drains shall discharge by gravity or mechanical means into an approved drainage
10 system.

11 (2) Section [R-405.1.3] R-405.2.3, Sump Pumps and Pits. Where subsoil drains do
12 not discharge by gravity, the drains shall discharge to an accessible sump pit with an automatic
13 electric pump. A battery back-up or water-powered back-up sump pump will also be provided.
14 The sump pit shall be a minimum of twenty-four (24) inches in diameter or eighteen (18) inches
15 square and twenty-four (24) inches in depth and be provided with a fitted cover. The sump pump
16 shall have adequate capacity to discharge all water coming into the sump as it accumulates but in
17 no case shall the capacity of the pump be less than fifteen (15) gallons per minute. The discharge
18 from the pump shall be a minimum of one and one-fourth (1¼) inches and shall have a union in
19 the discharge piping to make the pump accessible for servicing. Subsoil drains and sump pump
20 discharge may discharge to a properly graded open area provided the point of discharge is ten
21 (10) feet from any property line or Building Restriction Line (BRL). Where a continuously
22 flowing spring or high groundwater table is encountered during the design stage, basement floors
23 shall be designed at least two and one-half (2.5) feet above the groundwater's highest detected
24 level. Alternatively, pre-approved methods of permanent dewatering shall be provided, and the
25 groundwater level shall be verified again before construction. If such condition is encountered by

1 the County and subsoil drains are pre-approved by the County; these drains must be piped to a
2 storm drain or approved outfall where they shall be fitted. When piped to a storm drain all
3 drainage lines shall include an accessible backwater valve. Residential sump pumps are not to be
4 relied on for lowering high groundwater table.

5 (3) Section R-405.1.4, Areaway Drains. All open subsurface space adjacent to a
6 building serving as an exit or entrance shall be provided with a drain or drains. Such areaway
7 drains shall be of approved material in accordance with Chapter 30 of this Code and not less than
8 2 inches in diameter and shall discharge by gravity or mechanical means in accordance with R-
9 405.1.2. Areaway drains for areas exceeding 800 square feet shall be sized in accordance with
10 Section 1113 of the [2006] 2021 International Plumbing Code.

11 (4) Section R-405.1.5, Window Well Drains. Window well areaways shall have
12 drains. Window well areaways 10 square feet or less may discharge to the subsoil drain through
13 a 2-inch minimum diameter pipe. Drains for window well areaways greater than 10 square feet
14 shall be installed in accordance with Section R-405.1.3.

15 (5) Section R-405.1.6, Foundation Weep Holes. Where subsoil drains are required
16 by Section R-405.1.1, foundations of hollow core masonry shall have foundation weep holes.
17 Weep holes shall be placed a maximum of 4-foot o/c intervals and shall discharge into the
18 aggregate of the interior subsoil drainage system.

19 (6) Section R-405.1.7, Site Grading. The ground immediately adjacent to the
20 foundation shall be sloped away from the building at a slope [of not less than one unit vertical in
21 12 units horizontal (1:12) for a minimum distance of 5 feet (914 mm) measured perpendicular to
22 the face of the wall or an approved alternate method of diverting water away from the foundation
23 shall be used] that conforms with the County Grading Code 32-151. Consideration shall be given
24 to the possible additional settlement of the backfill when establishing the final ground level
25 adjacent to the foundation.

1 (7) Section R-405.2, titled "Wood foundations" is deleted in its entirety.

2 **Sec. 4-252. - Floors; Section R-502, Wood Floor Framing.**

3 (a) The following addition is made to Section R-502 of the International Residential
4 Code:

5 (1) Section R-502.7[.2]. Floor joists adjacent and parallel to the exterior foundation
6 wall shall be provided with full-depth solid blocking, not less than two (2) inches nominal in
7 thickness, placed perpendicular to the joist at spacing not more than four (4) feet. The blocking
8 shall be nailed to the floor sheathing, the joist and the exterior rim joist/board.

9 **Sec. 4-253. - Engineered Floor Truss Systems; Section R-502.8.3, Protection of Structural**
10 **Members.**

11 (a) Section R-502.8.3, Protection of Truss Framing Members. All combustible truss
12 framing members which comprise a portion of a nonrated floor assembly shall be protected by
13 the installation of a ceiling. The ceiling material shall not be less than one-half (1/2) inch gypsum
14 board or an approved equivalent alternative material. The ceiling must be adequately supported
15 by direct mechanical fastening to the structural framing or be suspended by not less than No. 12
16 MSG galvanized steel wire or by an equivalent method. Where combustible truss joist framing is
17 used as a portion of a required rated floor-ceiling assembly, the structural members shall be
18 protected in accordance with an appropriate tested and listed design.

19 Exceptions:

20 (1) Buildings protected throughout, excluding crawlspaces less than forty-two
21 (42) inches in depth by an automatic sprinkler system; and

22 (2) Crawl spaces of not more than forty-two (42) inches in depth, measured
23 from the top of the floor surface above to the surface of the crawl space floor.

24 **Sec. 4-254. Wall Construction; Section R602.10 Wall Bracing.**

25 [Residential structures in the R-55 (One-Family Detached Residential) Zone shall not have

1 more than five (5) bathrooms for that structure or a combination of the primary residential and
2 any accessory use on the property. At least one bathroom within any structure on the property
3 must be accessible from a common interior area, such as a hallway.] Section R602.10.9.2 Braced
4 wall panel supported by floor joists, beams or girders (see section R602.10.8). When the interior
5 braced wall panel, not supported by continuous braced wall or foundation wall below, is used in
6 conjunction/combination with the exterior braced walls, the design of this braced wall system
7 (interior and exterior) including the design of the supporting joists, beams and girders, column
8 and foundation shall be in accordance with accepted engineering practice.

9 **Sec. 4-255. Administration and Enforcement; Sec R113. Violations.**

10 (a) Section R113.2 of the IRC is amended to read as follows:

11 "Notice of Violation"

12 R113.2.1 Issuance of Notice of Violation

13 The Building Official is authorized to serve a notice of violation or order on the person
14 responsible for the erection, construction, alteration, extension, repair, moving, removal,
15 demolition or occupancy of a building or structure in violation of the provisions of this code, or
16 in violation of a detail statement or a plan approved thereunder, or in violation of a permit or
17 certificate issued under the provisions of this code. Such order shall direct the discontinuance of
18 the illegal action or condition and the abatement of the violation.

19 R113.2.2 Administrative Lien

20 Upon issuance of a notice of violation, the Building Official may place an administrative
21 lien on the property that shall serve as notice to prospective purchasers, lessees, or other
22 transferees. The Building Official may release the administrative lien upon abatement or
23 correction of the underlying violation(s) giving rise to the notice of violation or upon verification
24 that the prospective purchaser, lessee, or other transferee has been notified of the existence of the
25 Stop Work Order.

1 (b) Section R113.4 of the IRC is amended to read as follows: "Violation Penalties"

2 R113.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or
3 combination thereof who shall violate a provision of the International Residential Code (IRC), or
4 of this Subtitle, or fail to comply with any of the requirements thereof, violates a lawful order
5 issued thereunder, or any person who shall erect, construct, alter, or repair a building or structure
6 or mechanical or electrical system without all required permits or in violation of an approved
7 plan or directive of the Building Official, or of a permit or certificate issued under the provisions
8 of this Subtitle or the IRC, may be liable for a civil fine in accordance with the provisions of this
9 section. A civil fine imposed under this subsection is in addition to any other sanction provided
10 by law.

