

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**1998 Legislative Session**

Bill No. CB-82-1998

Chapter No. 74

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

Introduced by Council Member Scott

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

Date of Introduction October 6, 1998

**BILL**

1 AN ACT concerning

2 The Building Code

3 For the purpose of adopting the 1996 Editions of the BOCA National Building Code and BOCA

4 International Mechanical Code, and the 1995 Editions of the CABO Model Energy and the

5 CABO One and Two Family Dwelling Code with certain additions, deletions, and modifications.

6 BY repealing and reenacting with amendments:

7 **SUBTITLE 4. BUILDING.**

8 Sections 4-101, 4-102, 4-103, 4-106, 4-107, 4-109, 4-111,

9 4-112, 4-118, 4-119, 4-120, 4-123, 4-132, 4-140,

10 4-145, 4-149, 4-150, 4-151, 4-153, 4-154, 4-159,

11 4-160, 4-162, 4-163, 4-164, 4-165, 4-166, 4-167,

12 4-168, 4-169, 4-171, 4-175, 4-178, 4-180, 4-187,

13 4-194, 4-202, 4-204, 4-205, 4-212, 4-213, 4-224,

14 4-225, 4-227, 4-281, 4-330, and 4-352,

15 The Prince George's County Code

16 (1995 Edition, 1997 Supplement).

17 BY repealing:

18 **SUBTITLE 4. BUILDING.**

19 Sections 4-110, 4-176, 4-181, 4-183, 4-190, 4-198, 4-200,

20 4-207, 4-211, 4-231, 4-232, 4-233, 4-234, 4-235,

21 4-236, 4-237, 4-238, 4-239, 4-241, 4-243, and 4-245,

The Prince George's County Code  
(1995 Edition, 1997 Supplement).

By adding:

**SUBTITLE 4. BUILDING.**

Sections 4-230, 4-231, 4-232, 4-233, and 4-240,  
The Prince George's County Code  
(1995 Edition, 1997 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 4-101, 4-102, 4-103, 4-106, 4-107, 4-109, 4-111, 4-112, 4-118, 4-119, 4-120, 4-123, 4-132, 4-140, 4-145, 4-149, 4-150, 4-151, 4-153, 4-154, 4-159, 4-160, 4-162, 4-163, 4-164, 4-165, 4-166, 4-167, 4-168, 4-169, 4-171, 4-175, 4-178, 4-180, 4-187, 4-194, 4-202, 4-204, 4-205, 4-212, 4-213, 4-224, 4-225, 4-227, 4-281, 4-330, and 4-352 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments: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 1. Adoption by Reference.**

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

The BOCA National Building Code, [Twelfth] Thirteenth Edition, [1993] 1996, (hereinafter referred to as the BOCA Code), [the BOCA National Mechanical Code, Eighth Edition, 1993,] the International Mechanical Code, 1996, (hereinafter referred to as the Mechanical Code), and the [BOCA National Energy Conservation Code, 1993, Seventh Edition,] CABO Model Energy Code, 1995, (hereinafter referred to as the Energy Code), published by the Building Officials and Code Administrators International (BOCA) and the CABO One and Two Family Dwelling Code, 1995 Edition, are hereby adopted by reference and made a part of this Subtitle with the same force and effect as those set out in full herein as the official Building Code of Prince George's County, together with the changes, deletions, or modifications prescribed in this Subtitle.

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

The terms Building Official, Mechanical Official, and Code Official as used in this Code, the BOCA Code, and the Mechanical Code shall mean the [Chief, Construction Standards

1 Division of the Department of Environmental Resources, or such other person as] Building Code  
 2 Official whom the Director of the Department shall designate. The term Fire Code Official shall  
 3 mean the person as referenced under Prince George's County Code, Subtitle 4, Sec.4-108(a)(2).

4 Where the name of the jurisdiction is to be indicated in any section of the BOCA Code, [the  
 5 Mechanical Code, and the Energy Code,] the name to be substituted therein shall be "Prince  
 6 George's County, Maryland."

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

8 A copy of the BOCA Code, the CABO One and Two Family Dwelling Code, 1995 Edition,  
 9 the Mechanical Code, and the Energy Code adopted by this Subdivision shall be marked as a  
 10 master copy and maintained by the Clerk of the Council.

