

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2006 Legislative Session**

Bill No. CB-29-2006

Chapter No. \_\_\_\_\_

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

AN ACT concerning

Building Code

For the purpose of amending the Building Code to add requirements for permitting and use and occupancy of multifamily dwelling units.

BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Sections 4-111 and 4-141,

The Prince George's County Code

(2003 Edition, 2005 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 4-111 and 4-141 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 4. BUILDING.**

**DIVISION 1. BUILDING CODE.**

**Subdivision 2. Amendments to the International Building Code.**

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

\* \* \* \* \*

(e) Section 105.3.1.2 is added to read as follows: "By Whom Application is Made."

Application for a permit shall be made by the owner or lessee of the building or structure, or the agent of either, or by the licensed engineer or architect employed in connection with the proposed work. If the application is made by a person other than the owner in fee, the applicant

1 shall attest on the permit application or by separate written statement, that the proposed work is  
 2 authorized by the owner in fee and that the applicant is authorized to make such application. The  
 3 full names and addresses of the owner, lessee, applicant, and the responsible officer if the owner  
 4 or lessee is a corporate body, shall be stated on the application. Subsequent permits will be  
 5 issued in the name of the owner of record at time of permit issuance.

6 (f) Section 105.3.1.3 is added to read as follows: "When applying for building permits for  
 7 new and existing buildings in Use Group R-2 having ten (10) or more units, the legal owner of  
 8 record shall submit a Safety and Security Plan, as defined in Section 13-106 of this Code, based  
 9 on the concept of Crime Prevention Through Environmental Design (CPTED), as defined in  
 10 Section 13-106 of this Code, on the form designated by the Department."

11 (1) The Safety and Security Plan shall be referred to the Prince George's County  
 12 Police Department for review and approval. The Prince George's County Chief of Police or their  
 13 designee shall establish the criteria for approval of the Safety and Security Plan.

14 (2) No building permit shall be issued until the Safety and Security Plan is approved.  
 15 The Safety and Security Plan shall be acted on by the Chief of Police or their designee within  
 16 thirty (30) days of submission of the Safety and Security Plan by the property owner.

17 [(f)](g) Section 105.3.2 is amended to read as follows: "Time Limitation of Application."  
 18 An application for a permit for any proposed work shall be deemed to have been abandoned  
 19 twenty-four (24) months after the date of filing, unless such application has been diligently  
 20 pursued in good faith or a permit has been issued. Extensions of time may be authorized by the  
 21 Director. The Director may request any documentation or certification deemed necessary and  
 22 assess an extension fee as appropriate.

23 [(g)](h) Section 105.4.1 is added to read as follows: "Chesapeake Bay Critical Area."  
 24 Where the property is located within a Chesapeake Bay Critical Area Overlay Zone, a  
 25 Conservation Plan and a Conservation Agreement prepared in accordance with the Conservation  
 26 Manual shall be submitted for approval and, wherever grading or construction are proposed,  
 27 shall include an approved technical erosion and sediment control plan and an approved  
 28 stormwater design plan. Where the Subdivision Review Committee has not reviewed and the  
 29 Planning Board has not approved the Conservation Plan and Conservation Agreement, these  
 30 shall be transmitted in accordance with the Conservation Manual to the Subdivision Review  
 31 Committee for its review and to the Planning Board for approval. The Planning Board shall

1 approve the Conservation Plan and Conservation Agreement prior to the issuance of a building  
 2 and/or grading permit, unless waived in accordance with the Conservation Manual. Where an  
 3 approved Conservation Plan and Conservation Agreement includes an approved technical  
 4 erosion and sediment control plan and stormwater design plan, the Building Official shall ensure  
 5 that permits issued are consistent with the approved Conservation Plan and Conservation  
 6 Agreement. If an approved Conservation Plan and Conservation Agreement do not include a  
 7 technical erosion and sediment control plan and a stormwater design plan, the Conservation Plan  
 8 and Conservation Agreement shall be revised to include these approved plans prior to the  
 9 issuance of a building or grading permit.

10 \* \* \* \* \*

11 [(h)](i) Section 105.5 is amended to read as follows: "Expiration." Every permit issued  
 12 shall become invalid unless the work on the site authorized by such permit is commenced within  
 13 one hundred eighty (180) days after the issuance, or if the work authorized on the site by such  
 14 permit is suspended or abandoned for a period of one hundred eighty (180) days after the time  
 15 the work is commenced. The Code Official is authorized to grant, in writing, one or more  
 16 extensions of time, for periods not more than one hundred eighty (180) days each. The extension  
 17 shall be requested in writing and justifiable cause shall be demonstrated. Any permit issued for  
 18 property within the area of a pending Sectional Map Amendment (as provided for in the County  
 19 Zoning Ordinance) that is rezoned to a less intense zone, shall expire on its own terms upon  
 20 approval of the Sectional Map Amendment by the District Council if a completed building  
 21 foundation for a use not permitted in the less intense zone has not been completed. The Building  
 22 Official shall notify the permit holder of the expiration of the permit.