11 A civil fine may be assessed in conjunction with a written notice of violation or through the
12 issuance of a civil citation or an administrative citation in accordance with the provisions of this
13 Subtitle.

14 R113.4.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed
15 through a notice of violation, the notice of violation shall state the amount of the civil fine and a
16 description of the circumstances giving rise to the assessment. A civil fine imposed through a
17 notice of violation shall be one thousand dollars (\$1,000) per violation. Each day that a violation
18 continues shall be deemed a separate offense. A civil fine assessed through a notice of violation
19 shall be due and payable within 30 days after the Building Official issues the written notice.

20 R113.4.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written
21 notice of violation assessing a civil fine under this section shall be a final decision of the Director
22 or the Director's designee.

23 R113.4.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a
24 notice of violation has not been paid within 30 days after the written notice of violation, the
25 Director may cause the written notice of violation to be recorded with the Director of Finance for

1 Prince George's County. Recordation of the notice of violation shall constitute a lien on the
2 subject property and shall be collected in the same manner as other County real estate taxes. The
3 filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this
4 subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in
5 favor of an appellant regarding a civil fine imposed under this subsection, the Director of
6 Finance shall release the tax lien.

7 R113.4.1.2 Civil Fine Imposed Through Civil Citation

8 R113.4.1.2.1 In the event that a responsible party does not comply with a notice of
9 violation within the time period provided, including any period allowed by appeal, and upon
10 verification by the Director or the Director's designee that the violation still exists, the Director
11 or the Director's designee may issue upon the responsible parties a civil citation pursuant to
12 Subtitle 28, Division 3, of this Code.

13 R113.4.1.2.2 Separate Violation: Each day the violation continues is deemed a separate
14 offense and is subject to an additional citation and fine in the same dollar amount as the repeat
15 citation(s).

16 R113.4.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed
17 under this subsection is in addition to any other sanction provided by law.

18 R113.4.1.3 Administrative Citation

19 R113.4.1.3.1 In lieu of issuing a civil citation pursuant to Section R113.4.1.2 above,
20 upon verification of a violation of this Section, the Director or Director's designee may issue
21 upon the responsible parties an administrative citation as that term is defined in Section 13-
22 1121.

23 R113.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance
24 of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125
25 of this Code.

1 R113.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in
 2 accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-
 3 1130, 13-1131, and 13-1132 of this Code.

4 R113.4.1.3.4 A civil fine imposed through an administrative citation under this section
 5 shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days
 6 after the citation is issued. Each day that a violation continues shall be deemed a separate
 7 offense.

8 (c) Section R.113.5 is added and shall read as follows:

9 113.5 Disclosure Requirements:

10 113.5.1 Disclosure to Prospective Transferee: When the owner of a dwelling unit or
 11 structure has received a notice of violation issued under this Subtitle, the owner shall provide a
 12 copy of the notice of violation to a prospective purchaser, lessee, or other transferee.

13 113.5.2 Recordation: The Director may record a notice of violation issued under this
 14 Subtitle among the land records in the Circuit Court for Prince George's County.

15 **Sec. 4-255.01. Administration and Enforcement; Sec R114. Stop Work Order.**

16 (a) Section R114.1 of the IRC is amended to read as follows:

17 Upon notice from the Building Official that work on any building or structure is being executed
 18 contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be
 19 immediately stopped. The Stop Work Order shall be in writing and shall be given to the owner of
 20 the property involved, the owner's authorized agent or the person performing the work. Upon
 21 issuance of a Stop Work Order, the cited work shall immediately cease. The Stop Work Order
 22 shall state the reason for the order and the conditions under which the cited work will be
 23 permitted to resume. Stop Work Order will be in full force until all fees and penalties are paid and
 24 permits have been secured for all illegal and/or unpermitted construction.

25 R.114.1.2 Administrative Lien

1 Upon issuance of a Stop Work Order, the Building Official may place an administrative
2 lien on the property that shall serve as notice to prospective purchasers, lessees, or other
3 transferees. The Building Official shall release the administrative lien upon abatement or
4 correction of the underlying violation(s) giving rise to the Stop Work Order or upon
5 verification that the prospective purchaser, lessee, or other transferee has been notified of
6 the existence of the Stop Work Order.

7 (b) Section R114.2 of the IRC is amended to read as follows: Unlawful Continuance

8 R114.2.1 Civil Penalties: Any person, firm, association, partnership, or corporation, or
9 combination thereof, who shall continue work in violation of the provisions of a Stop Work
10 Order or shall remove or cause to be removed a Stop Work Order sign still in effect and
11 operation, may be liable for a civil fine in accordance with the provisions of this section. A civil
12 fine imposed under this subsection is in addition to any other sanction provided by law. A civil
13 fine may be assessed in conjunction with a written notice of violation or through the issuance of
14 a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

15 R114.2.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is
16 imposed through a notice of violation, the notice of violation shall state the amount of the civil
17 fine and a description of the circumstances giving rise to the assessment. A civil fine imposed
18 through a notice of violation shall not exceed one thousand dollars (\$1,000) per violation. Each
19 day that a violation continues shall be deemed a separate offense. A civil fine assessed through a
20 notice of violation shall be due and payable within 30 days after the Building Official issues the
21 written notice.

22 R114.2.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written
23 notice of violation assessing a civil fine under this section shall be a final decision of the Director
24 or the Director's designee as is contemplated.

25 R114.2.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a

1 notice of violation has not been paid within 30 days after the written notice of violation, the
2 Director may cause the written notice of violation to be recorded with the Director of Finance for
3 Prince George's County. Recordation of the notice of violation shall constitute a lien on the
4 subject property and shall be collected in the same manner as other County real estate taxes. The
5 filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this
6 subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in
7 favor of an appellant regarding a civil fine imposed under this subsection, the Director of
8 Finance shall release the tax lien.

9 R114.2.1.2 Civil Fine Imposed Through Civil Citation

10 R114.2.1.2.1 In the event that a responsible party does not comply with a notice of
11 violation within the time period provided, including any period allowed by appeal, and upon
12 verification by the Director or the Director's designee that the violation still exists, the Director
13 or the Director's designee may issue upon the responsible parties a civil citation pursuant to
14 Subtitle 28, Division 3, of this Code.

15 R114.2.1.2.2 Separate Violation: Each day the violation continues is deemed a separate
16 offense and is subject to an additional citation and fine in the same dollar amount as the repeat
17 citation(s).

18 R114.2.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed
19 under this subsection is in addition to any other sanction provided by law.

20 R114.2.1.3 Administrative Citation

21 R114.2.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.2.1.2 above,
22 upon verification of a violation of this Section, the Director or Director's designee may issue
23 upon the responsible parties an administrative citation as that term is defined in Section 13-
24 1121.

25 R114.2.1.3.2 In addition to any other matters that the Director prescribes, the issuance

1 of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125
2 of this Code.

3 R114.2.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in
4 accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-
5 1130, 13-1131, and 13-1132 of this Code.

6 R114.4.1.3.4 A civil fine imposed through an administrative citation under this section
7 shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days
8 after the citation is issued. Each day that a violation continues shall be deemed a separate
9 offense.

10 (c) Section R.114.3 is added and shall read as follows:

11 114.3 Disclosure Requirements:

12 114.3.1 Disclosure to Prospective Purchaser or Lessee: When a stop work order has
13 been issued under this Subtitle and remains effective at the time of a prospective transfer or
14 lease, the owner shall provide notice of the stop work order to a prospective purchaser or lessee.