11 **Subdivision 2. Amendments to the BOCA Code.**

12 **Sec. 4-106. Administration; Section 101.0, Scope.**

13 (a) The following amendments, additions, and/or deletions are made to Section 101.0 of  
 14 the BOCA Code:

15 (1) The following is added to the text of Subsection 101.2, "Scope:" In addition, the  
 16 regulations as embodied in Divisions 3 and 4 of this Subtitle shall control and establish minimum  
 17 requirements for grading, drainage, surface structures, erosion control of land and stormwater  
 18 management within Prince George's County, Maryland, and shall establish procedures by which  
 19 such requirements are to be administered and enforced. Accordingly, whenever the words  
 20 "buildings" or "structures," or both, appear in the BOCA Code and elsewhere, as may be  
 21 applicable, the words "premises, site, and land" are to be considered as having been added to the  
 22 text of such provisions. [Whenever any provision of the Architectural Barrier Free Design  
 23 conflicts with any other provision of this Subtitle, the provision of the Architectural Barrier Free  
 24 Design shall control except as otherwise specifically provided by this BOCA Code.]

25 **Sec. 4-107. Same; Section 102.0, Applicability.**

26 (a) The following amendments, additions, and/or deletions are made to Section 102.0 of  
 27 the BOCA Code:

28 (1) The following is added to the text of Subsection 102.1 "General:" In addition, the  
 29 regulations as embodied in Division 3 of this Subtitle, shall control and establish minimum  
 30 requirements for grading, drainage, surface structures, erosion control of land and stormwater  
 31 management and shall establish procedures by which such requirements are to be administered

1 and enforced. Accordingly, whenever the words "buildings" or "structures," or both, appear in  
 2 the BOCA Code and elsewhere, as may be applicable, the words "premises, site and land" are to  
 3 be considered as having been added to the text of such provisions.

4 (2) [The following sentence is added to the text of Subsection 102.2, "Existing  
 5 structures:" The requirements of this Section are affected by the provisions of this Division and  
 6 the BOCA Code for Architectural Barrier Free Design.

7 (3)] A new Subsection 102.2.1, titled "Other requirements," is added to read as  
 8 follows: The requirement of Chapter 11, "Accessibility," that buildings which use turnstiles, cart  
 9 corrals, or other interior or exterior traffic control devices and which are required to have a  
 10 clearly marked route which shall not be obstructed by locked gates during normal business  
 11 hours, shall apply to all existing buildings, notwithstanding any other requirement of this BOCA  
 12 Code.

13 [(4)] (3) Subsection 102.3, titled "Matters not provided for," is deleted and a new  
 14 Subsection 102.4.1 titled "Updated Standards" is added to read: Where existing standards or  
 15 requirements adopted herein have been updated or superseded by the promulgating authority,  
 16 such revised standard or requirement shall be deemed as prima facie evidence of compliance  
 17 with the intent of the Subtitle.

18 [(5)] (4) Subsection 102.3.1, titled "Suspension of approval," is added to the BOCA  
 19 Code to read: Whenever it is determined, however, that there is documentary evidence that the  
 20 use of a material or method approved herein would constitute a distinct hardship to life or  
 21 property, the Building Official shall have the authority to administratively suspend approval  
 22 granted herein of such material or method. The Building Official shall, within five (5) working  
 23 days, request, in writing, the County Council to confirm such administrative suspension by  
 24 resolution of the Council. Such written request of the Building Official shall be accompanied by  
 25 sufficient technical data and record of national or local testing to substantiate that the use of an  
 26 approved method or material would constitute a distinct hazard to life or property.

27 **Sec. 4-109. Same; Section 105.0, Duties and Powers of the Code Official; Fire safety**  
 28 **provisions.**

29 (a) The following amendments, additions, and/or deletions are made to Section 105.0 of  
 30 the BOCA Code:

31 (1) [The following paragraph is added to the text of Section 105.6, "Rule-making

1 authority," to read as follows: The construction of one- and two-family dwellings as required by  
 2 the "The CABO One and Two Family Dwelling Code," 1992 Edition, as authorized by the  
 3 Building Officials and Code Administrators International Inc., the American Insurance  
 4 Association, the Southern Building Congress, and the International Conference of Building  
 5 Officials is hereby adopted as an official rule under the rule-making provisions of Section 105.6,  
 6 and is to be used in interpreting the requirements of the BOCA Code as they pertain to one- and  
 7 two-family dwellings.