23 [(i)](j) Section 105.5.1 is added to read as follows: "Expiration of Permit and Correction  
 24 of Code Violations." Any permit issued for residential property to correct a building code or  
 25 housing code violation issued pursuant to Subtitle 4 or Subtitle 13 of the County Code shall be  
 26 issued only for a period of time reasonably necessary to correct the violation, not to exceed  
 27 ninety (90) days. The initial period of the permit shall be established by the Building Official  
 28 based upon the extent of the work required to correct the violation. The permit may be extended  
 29 or renewed for an additional period of one hundred eighty (180) days if, in the opinion of the  
 30 Building Official, the applicant has demonstrated substantial progress to complete the work in  
 31 accordance with the permit and has demonstrated substantial justification for failure to complete

the work within the period of the permit. The Board of Administrative Appeals shall have no authority to grant an extension to the period of the permit.

[(j)](k) Section 105.8 is added to read as follows: "Rural Tier." Where the property is located in the Rural Tier, as delineated in the Approved General Plan, the validity period of building permits and the requirements for granting extensions to the validity periods of expired building permits shall conform to Subtitle 27, Part 18 of the County Code (Interim Development Ordinance).

[(k)](l) Section 105.9 is added to read as follows: "Building Location." No permit for building shall be issued for a structure that overlaps the County line. Location of the County line on the site plan shall be certified by a Professional Land Surveyor.

**Sec. 4-141. Special Detailed Requirements Based on Use and Occupancy; Section 419, Security Devices, R-1 and R-2 Uses.**

(a) Section 419.1 is added to read as follows: "Common areas in new and existing buildings of Use Group R-2 having ten (10) or more units shall be secured by a controlled access system. The controlled access system shall be submitted to and approved by the County Building and Fire Code Officials."

[(a)](b) Section [419.1] 419.2 is added to read as follows: "Locks on Swinging Entrance Doors." Locks on swinging entrance doors to all individual motel and hotel rooms and multifamily dwelling units shall have dead bolts with a one (1) to one-and-one-quarter (1 ¼) inch minimum throw and hardened steel inserts in addition to dead latches with one-half (1/2) inch minimum throw locks. Strike plate screws associated with locking/latching devices shall be heavy duty and one-and-one-half (1 ½) to two (2) inches in length. The devices shall be so constructed that both dead bolt and dead latch can be retracted by a single action of the inside door knob. Alternate devices may be substituted subject to prior approval of the Building Official. In addition, a visual detection device (magnifying peephole) shall be provided to allow inspection before allowing entry.

[(b)](c) Section [419.2] 419.3 is added to read as follows: "Locks on Sliding Entrance Doors." Locks on sliding entrance doors to all individual motel and hotel rooms and multifamily dwelling units shall be of hardened steel inserts with mounting screws for the lock case inaccessible from the outside. The lock bolts shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door with the space or clearance provided for

1 installation and operation. Alternate devices may be substituted subject to prior approval of the  
2 Building Official. These requirements shall apply to sliding doors opening onto patios or  
3 balconies which are one- (1) story or less above grade or are otherwise accessible from the  
4 outside.

5 [(c)](d) Section [419.3] 419.4 is added to read as follows: "Surface Mounted Locks."  
6 Approved surface mounted hardware shall only be allowed for existing dwelling units; all new  
7 dwelling units shall be provided with mortise type hardware meeting the requirements of this  
8 Subsection.

9 [(d)](e) Section [419.4] 419.5 is added to read as follows: "Locks on Doors to  
10 Nonhabitable Rooms." Entrance doors to laundry rooms, storage areas, trash rooms, and other  
11 similar areas within multifamily dwellings shall be provided with locking hardware with a  
12 minimum one-half (1/2) inch throw and the respective apartment tenants provided with access  
13 keys.

14 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
15 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
16 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
17 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
18 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
19 Act, since the same would have been enacted without the incorporation in this Act of any such  
20 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

21 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)  
22 calendar days after it becomes law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Thomas E. Dernoga  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Jack B. Johnson  
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.