15 114.3.2 Recordation: The Director shall record evidence of a stop work order issued
16 under this Subtitle among the land records in the Circuit Court for Prince George's County.

17 **Sec. 4-255.02. Roof Assemblies; Section R903 Weather Protection.**

18 Section R903.4.2 is added to read as follows: "Gutters and Downspouts." Unless
19 constructed with parapet walls and coping, all exterior walls shall be provided with gutters and
20 downspouts or leaders to dispose of roof drainage to comply with the International Plumbing
21 Code.

22 * * * * *

23 **SUBTITLE 4. BUILDING.**

24 **DIVISION 1. BUILDING CODE.**

25 **SUBDIVISION 5. INTERNATIONAL ENERGY CONSERVATION CODE.**

1 **Sec. 4-256. - Building Envelope Requirements; C402.2.1.1, Roof Solar Reflective and**
2 **Thermal Emittance.**

3 Section C402.2.1.1. is amended to read as follows: Low sloped roofs, with a slope less than
4 2 units vertical in 12 horizontal, directly above cooled conditioned spaces in Climate Zones 1, 2,
5 3 and 4 shall comply with one or more options in Table C402.2.1.1.

6 **Sec. 4-257. - Building Envelope Requirements. Table C402.3. Fenestration.**

7 Table C402.3 is amended to read as follows: SHGC is Climate Zone 4 is changed from .40
8 to .35.

9 **Sec. 4-258. - Electrical Power and Lighting Systems (Mandatory); C405.2.1 Occupant**
10 **Sensor Controls.**

11 Section C405.2.1 Occupant sensor controls shall be installed in all classrooms,
12 conference/meeting rooms, employee lunch and break rooms, private offices, restrooms, storage
13 rooms, janitorial closets, enclosed stairways, and other spaces 300 square feet (28m²) or less
14 enclosed by floor-to-ceiling height partitions. These automatically turn off lights within 30
15 minutes of all occupants leaving the space, and shall turn the lighting on to not more than 50
16 percent power.

17 **Sec. 4-259. - Electrical Power and Lighting Systems (Mandatory); C405.2.4. Specific**
18 **Application Controls.**

19 Section C405.2.4 7. Lighting for parking areas shall have automatic controls so that after 15
20 minutes of non-activity, lighting power density can be reduced by 30 percent.

21 **Sec. 4-260. - Electrical Power and Lighting Systems (Mandatory); C405.10. Solar Energy**
22 **Systems.**

23 Section C405.10. Provide adequate on-site access for solar energy systems and provide
24 interconnection pathways to building distribution. Documentation must be provided through
25 construction documents and the main electrical service panel.

1 **Sec. 4-261. - Additional Efficiency Package Options; C406.5. On-site Renewable Energy.**

2 Section C406.5. Total minimum ratings of on-site renewable energy systems shall comply
3 with one of the following: 1. Provide not less than 1.75 Btu (1850 W), or not less than 0.50 watts
4 per square foot (5.4 W/m²) or conditioned floor area. 2. Provide not less than 5 percent of the
5 energy used within the building for building mechanical and service water heating equipment
6 and lighting regulated in this chapter.

7 **Sec. 4-262. - Additional Efficiency Package Options; C406.5, District Energy Systems.**

8 Section C406.5 is added to read as follows: A minimum of 40 percent of heating and
9 cooling load as calculated in section C403.2.2 must be provided by a district energy system.

10 **Sec. 4-263. - Additional Efficiency Package Options; C406.9. Water Heating Needs.**

11 Section 406.9. Hotels, motels, hospitals, restaurants, buildings with residential occupancies,
12 building with laundry facilities or other high process service water heating needs or buildings
13 showing a service hot water load of 10 percent or more of total building energy shall provide at
14 least forty percent (40%) of hot water through instantaneous or tankless fuel-fired water heating
15 systems, waste heat recovery from equipment or Combined Heat and Power (CHP), solar water
16 heating system.

17 * * * * *

18 **SUBTITLE 4. BUILDING.**

19 **DIVISION 2. ENFORCEMENT**

20 **Sec. 4-264. Subpoena Power.**

21 (a) In the administration and enforcement of Subtitles 4, 5, and 13, the Prince George's
22 County Department of Permitting, Inspections and Enforcement, has the power to issue
23 subpoenas necessary to effectuate the duties and responsibilities of permit issuance, inspections
24 and enforcement.

25 (b) Service of subpoena. Any such subpoena shall be served by:

1 (1) certified mail, return receipt requested (with service by certified mail being
2 complete upon delivery and proof being shown by the green return receipt card); or

3 (2) personal service of process by:

4 (A) a competent private person, 18 years of age or older, who is not a party
5 to the action; or

6 (B) the sheriff or deputy sheriff of the political subdivision in which is
7 located the residence of the person or the main office of the firm, association, partnership or
8 corporation against whom or which the subpoena is issued.

9 (c) Enforcement of Subpoena.

10 (1) In case of failure to comply with a subpoena, the County, on behalf of the
11 Prince George's County Department of Permitting, Inspections and Enforcement, may apply to a
12 court of appropriate jurisdiction for an order requiring the attendance and testimony of witnesses
13 and/or the production of records and documents, and/or the taking of interrogatories and
14 depositions.

15 (2) After notice to the person subpoenaed as a witness or directed to produce
16 records and documents, and upon a finding that the attendance and testimony of the witness or
17 the production of the records and documents is relevant or necessary for the ability to issue
18 permits, conduct inspections and enforce Subtitles 4, 5 and 13 of the Prince George's County
19 Code, the court may issue an order requiring the attendance and testimony of the witness and the
20 production of the records and documents. Any failure to obey such an order of the court may be
21 punished as contempt of court.

22 **Sec. 4-265. through Sec. 4-269. Reserved.**

23 * * * * *

24 **SUBTITLE 4. BUILDING.**

25 **DIVISION 3. ELECTRICAL VEHICLE CHARGING INFRASTRUCTURE.**

1 **Sec. 4-270. - Electric Vehicle Charging Infrastructure.**

2 (a) Definitions

3 (1) "Electric Vehicle" is a vehicle, whether hybrid or not, that is powered by an
4 electric motor drawing current from rechargeable storage batteries, fuel cells, or other portable
5 sources of electrical current, and which may include a nonelectrical source of power designed to
6 charge batteries and components.

7 (2) "Electric Vehicle Supply Equipment" is a device that supplies electricity to
8 an electric vehicle, commonly called charging stations or charging docks, it provides electric
9 power to the vehicle and use that to recharge the vehicle's batteries.

10 (3) "Level 2 Electric Vehicle Charging Station Ready Outlet" is an
11 outlet/receptacle with a 50 amp, 240 volt rating, for purposes of connecting a Level 2 electric
12 vehicle charging station.

13 (4) "Level 2 Charging" means that the charging capability of the electric vehicle
14 charging outlet includes the ability to charge a battery or any other storage device in an electric
15 vehicle through means of an alternating current electrical service that meets applicable industry
16 safety standards and future changes to the National Electrical Code as adopted in Subtitle 9 of
17 this Code.

18 (5) "Dedicated Level 2 Charging Device" means electric vehicle supply
19 equipment, for example a charging station or similar device, hardwired into an appropriate
20 dedicated circuit that is capable of delivering 7 kilowatts or more of electricity for the purposes
21 of level 2 electric vehicle charging.