8 (2)] A new Subsection 105.1.1, titled "Fire Safety Provisions," is added to read as  
 9 follows: The Fire Code Official or his 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 meant to refer to the Fire Code Official or his  
 12 authorized representative. In any conflict of opinion concerning fire safety of structures, the  
 13 decision of the Fire Code Official shall supersede. In all other matters relating to structures, the  
 14 decision of the Building Code Official shall supersede. The Fire Code Official shall be  
 15 responsible for the final technical interpretation of all fire safety provisions within this code.

16 [(3)] (2) The text of Subsection 105.7, "Departmental records" is amended to read as  
 17 follows: The Code Official shall keep official records of applications received, permits and  
 18 certificates issued, fees collected, and reports of inspections. Construction Documents may be  
 19 removed from file when the project is completed.

20 **Sec. 4-111. Same; Section 107.0, Application for Permit.**

21 (a) The following amendments, additions, and/or deletions are made to Section 107.0 of  
 22 the BOCA Code:

23 \* \* \* \* \*

24 (4) A new Subsection 107.1.3, titled " Application Exception," is added to read as follows:  
 25 The Director may refuse to accept an application for a permit from any applicant, as principal,  
 26 who is or was in default on a previously issued permit, or who is the permittee listed on an  
 27 expired permit which is not currently in the process of being extended by County administrative  
 28 action.

29 [(4)] (5) The text of Subsection 107.3, "By whom application is made," is amended to  
 30 read as follows: Application for a permit shall be made under oath by the owner or lessee of the  
 31 building or structure, or agent of either, or by the licensed engineer or architect employed in

1 connection with the proposed work. If the application is made by a person other than the owner  
 2 in fee, it shall be accompanied by a statement of the owner or the qualified person making the  
 3 application that the proposed work is authorized by the owner in fee and that the applicant is  
 4 authorized to make such application. The full names and addresses of the owner, lessee,  
 5 applicant, and the responsible officer if the owner or lessee is a corporate body, shall be stated on  
 6 the application. Subsequent permits will be issued in the name of the owner of record at time of  
 7 permit issuance.

8 [(5)] (6) The text of Subsection 107.5, "Construction documents," is amended to read  
 9 as follows: The application for the permit shall be accompanied by the number of copies of  
 10 specifications and plans, drawn to scale with sufficient clarity, with detail dimensions to be  
 11 drawn to show the nature and character of the work performed, as required by the Building  
 12 Official. When quality of materials is essential for conformity to the BOCA Code, specific  
 13 information shall be given to establish such quality; and in no case shall the BOCA Code be  
 14 cited or the term "legal" or its equivalent be used as a substitute for specific information. The  
 15 Building Official may waive the requirement for filing plans and specifications when the work  
 16 involved is of a minor nature.

17 [(6)] (7) The text of Subsection 107.9, "Time limitation of application," is amended  
 18 to read as follows: An application for a permit for any proposed work shall be deemed to have  
 19 been abandoned [six] twenty-four (24) months after the date of filing, unless such application has  
 20 been diligently prosecuted or a permit shall have been issued.]; except that the Building Official  
 21 may grant one or more extensions of time not exceeding a total of one year, upon sufficient  
 22 justification shown.] Extensions of time [beyond one year] may be authorized by the Director.  
 23 The Director may request any documentation or certification deemed necessary and assess an  
 24 extension fee as appropriate.

25 [(7)] (8) A new Subsection 107.10, titled "Chesapeake Bay Critical Area," is added to  
 26 read as follows:

27 \* \* \* \* \*

28 **Sec. 4-112. Same; Section 108.0, Permits.**

29 (a) The following amendments, additions, and/or deletions are made to Section 108.0 of  
 30 the BOCA Code:

31 (1) The text of Subsection 108.2, "Suspension of permit," is amended in whole to

1 read as follows:

2 (A) A permit under which no work is commenced within [twelve (12)] twenty-  
3 four (24) months after issuance shall expire and become null and void; provided, however, that  
4 the Building Official may extend the time herein not to exceed an additional one hundred eighty  
5 (180) days upon sufficient justification shown.

6 (B) A permit under which work has been started and later suspended or  
7 discontinued shall expire and become null and void six (6) months after the work has stopped.  
8 Work will be considered suspended or discontinued when the builder fails to prosecute the work  
9 so as to ensure completion within a reasonable period of time considering the type of  
10 construction involved. The Building Official may extend the time herein not to exceed an  
11 additional [one hundred eighty (180) days] twelve (12) months upon sufficient justification  
12 shown.