22 (b) Scope.

23 (1) This section applies only to the construction of new dwelling units with a
24 garage, carport or driveway including:

25 (a) Single Family Detached;

- (b) Townhouses and Duplexes;
- (c) Three-family;
- (d) Two-family; and
- (e) conversions of single-family detached dwellings.

(2) This section does not apply to:

- (a) Manufactured homes (mobile homes) and industrialized dwellings (modular homes); and
- (b) New dwelling units that do not have electric utility available.
- (c) Dwelling units with building permits approved prior to July 1, 2023.

(c) Provision of Level 2 Electric Vehicle Station Ready Outlet, or Dedicated Level 2 Charging Device.

(1) For new dwelling unit construction subject to this section:

- (a) A residential dwelling unit with a garage, carport, or driveway shall include a minimum of one Level 2 Electric Charging Station Ready Outlet, on a dedicated circuit, within 15 feet of the intended vehicle parking location, that is able to provide Level 2 charging when appropriate electric vehicle supply equipment is connected; or
- (b) A residential dwelling unit with a garage, carport or driveway shall include a minimum of one Level 2 Charging Device.

(2) Electric Vehicle Charging Station Ready Outlets shall be labeled for their intended use for electric vehicle charging.

Sec. 4-271. - Electric Charging Stations.

(a) DPIE shall implement a review process for permits to install electric vehicle charging stations on properties improved with the following uses:

- (1) Single Family Detached dwelling uses;

1 time be amended and in all laws having general application in the County under the public
2 general and public local laws of the State, as well as rules and regulations of Maryland State
3 departments or agencies.

4 (b) All work done under any permit issued under this Subtitle, except as provided in
5 Subsection (k), below, shall be in full prior compliance with Subtitle 27 of this Code, including
6 obtaining a Special Exception for the intended use; the rules and regulations of the Washington
7 Suburban Sanitary Commission, where applicable; the regulations of Subtitle 11, Subtitle 23,
8 Subtitle 25, and any other applicable provisions of the Prince George's County Code; or any
9 other statute, ordinance, or regulation officially and lawfully adopted by State, Bi-County, or
10 County agencies that are applicable in the County.

11 (c) No building permit shall be issued or granted for any building or structure in Prince
12 George's County to be served by water supply systems or sewerage systems for which service
13 from said system or systems cannot or will not be provided by the estimated completion date of
14 the building or structure for which the permit is requested.

15 (d) No building permit shall be issued or granted for any building or structure in Prince
16 George's County where the agency having jurisdiction over the provision of water supply or
17 sewerage systems certifies that existing water supply or sewerage systems are inadequate to
18 serve said building or structure, taking into account all other existing developments and
19 developments approved for service by said agency within the service area.

20 (e) The applicant for the building permit is required to exhibit a copy of an approved
21 Washington Suburban Sanitary Commission House Connection and Plumbing Application or a
22 valid Washington Suburban Sanitary Commission Plumbing Permit for the building or structure
23 for which the building permit is requested. Said documents are to serve as certification by that
24 agency as to the availability and adequacy of the water supply and/or sewerage system. Where
25 the water supply and/or sewerage system is not available but service has been previously

1 authorized by the Commission, the applicant for the building permit is required to submit a
2 separate statement which shall be provided by the Washington Suburban Sanitary Commission
3 specifying the projected date when such water and/or sewerage service can be provided to the
4 proposed use.

5 (f) The applicant for the building permit is required at the time application is made to
6 indicate his best estimated starting and completion dates of the construction of said building or
7 structure.

8 (g) The Director or the Director's designee shall make a determination, based on normal
9 construction procedures as evidenced by progress determined from comparable projects, as to the
10 reasonableness of the applicant's estimated completion date for his building or structure. If the
11 Director or the Director's designee determines that the applicant's time estimate is unreasonable,
12 he shall advise the applicant, in writing, as to his reasons for such a determination. The applicant
13 shall then be given the opportunity to either justify his previous estimate or to submit a new
14 estimate. If the Director or the Director's designee still considers the applicant's estimate to be
15 unreasonable, then the applicant shall have recourse to the Board of Appeals for Prince George's
16 County to challenge the Director's or the Director's designee's determination. The Director or the
17 Director's designee shall then compare the estimated completion dates with the dates given for
18 the availability of water supply or sewerage systems to insure that the availability date is not later
19 than the estimated completion date for the building or structure for which the building permits
20 are requested.

21 (h) The issuance or granting of a building permit is specifically prohibited when the
22 agency having jurisdiction over the provision of water supply or sewerage system is unable to
23 provide an estimated date(s) when such service will be made available.

24 (i) No building permit shall be issued until such time as provisions have been made and
25 approved for the improvement of adjacent or abutting streets, or provisions for their

1 improvement have been accomplished under the provisions of Subtitle 23, or the regulations of
2 the appropriate municipality when such permit is requested for work to be accomplished within a
3 municipality. The Director or the Director's designee is hereby authorized and directed to assist
4 in the enforcement of such statutes, ordinances, and regulations to the full extent of the powers
5 delegated to him in this Division.

6 (j) Permits applied for prior to July 1, 1992, for sanitary landfills and for clean earth fills,
7 when not pursuant to an approved plan of development, shall be exempted from compliance with
8 the provisions of Division 2 of Subtitle 25 of this Code.

9 (k) No building permit shall be recommended for approval by the Planning Board or its
10 authorized representative, or issued by the Department of Permitting, Inspections, and
11 Enforcement, for any building or structure in Prince George's County on a lot or parcel of land
12 that is located within the area of an adopted and approved Area Master Plan which includes a
13 Zoning Proposal that has been prepared pursuant to the provisions of the Zoning Ordinance, or a
14 Sectional Map Amendment which has been transmitted by the Planning Board to the District
15 Council pursuant to the provisions of the Zoning Ordinance, if the lot or parcel is in a
16 nonresidential zone, was proposed by the Planning Board for a less intense zone in which the
17 proposed use is not permitted, and is undeveloped, until final action on the Sectional Map
18 Amendment by the District Council. This Subsection shall not apply to a lot or parcel of land for
19 which a grading permit has been issued by Prince George's County, sediment and erosion control
20 devices have been installed by the permittee, and site grading activities have been initiated by the
21 permittee.

22 (l) For a project participating in the Department of Permitting, Inspections, and
23 Enforcement's Peer Review Program for Building/Site-Road Permits or Third Party Plan Review
24 Program for Building Permits, as established by the department, [every agency] all agencies with
25 responsibility relating to the approval of the project's building and/or grading permits, which

1 includes the Department of Permitting, Inspections, and Enforcement, Prince George's County
2 Department of Public Works and Transportation, Prince George's County Health Department,
3 Prince George's County Fire/EMS Department, Maryland-National Capital Park and Planning
4 Commission, Washington Suburban Sanitary Commission and Prince George's Soil
5 Conservation District, shall exercise best efforts to ensure the issuance of the building and/or
6 grading permit(s) for the project within fifteen (15) business days of the project's participation in
7 the Peer Review Program or Third Party Plan Review Program. The fifteen business day time
8 frame includes ten (10) business days for the first review cycle and five (5) business days for the
9 second review cycle of every agency involved in the review process as required. This time frame
10 does not include the time required for the design professional and permittee to respond to and
11 address permit plan comments.