13 \* \* \* \* \*

14 **Sec. 4-118. Same; Section 118.0, Certificate of Use and Occupancy.**

15 (a) The following amendments, additions, and/or deletions are made to Section 118.0 of  
16 the BOCA Code:

17 \* \* \* \* \*

18 (2) Subdivision 118.3 is replaced with a new Subsection 118.3 titled "Issuance of  
19 certificates of occupancy" to read as follows: "No certificate of occupancy for any building or  
20 structure, erected, altered, repaired, changed to a different use group, or transferred to a new  
21 owner occupant shall be issued unless such building or structure was erected, altered, or repaired  
22 and is otherwise in compliance with the provisions of this Division and other provisions of State  
23 or local laws, ordinances, and regulations.

24 Exception: All buildings which undergo a change of owner or tenant only with no change  
25 of intended use group are not required to meet the fire safety requirements for a new building in  
26 order to obtain a Use and Occupancy Certificate. Such buildings, however, are required to  
27 comply with the provisions for existing buildings of state and local laws, ordinances, and  
28 regulations with respect to fire safety.

29 (3) A new Subsection [118.4.1] 118.5, titled "Change of use group, owner, or tenant,"  
30 is added to read as follows: No change in use group, owner, or tenant of a building, structure, or  
31 land shall be permitted, wholly or in part, until a new use and occupancy permit has been issued

by the Building Official certifying compliance with applicable parts of this Subtitle and other applicable State or local laws, ordinances, and regulations. This provision shall not apply to R-2, R-3, or R-4 structures.

**Sec. 4-119. Same; Section 119.0, Unsafe Structures and Equipment.**

(a) The following amendments, additions, and/or deletions are hereby made to Section 119.0 of the BOCA Code:

(1) The text of Subsection 119.3, "Notice," is amended as follows: If an unsafe condition is found in a building or structure, the Building Official shall serve on the owner, agent, or person in control of the building or structure a written notice describing the building or structure deemed unsafe and specifying the required repairs or improvements to be made to render the building or structure safe and secure, or requiring the unsafe building or structure, or portion thereof, to be demolished within a stipulated time. Such notice shall require the person thus notified to immediately declare to the Building Official his acceptance or rejection of the terms of the order. [If a building or structure found to be unsafe by the Building Official is an identified historic resource on the Adopted and Approved Historic Sites and District Plan of Prince George's County, Maryland, a copy of the notice shall also be sent to the Historic Preservation Commission and demolition shall not be authorized without approval of the Historical Preservation Commission, except when an emergency situation exists where there is actual and immediate danger of collapse or failure of the building or structure, or any part thereof, which would endanger human life.] "Notice involving Historic Resources." If a building or structure found to be unsafe by the Building Official is an identified historic resource on the Adopted and Approved Historic Sites and District Plan of Prince George's County, Maryland, a copy of the notice shall also be sent to the Historic Preservation Commission and demolition shall not be authorized without approval of the Historical Preservation Commission, except when an emergency situation exists where there is actual and immediate danger of collapse or failure of the building or structure, or any part thereof, which would endanger human life.

**Sec. 4-120. Same; Section 120.0, Emergency Measures.**

(a) The following amendments, additions, and/or deletions are made to Section 120.0 of the BOCA Code:

\* \* \* \* \*

(2) The text of Subsection 120.5, "Costs of emergency repairs," is amended in whole



to read as follows: Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on certificate of the Building Official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe [conditioning] condition was located for recovery of such costs, including, but not limited to, certification for a tax lien as provided by Section [120.6] 120.7.

(3) A new Subsection [120.6] 120.7, titled "Creation of tax lien," is added to read as follows: There is created a tax lien on real property for monies expended by the County for the making safe of buildings or structures and/or abatement of other unsafe nuisances or conditions constituting a danger to the public health and safety. Upon certification from the County Attorney that a tax lien has been created, the amount of such lien shall be collected by the Director of Finance in the same manner as other County real estate taxes.

**Sec. 4-123. Definitions; Section 202.0, General Definitions.**

(a) The following amendments, additions, and/or deletions are made to Section 202.0 of the BOCA Code:

(1) The following definitions are inserted alphabetically into Section 202.0:

**[Architectural barrier free design:** All or any provisions contained in Chapter 11, titled "Accessibility," of the BOCA Code as is set forth in Section 4-180 of this Code.]

\* \* \* \* \*

**Sec. 4-132. Same; Section 404.0, Atriums.**

(a) The following amendments, additions, and/or deletions are made to Section 404.0 of the BOCA Code:

\* \* \* \* \*

(3) Subsection 404.4, titled "Smoke control," is amended to read as follows: A smoke control system complying with Section [921.0] 922.0 shall be installed in all atriums.