12 (m) An existing building in the C-S-C (Commercial Shopping Center) Zone with an
13 original use and occupancy permit for a food or beverage store issued on or before May 1, 1965,
14 with said use located in a building that was constructed prior to November 29, 1949, for which
15 an off-site sales Class A beer, wine, and liquor license issued by the Board of License
16 Commissioners for Prince George's County pursuant to Title 26 of the Alcoholic Beverages
17 Article of the Annotated Code of Maryland on or before July 1, 2016, shall be permitted to
18 perform interior and exterior renovations related to storage, pursuant to the terms of its Class A
19 license, to improve and/or expand the facility by an area not to exceed twenty percent (20%) of
20 the existing square footage of the current enclosed area and shall not be required to obtain a
21 building permit to make such renovations or improvements.

22 **Sec. 4-346. - Issuance of Certificates of Occupancy.**

23 No certificates of occupancy for any building or structure erected, repaired, changed to a
24 different use, or transferred to a new owner or occupant shall be issued unless such building or
25 structure was erected, altered, or repaired and is otherwise in compliance with the provisions of

1 this Division and other provisions of State or local laws, ordinances, and regulations.

2 **Sec. 4-347. - Exemptions to Subtitle.**

3 (a) Procedure: The County Council may exempt, upon specific request, from the
4 requirements of this Subtitle, all grading, buildings, or other structures within the corporate limits
5 of any Prince George's County municipality, with planning and zoning authority, whenever the
6 County Council determines, by resolution, that the building regulations and administrative
7 procedures of said municipality and the enforcement thereof are as adequate and equally
8 effective as the County's building and grading regulations, any other applicable regulations and
9 administrative procedures presently or hereafter enacted. Said exempting resolution may include
10 any conditions, restrictions, or requirements deemed necessary by the County Council. An
11 official copy of any building permit approved and issued, with all attachments, shall be
12 forwarded, within three (3) business days immediately following issuance, to the State
13 Supervisor of Assessments within the County and the Building Official.

14 (b) Compliance with Zoning Ordinance: Where applicable, permits issued shall comply
15 with zoning laws and shall be referred to the Prince George's County Planning Board for review
16 and recommendations respecting zoning requirements.

17 (c) Referral: Whenever any municipality, delegated authority under the provisions of this
18 exemption, determines that it lacks the necessary expertise to review an application and issue a
19 permit subsequent thereto, said application shall be referred to the County Building Official for
20 appropriate action. If so referred, compliance shall be had with all applicable provisions of this
21 Subtitle including fee requirements. Administration and enforcement shall be pursuant to this
22 Subtitle.

23 **Sec. 4-348. - Exemption from fees.**

24 (a) Upon certification by the Superintendent of Schools that a construction project is a part
25 of an educational program of the Prince George's County Public Schools, the Building Official

1 shall waive any fees that would be otherwise required by this Subtitle.

2 (b) The Building Official shall waive any fees that would be otherwise required by this
3 Subtitle for any construction project that is undertaken by the Prince George's County Public
4 Schools, Office of Central Services, Department of the Environment, Department of Public
5 Works and Transportation, The Maryland National Capital Park and Planning Commission,
6 Department of Parks and Recreation, Fire and Emergency Medical Services, Redevelopment
7 Authority, Revenue Authority, Homeland Security, and the Prince George's County Community
8 College, Memorial Library, Police Department, and Circuit Court.

9 (c) The Building Official may waive any fees that would be otherwise required by this
10 Subtitle for any new construction project that is undertaken by a hospital, as defined by Section
11 12-130(a)(1) of the County Code. The Building Official may require such information as
12 necessary to determine a waiver under this subsection.

13 **Sec. 4-349. - Administration and Enforcement of Subtitle — Generally.**

14 (a) Administration and enforcement of this Subtitle shall be by the Department of
15 Permitting, Inspections, and Enforcement, and the executive official in charge thereof shall be
16 known as the Building Official.

17 (b) The Building Official shall be designated by the Director of Permitting, Inspections,
18 and Enforcement as a classified employee under Subtitle 16, Personnel, of this Code. The
19 Building Official shall, with the approval of the Director of Permitting, Inspections, and
20 Enforcement, designate such number of officers, technical assistants, inspectors, and other
21 employees as shall be necessary for the administration of this Subtitle. The Building Official
22 may designate an employee as his Deputy who shall exercise all the powers of the Building
23 Official during the temporary absence or disability of the Building Official.

24 (c) The Building Official shall have the power and the duty to enforce the provisions of
25 this Subtitle and all fees provided in this Subtitle shall be paid to the order of Prince George's

1 County. All permits and certificates shall be issued by the Building Official in the name of
2 Prince George's County.

3 **Sec. 4-350. - Same — Interpretations, etc., by Building Official.**

4 Wherever in the regulations provided for in this Subtitle it is provided that anything shall be
5 done to the approval of or subject to the direction of the Building Official, this shall be construed
6 to give the Building Official only the discretion of determining whether the rules and standards
7 established by this Subtitle have been complied with, and no such provision shall be construed as
8 giving any officer discretionary powers to establish such regulations or standards or power to
9 require conditions not prescribed by this Subtitle or any other ordinance of the County or to
10 enforce any provisions of this Subtitle in an arbitrary or discriminatory manner.

11 **Sec. 4-351. - Same — Stop Work Orders.**

12 (a) Whenever any work is being done in violation of the provisions of this Subtitle or in
13 variance with the term of any permit issued for such work, the Building Official or his duly
14 authorized representative may order all or part of the work on the job stopped until such violation
15 or variance is eliminated and any work or installation made in violation of this Subtitle is
16 corrected. Such "stop work order," if oral, shall be followed by a written "stop work order"
17 within twenty-four (24) hours (excluding Saturday, Sunday, or holidays).

18 (b) It shall be unlawful to do or perform any work in violation of such "stop work order,"
19 except as may be necessary to prevent injury or damage to persons or property.

20 (c) The "stop work order" shall contain, or be accompanied by, a written notice indicating
21 that there is a right to a hearing before the Building Official or his designee. Such request for a
22 hearing may be filed in writing or in person at the Office of the Building Official. The owner or
23 permittee affected by such "stop work order" shall be entitled to such hearing as quickly as
24 feasible, but at least within twenty-four (24) hours of receipt of such request for hearing by the
25 Building Official. The Building Official, or a designated impartial member of his staff who has

1 or is delegated authority to act, shall afford the owner or permittee a fair hearing with an
2 opportunity to present evidence or testimony that is relevant to the "stop work order." The owner
3 or permittee shall be afforded reasonable notice of the time and place of the hearing at the time
4 of the request in person, or by telephone or other appropriate means if the request is forwarded in
5 writing.

6 **Sec. 4-352. - Fee Schedule.**

7 (a) General: No permit to begin work for new construction, alteration, removal,
8 demolition, or other building operation shall be issued until the fees prescribed in the Table of
9 Fees have been paid to Prince George's County, nor shall an amendment or revision to a permit
10 necessitating an additional fee be approved until the additional fee has been paid. The fee for
11 each building permit shall be based on the total construction cost of the building, structure,
12 and/or any other improvement of the property or by applying the Building Valuation Data
13 Method (BVDM) for which such building permit is obtained.