**Sec. 4-140. Same; Section 421.0, Swimming Pools.**

(a) The following amendments, additions, and/or deletions are made to Section 421.0 of the BOCA Code:

(1) The text of Subsection 421.1, "General," is amended to read as follows: Pools used for swimming or bathing shall be in conformity with the requirements of this Section; provided, however, these regulations shall not be applicable to any such pool less than twenty-four (24) inches deep except when such pools are permanently equipped with a water

recirculating system or involve structural materials. [For purposes of this BOCA Code, pools are classified as private swimming pools or public and semipublic swimming pools, as defined in Section 625.2 of this BOCA Code. Materials and constructions used in swimming pools shall comply with the applicable requirements of this Code. Pools used for swimming or bathing and their equipment or accessories which are constructed, installed, and maintained in accordance with the applicable standards listed in Appendix A shall be deemed to conform to the requirements of this Section as affected by the provisions of Architectural Barrier Free Design.]

\* \* \* \* \*

**Sec. 4-145. Same; Section 506.0, Area Modifications.**

(a) The following amendments, additions, and/or deletions are made to Section 506.0 of the BOCA Code:

\* \* \* \* \*

(3) A new Subsection 506.2.2, titled "Arrangement of access," is added to read as follows: Access shall be in accordance with [NFPA] NFPA 1141, "Fire Protection in Planned Building Groups," except as otherwise provided for in this Subtitle.

**Sec. 4-149. Fireresistive Materials and Construction; Section 705.0, Exterior Walls.**

(a) The following amendments, additions, and/or deletions are made to Section 705.0 of the BOCA Code:

(1) Subsection 705.3.2, titled "First story" is amended to read as follows: In all occupancies other than Use Group H, unlimited unprotected openings are permitted in the first story of exterior walls facing a street which have a fire separation distance of greater than fifteen (15) feet (4572mm), or facing an unoccupied space. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet (9144mm) in width and shall have access from a street by a posted fire lane not less than twenty (20) feet (5486mm) in width.

(2) Subsection 705.5, titled "Vertical exposure," is amended to read as follows: Approved protectives shall be provided in every opening that is less than 15 feet (4572 mm) vertically above the roof of an adjoining building or adjacent structure (may be the same building) which is within a horizontal fire separation distance of 15 feet (4572 mm) of the wall in which the opening is located unless such roof construction affords a fire resistance rating of not less than one (1) hour.

[(2)] (3) Exception 3 is deleted from Subsection 705.6, titled "Continuity of exterior

walls."

**Sec. 4-150. Same; Section 707.0, Fire Walls and Party Walls.**

(a) The following amendments, additions, and/or deletions are made to Section 707.0 of the BOCA Code:

(1) A new Subsection 707.3.1, titled "Recesses for utilities," is added to read as follows: Hollow masonry fire walls and fire rated party walls shall not be broken subsequent to erection to receive electrical boxes, plumbing, or other fixtures. Where recesses are necessary, they shall be constructed in accordance with Subsection 707.3.

(2) Subsection [707.5.2, titled "Combustible roofs,"] 707.6.2, titled "Residential occupancies," is amended by the addition of the following new language: Exception: A fully sprinklered R-3 use may use combustible components to meet condition (2). A single layer of at least 7/16 inch O.S.B. or plywood attached firmly to the top of the wall shall satisfy the requirement of condition (3).

**Sec. 4-151. Same; Section 711.0, Fire Partitions.**

(a) The following amendments, additions, and/or deletions are made to Section 711.0 of the BOCA Code:

(1) Subsection 711.4 titled, "Continuity," is amended to read as follows: All fire partitions shall extend from the top of the floor assembly below to the underside of the floor/roof slab or deck above, and shall be securely attached thereto. The supporting construction shall be protected to afford the required fire resistance rating of the wall supported, except for exit access corridor and tenant separation walls in buildings of Type 2C, 3B, and 5B construction. All hollow vertical spaces shall be fire stopped at every floor level as required in Section [720.0] 721.0.

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

**Sec. 4-153. Same; Section [715.0] 716.0, Fireresistance Rating of Structural Members.**

(a) The following amendments, additions, and/or deletions are made to Section [715.0] 716.0 of the BOCA Code:

(1) A new Subsection [715.2.1] 716.2.1, titled "Protection of truss framing members," is added to read as follows: 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 [dry wall] 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. Where combustible truss joist framing is used as a portion of a required rated floor ceiling assembly, the structural members shall be protected in accordance with an appropriate tested and listed design.