14 (b) Special Fees: The payment of the fee for construction, alteration, removal, or
15 demolition and for all work done in connection with or concurrently with the work contemplated
16 by a building permit shall not relieve the applicant or holder of the permit from the payment of
17 other fees that may be prescribed by law or ordinance for water taps, sewer connections,
18 electrical permits, mechanical permits, erection of signs and display structures, marquees, or
19 other appurtenant structures, or fees for inspections, certificates of use and occupancy, or other
20 privileges or requirements, both within and without the jurisdiction of the Department of
21 Permitting, Inspections, and Enforcement.

22 (c) Planning Board Review Fee: Upon the filing of a permit application required by the
23 Zoning Ordinance to be reviewed by the Prince George's County Planning Board, the applicant
24 shall pay to the Planning Board a fee to help defray the costs related to permit review. The fee
25 for such permit review shall be Five Dollars (\$5.00), which shall be collected by the Department

1 of Permitting, Inspections, and Enforcement and remitted to the Planning Board.

2 (d) New Buildings, Additions, or Enlargements: Permit fees shall be based upon the area
3 as calculated from exterior dimensions of all floors including balconies, mezzanines, basements,
4 cellars and porches, and square foot construction costs set forth in the Building Valuation Data
5 "Type of Construction Factor" published by the International Code Council, corresponding to the
6 appropriate use group and type of construction and a fee multiplier of 0.0080.

7 (e) Alterations and Repairs on Existing Buildings—No Enlargement: The fee for repairs
8 and alterations of any building or structure shall be as prescribed in the Table of Fees. Proof of
9 the amount of contract may be required prior to issuance of the Building Permit and kept as a
10 permanent record of the permit. Cost estimates shall be computed on the basis of standard
11 construction estimating practices as reflected in the current Mean's Construction Cost Data or
12 equivalent authority.

13 (f) Townhouses: Permit fees shall be based upon the area (as calculated from exterior
14 dimensions) of all floors including balconies, mezzanines, basements, cellars and porches,
15 specialty items, and square foot construction costs set forth in the Building Valuation Data "Type
16 of Construction Factor" published by the International Code Council, corresponding to the
17 appropriate use group and type of construction and a fee multiplier of 0.0080.

18 (g) Refunds: Except for stormwater management facilities, in any case where permits have
19 been issued and no work has begun thereunder, the person who has paid the fee for said permit
20 may return said permit for cancellation, and, upon the cancellation thereof, there shall be
21 refunded to him the amount of said fees less the actual expenses (not to exceed fifty percent
22 (50%) of the fee paid, but not less than the filing fee) incident to the issuance of said permit as
23 determined by the Building Official; provided that the application for such refund shall be made
24 within six (6) months after the issuance of said permit, after which time no refund may be made.
25 No filing fee of any kind shall be refunded.

1 (h) Earnest Payment: Any earnest payment fees in excess of the total amount of the
2 building permit fees shall be refunded to the applicant at the time of building permit issuance.
3 Fees collected for earnest payment pursuant to Section 27-548.08 of the County Code shall be
4 credited toward the total amount of building permit fees required by Prince George's County
5 Codes.

6 (i) Miscellaneous Building Permit Fees: Beginning with the fiscal year 2009, and every
7 fiscal year thereafter, the Director or the Director's designee shall submit a schedule of
8 miscellaneous permit fees to the County Council for adoption by resolution. The schedule shall
9 specify the amounts of the fees contained in this subsection (i) and may contain other provisions
10 concerning fee administration. The fee adjustments shall reflect, at a minimum, the annual
11 average increase in the Consumer Price Index for all urban consumers published by the United
12 States Department of Labor, for the fiscal year preceding the year for which the amount is being
13 calculated. The permit fees may be adjusted using a method established by the International
14 Code Council's Building Safety Journal at the time of the adjustment, provided that the
15 adjustments meet the minimum requirement stated above. The fees shall be rounded to the
16 nearest Five Dollar increment.

17 (1) Minimum Permit Fee.

18 (A) One- and Two-Family Dwellings.

19 (B) Commercial Buildings.

20 (2) Filing Fee.

21 (3) Re-Inspection.

22 (A) One- and Two-Family Dwellings.

23 (B) Commercial Buildings.

24 (4) Inspection After Hours.

25 (5) Permit Revision/Modification.

- 1 (6) Use and Occupancy.
- 2 (A) One- and Two-Family Dwellings.
- 3 (B) Commercial Buildings.
- 4 (C) Investigation for Partial Occupancy.
- 5 (7) Plans Revision.
- 6 (A) One- and Two-Family Dwellings.
- 7 (B) Commercial Buildings.
- 8 (8) Finishing Basement (One- and Two-Family Dwellings).
- 9 (9) Renewing a Permit.
- 10 (A) One- and Two-Family Dwellings.
- 11 (B) Commercial Buildings.
- 12 (10) Private In-Ground Pool.
- 13 (11) Private Above-Ground Pool.
- 14 (12) Commercial Swimming Pools.
- 15 (13) Raze Permits.
- 16 (A) One- and Two-Family Dwellings.
- 17 (B) Commercial Buildings.
- 18 (14) Moving a Building.
- 19 (15) Revising Permit Applications.
- 20 (16) Elevators.
- 21 (17) Chair Lift.
- 22 (18) Fence Permit.
- 23 (19) Decks.
- 24 (20) Gazebos.
- 25 (21) Change of Ownership.

- 1 (22) Temporary Use and Occupancy.
- 2 (23) Partial Use and Occupancy.
- 3 (24) Special Investigation.
- 4 (25) Accessory Buildings such as Sheds, 150 Square Feet and Larger.
- 5 (26) Accessory Buildings such as Sheds, Smaller than 150 Square Feet.
- 6 (27) Sunrooms, Porches and Garages (attached or detached).
- 7 (28) Carports.
- 8 (29) Fire Damage.
- 9 (30) Driveways.
- 10 (31) Mobil/Replacement Homes.
- 11 (32) Fireplaces (One- and Two-Family Dwellings).
- 12 (33) Retaining Walls, Two Feet and Taller.
- 13 (34) Patios, Five Hundred Square Feet and Larger.
- 14 (35) Patios, under Five Hundred Square Feet.
- 15 (36) Pole Bases.
- 16 (37) Awnings.
- 17 (38) Open Pit.
- 18 (39) Waterproofing.
- 19 (40) Wheelchair Ramps.
- 20 (41) Roofing.
- 21 (42) Satellite Dishes, Two Feet in Diameter and Larger.
- 22 (43) Observation Stands.
- 23 (44) Solar Panels.
- 24 (45) Freestanding Signs.
- 25 (46) Wall Mounted Signs.

- 1 (47) Tanks, Above or Under Ground.
- 2 (48) Telecommunications Antennas.
- 3 (49) Telecommunications Towers.
- 4 (50) Electrical.
- 5 (51) Mechanical.
- 6 (52) Fire Protection.
 - 7 (A) Sprinkler Heads.
 - 8 (i) Residential Buildings (One- and Two-Family Dwellings).
 - 9 (ii) Commercial Buildings.
 - 10 (B) Fire Alarms.
- 11 (53) Post Construction Permit Fee. [() These fees are in addition to the standard permit fee
 - 12 schedule as prescribed in the Table of Fees, [s]Section 2-253.63, Attachment A and as published
 - 13 on the Department of Permitting, Inspections and Enforcement [DPIE] website.)]
 - 14 (A) Residential One- and Two-Family Dwellings and Grading, Clearing, Storm
 - 15 Water Management, Storm Drain, and Paving unpermitted construction.
 - 16 (i) Building – [\$250.00] \$500.00
 - 17 (ii) Electrical – [\$250.00] \$500.00
 - 18 (iii) Mechanical – [\$250.00] \$500.00
 - 19 (iv) Fire Protection – [\$250.00] \$500.00
 - 20 (vi) Geotechnical – [\$250.00] \$500.00
 - 21 (vii) Civil – [\$250.00] \$500.00
 - 22 (B) Commercial Building and Grading, Clearing, Storm Water Management,
 - 23 Storm Drain, and Paving unpermitted construction.
 - 24 (i) Building – [\$1000.00] \$2000.00
 - 25 (ii) Electrical – [\$1000.00] \$2000.00

- 1 (iii) Mechanical – [\$1000.00] \$2000.00
- 2 (iv) Fire Protection – [\$1000.00] \$2000.00
- 3 (vi) Geotechnical – [\$1000.00] \$2000.00
- 4 (vii) Civil – [\$1000.00] \$2000.00

5 (C) Second Offense Post Construction Fees. Additional permit fees for a second
 6 or subsequent offense within twenty-four (24) months will be based assessed. The Department of
 7 Permitting, Inspections and Enforcement will base the increased Post Construction Permit Fee on
 8 the following: applicant's name, property owner, and/or company affiliated with the unpermitted
 9 construction.

10 (i) Residential One- and Two-Family Dwellings and Grading, Clearing, Storm
 11 Water Management, Storm Drain, and Paving unpermitted construction.

- 12 (a) Building – [\$500.00] \$1000.00
- 13 (b) Electrical – [\$500.00] \$1000.00
- 14 (c) Mechanical – [\$500.00] \$1000.00
- 15 (d) Fire Protection – [\$500.00] \$1000.00
- 16 (e) Geotechnical – [\$500.00] \$1000.00
- 17 (f) Civil – [\$500.00] \$1000.00

18 (ii) Commercial Building and Grading, Clearing, Storm Water Management,
 19 Storm Drain, and Paving [U]unpermitted construction.

- 20 (a) Building – [\$1000.00] \$3000.00
- 21 (b) Electrical – [\$1000.00] \$3000.00
- 22 (c) Mechanical – [\$1000.00] \$3000.00
- 23 (d) Fire Protection – [\$1000.00] \$3000.00
- 24 (e) Geotechnical – [\$1000.00] \$3000.00
- 25 (f) Civil – [\$1000.00] \$3000.00

1 (54) Preliminary Design Meeting — The Building Plan Review Division Engineers meeting
 2 with Developers, Owners, Architects and Professional Engineers to discuss the proposed new
 3 construction and or alteration/repair to an existing building and to aid, recommendation and
 4 guidelines to comply with County Construction Codes. The cost of the Preliminary Design
 5 Meeting is as prescribed in the Table of Fees, section 2-253.63, Attachment A and as published
 6 on the DPIE website, plus the technology fee.

7 (55) Variance Review — As prescribed in the Table of Fees, section 2-253.63, Attachment
 8 A and as published on the DPIE website.

9 (56) Review and Inspection of Swimming Pools & Spas — As prescribed in the Table of
 10 Fees, section 2-253.63, Attachment A and as published on the DPIE website, plus the technology
 11 fee.

12 (57) Raze Inspections - Commercial — As prescribed in the Table of Fees, section 2-
 13 253.63, Attachment A and as published on the DPIE website.

14 (58) Raze Inspections - Residential — As prescribed in the Table of Fees, section 2-
 15 253.63, Attachment A and as published on the DPIE website.

16 (j) Reserved.

17 (k) Reserved.

18 (l) Reserved.

19 (m) Reserved.

20 (n) School Facilities Surcharges:

21 (1) Upon the issuance of a building permit for new residential construction for
 22 which a building permit application has been made on or after July 1, 1996, the applicant shall
 23 pay a school facilities surcharge, with the exception of a permit for the construction of:

24 (A) Dwellings for the elderly which are operated in accordance with State
 25 and Federal fair housing laws within an apartment house for the elderly, an assisted living

1 facility, a congregate living facility, a mixed residential development, or planned retirement
2 community;

3 (B) A single-family detached dwelling to be built or subcontracted by an
4 individual owner in a minor subdivision and intended as the owner's personal residence;

5 (C) Improvements on property in an infrastructure finance district approved
6 before January 1, 2000; or

7 (D) Multifamily housing designated as student housing within one and one-
8 half (1 1/2) miles of the University of Maryland, College Park Campus, under the following
9 conditions:

10 (i) A multifamily project that includes the following features:

11 (aa) A minimum of one (1) bathroom per two (2) beds;

12 (bb) Appropriate locks will be provided on every bedroom door
13 as permitted by the Life Safety Code;

14 (cc) At least seventy percent (70%) of bedrooms shall not
15 exceed one hundred and forty-five (145) square feet or be smaller than standard market units
16 (exclusive of the closet and bathroom);

17 (dd) Balconies shall not be permitted, but enclosed decks and
18 patios shall be permitted on the ground floor;

19 (ee) At least ninety percent (90%) of dwelling units shall be
20 furnished with a single or full bed and desk in each bedroom and appropriate seating for each
21 resident in the living and dining areas;

22 (ff) Design of amenities shall be geared toward college students
23 such as study rooms, computer rooms, club rooms and game rooms; and

24 (gg) Written evidence of a relationship with an institution of
25 higher education in terms of one or more of the following: resident life services, shuttle bus

1 services, coordinated permit parking policies and telecommunications wiring.

2 (ii) A multifamily project that is exempt pursuant to subsection (D)(1)
 3 shall be assessed a school facilities surcharge at the time a building permit is issued for the
 4 conversion of a multifamily dwelling to standard market units.

5 (2) The amount of the school facilities surcharge for a building permit issued on or after
 6 July 1, 2003 shall be:

7 (A) Seven Thousand Dollars (\$7,000) if the building is located between
 8 Interstate Highway 495 and the District of Columbia;

9 (B) Seven Thousand Dollars (\$7,000) if the building is included within a basic
 10 plan or conceptual site plan that abuts an existing or planned mass transit rail station site
 11 operated by the Washington Metropolitan Area Transit Authority; or

12 (C) Twelve Thousand Dollars (\$12,000) for all other buildings.

13 (3) School Facility Surcharge in Municipal Corporations: Prior to the issuance of a
 14 building permit for new residential construction in a municipality with zoning authority and the
 15 authority to issue building permits, the applicant shall pay to the County a school facilities
 16 surcharge in the amount of:

17 (A) Seven Thousand Dollars (\$7,000) if the building is located between
 18 Interstate Highway 495 and the District of Columbia;

19 (B) Seven Thousand Dollars (\$7,000) if the building is included within a basic
 20 plan or conceptual site plan that abuts an existing or planned mass transit rail station site
 21 operated by the Washington Metropolitan Area Transit Authority; or

22 (C) Twelve Thousand Dollars (\$12,000) for all other buildings.

23 School Facilities Surcharge shall be in accordance with that established by Council Resolution at
 24 the beginning of each successive fiscal year effective July 1st.

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$7,870
All other buildings	\$13,493

1 CR-48-2008 established the school facilities surcharge for Fiscal Year 2009, effective July 1,
 2 2008, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,177
All other buildings	\$14,019

3 CR-63-2009 established the school facilities surcharge for Fiscal Year 2010, effective July 1,
 4 2009, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,120
All other buildings	\$13,921

1 CR-56-2010 established the school facilities surcharge for Fiscal Year 2011, effective July 1,
 2 2010, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,299
All other buildings	\$14,227

3 CR-51-2011 established the school facilities surcharge for Fiscal Year 2012, effective July 1,
 4 2011, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,565
All other buildings	\$14,682

5 CR-46-2012 established the school facilities surcharge for Fiscal Year 2013, effective July 1,
 6 2012, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington	\$8,762

Metropolitan Area Transit Authority	
All other buildings	\$15,020

1 CR-66-2013 established the school facilities surcharge for Fiscal Year 2014, effective July 1,
 2 2013, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,858
All other buildings	\$15,185

3 CR-55-2014 established the school facilities surcharge for Fiscal Year 2015, effective July 1,
 4 2014 as follows:

Construction
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority F
All other buildings

5 CR-35-2015 established the school facilities surcharge for Fiscal Year 2016, effective July 1,
 6 2015 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia	\$9,017

and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	
All other buildings	\$15,458

1 CR-50-2016 established the school facilities surcharge for Fiscal Year 2017, effective July 1,
 2 2016 as follows:
 3

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,116
All other buildings	\$15,628

4 CR-57-2017 established the school facilities surcharge for Fiscal Year 2018, effective July 1,
 5 2017 as follows:
 6

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,317
All other buildings	\$15,972

1 CR-38-2018 established the school facilities surcharge for Fiscal Year 2019, effective July 1,
2 2018 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,550
All other buildings	\$16,371

3 CR-55-2019 established the school facilities surcharge for Fiscal Year 2020, effective July 1,
4 2019 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,741
All other buildings	\$1g,698

7 CR-44-2020 established the school facilities surcharge for Fiscal Year 2021, effective July 1,
8 2020 as follows:

Construction	Fee
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Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,770
All other buildings	\$16,748

1 CR-65-2021 established the school facilities surcharge for Fiscal Year 2022, effective July 1,
 2 2021, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$10,180
All other buildings	\$17,451

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(o) Public Safety Surcharge:

(1) Upon the issuance of a building permit for new residential construction for which a building permit application has been made on or after July 1, 2005, the applicant shall pay a public safety surcharge, with the exception of a permit for the construction of:

(A) New residential construction for which a preliminary plan has been approved prior to July 1, 2005; or

(B) A single-family detached dwelling to be built or subcontracted by an individual owner in a minor subdivision and that is intended to be used as the owner's personal residence.

1 (2) The amount of the public safety surcharge for a building permit issued on or after July
2 1, 2005 shall be:

3 (A) Two thousand dollars (\$2,000) if the building is located in the developed
4 tier, as defined by the Maryland-National Capital Park and Planning Commission in the 2002
5 Prince George's County approved General Plan;

6 (B) Six thousand dollars (\$6,000) for all other buildings.

7 **Editor's note**— CR-20-2006 partially waived the public safety surcharge for property included
8 in the EYA Hyattsville Redevelopment Project and directed that the funds from the partially
9 waived public safety surcharge will be used for a joint project between the County and the City
10 of Hyattsville.

11 CR-54-2006 established the public safety surcharge for Fiscal Year 2007, effective July 1, 2006.

12 CR-22-2007 provides a waiver of the public safety facilities surcharge for the property included
13 in the Newton Green Senior Housing Project in Bladensburg.

14 CR-51-2007 established the public safety surcharge for Fiscal Year 2008, effective July 1, 2007,
15 as follows:

Construction	Fee
Developed Tier construction	\$2,124
All other buildings	\$6,371

16 CR-49-2008 established the public safety surcharge for Fiscal Year 2009, effective July 1, 2008,
17 as follows:

Construction	Fee
Developed Tier construction	\$2,207
All other buildings	\$6,619

1 CR-64-2009 established the public safety surcharge for Fiscal Year 2010, effective July 1, 2009,
 2 as follows:

Construction	Fee
Developed Tier construction	\$2,192
All other buildings	\$6,573

3 CR-55-2010 established the public safety surcharge for Fiscal Year 2011, effective July 1, 2010,
 4 as follows:

Construction	Fee
Developed Tier construction	\$2,240
All other buildings	\$6,718

5 CR-50-2011 established the public safety surcharge for Fiscal Year 2012, effective July 1, 2011,
 6 as follows:

Construction	Fee
Developed Tier construction	\$2,312
All other buildings	\$6,933

7 CR-45-2012 established the public safety surcharge for Fiscal Year 2012, effective July 1, 2012,
 8 as follows:

Construction	Fee
Developed Tier construction	\$2,365
All other buildings	\$7,092

9 CR-65-2013 established the public safety surcharge for Fiscal Year 2014, effective July 1, 2013,

1 as follows:

Construction	Fee
Developed Tier construction	\$2,391
All other buildings	\$7,170

2 CR-130-2013 approves a partial waiver of the adequate public facilities surcharge for all
 3 residential units within the Patriots Landing Redevelopment Project.

4 CR-56-2014 established the public safety surcharge for Fiscal Year 2015, effective July 1, 2014,
 5 as follows:

Construction	Fee
Developed Tier construction	\$2,439
All other buildings	\$7,314

6 CR-34-2015 established the public safety surcharge for Fiscal Year 2016, effective July 1, 2015,
 7 as follows:

Construction	Fee
Developed Tier construction	\$2,434
All other buildings	\$7,299

8 CR-49-2016 established the public safety surcharge for Fiscal Year 2017, effective July 1, 2016,
 9 as follows:

Construction	Fee
Developed Tier construction	\$2,461
All other buildings	\$7,379

1 CR-56-2017 established the public safety surcharge for Fiscal Year 2018, effective July 1, 2017,
 2 as follows:

Construction	Fee
Developed Tier construction	\$2,515
All other buildings	\$7,541

4 CR-37-2018 established the public safety surcharge for Fiscal Year 2019, effective July 1, 2018,
 5 as follows:

Construction	Fee
Developed Tier construction	\$2,578
All other buildings	\$7,730

6 CR-54-2019 established the public safety surcharge for Fiscal Year 2020, effective July 1, 2019,
 7 as follows:

Construction	Fee
Developed Tier construction	\$2,630
All other buildings	\$7,885

8 CR-43-2020 established the public safety surcharge for Fiscal Year 2021, effective July 1, 2020,
 9 as follows:

Construction	Fee
Developed Tier construction	\$2,638
All other buildings	\$7,909

1 CR-66-2021 established the public safety surcharge for Fiscal Year 2022, effective July 1, 2021,
2 as follows:

Construction	Fee
Developed Tier construction	\$2,749
All other buildings	\$8,241

3 **Editor's note**— Chapter 431, Laws of Maryland 2003 provides that the school facility surcharge
4 shall be adjusted each year, beginning in Fiscal Year 2005, by the percentage change in the
5 Consumer Price Index for All Urban Consumers published by the United States Department of
6 Labor from the previous year. Section 2 of CB-31-2003 provides that the County Council shall
7 adjust the school facility surcharge by resolution.

8 **Sec. 4-353. through Sec. 4-355. - Reserved.**

9 **DIVISION 6. - RESERVED.**

10 **Sec. 4-356. through Sec. 4-379. - Reserved.**

11 * * * * *

12 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
13 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
14 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
15 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
16 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
17 Act, since the same would have been enacted without the incorporation in this Act of any such
18 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

19 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)
20 calendar days after it becomes law.

Adopted this 7th day of October, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs, III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

* * * * *