Exceptions:

1. Buildings protected throughout (including crawl spaces) by an automatic sprinkler system.

2. Crawl spaces of not more than forty-two (42) inches in depth, measured from the top of the floor surface above to the surface of the crawl space floor.

**Sec. 4-154. Same; Section [720.0] 721.0, [Firestopping] Fireblocking and Draftstopping.**

(a) The following amendments, additions, and/or deletions are made to Section [720.0] 721.0 of the BOCA Code:

(1) Subsection [720.6.1] 721.6.1, titled "Concealed wall spaces," is amended to read as follows: In concealed spaces of stud walls and partitions, including furred or studded-off spaces of masonry or concrete walls, at the ceiling and floor of roof levels, horizontally and at [eight (8)] a maximum of ten (10) foot intervals of combustible framing both horizontally and vertically.

(b) Subsection [720.7.1.1] 721.7.1.1, titled "Use Groups R-1 and R-2," is amended to read as follows: In occupancies in Use Groups R-1 and R-2, draftstopping shall be installed per Section 4-158(8) (A) (iii).

(c) The exception to Section [720.7.1.1] 721.7.1.1 is deleted.

**Sec. 4-159. Same; Section 906.0, Fire Sprinkler System[s].**

(a) The following amendments, additions, and/or deletions are made to Section 906.0 of the BOCA Code:

(1) Subsection 906.2.2, titled "[NFIPA] NFPA 13R systems," is deleted.

\* \* \* \* \*

**Sec. 4-160. Same; Section 907.0, Limited Area Sprinkler Systems.**

(a) The following amendments, additions, and/or deletions are made to Section 907.0 of

the BOCA Code:

(1) Subsection 907.6.2, titled "Cross connection," is amended by the addition of the following new language: Exception: A cross connection from a sprinkler system designed in accordance with [NFiPA] NFPA 13D to a single remote commode (water closet) shall be permitted.

**Sec. 4-162. Same; Section [914.0] 915.0, Standpipe Systems.**

(a) The following amendments, additions, and/or deletions are made to Section [914.0] 915.0 of the BOCA Code:

(1) Subsection [914.2.2] 915.2.2, titled "Building area," is amended by the deletion of Exceptions 1, 2, and 3.

(2) Subsection [914.3] 915.3, titled "Types of systems," is amended to read as follows: A standpipe system shall be one of the following types:

\* \* \* \* \*

(3) Subsection [914.3.1] 915.3.1, titled "Type of system required," is amended by the deletion of Exceptions 1 and 2 and the renumbering of Exception 3 to be Exception 1.

(4) Subsection [914.7] 915.7, titled "Hose connection," is amended to read as follows: A standpipe hose connection shall be located at each floor level, at every exit stairway, and on each side of wall adjacent to the exit opening of a horizontal exit such that no portion of the floor cannot be covered by 100 feet (30480 mm) of hose and a 30 foot (9144 mm) hose stream.

Exceptions:

1. Where floor areas adjacent to a horizontal exit can be reached from exit stairway outlets by a 30 foot (9144 mm) hose stream from a nozzle attached to 100 feet (30480 mm) of hose, a hose connection shall not be required at the horizontal exit;

2. Standpipe hose connections for systems required by Section [914.2.2] 915.2.2 shall be permitted to be located only at exits such that all portions of the building floor area are not more than 200 feet (60960 mm) from a hose connection or 400 feet (122 mm) from the nearest fire department vehicle access;

\* \* \* \* \*

**Sec. 4-163. Same; Section [915.0] 916.0, Fire Department Connections.**

(a) The following amendments, additions, and/or deletions are hereby made to Section

[915.0] 916.0 of the BOCA Code:

(1) A new Subsection [915.9] 916.9, titled "Number of inlets," is added to read as follows: The number of inlets shall comply with Table [915.1] 916.1.

***TABLE [915.1] 916.1***

The number of 2 1/2-inch fire department connection inlets shall be based on the following schedule:

<b><i>Total Inside System Water Demand</i></b>	<b><i>Number of 2 1/2 Inch Inlets</i></b>
0 gpm to 300 gpm	1
301 gpm to 750 gpm	2
Each additional 250 gpm	1 additional inlet

Note A: For systems exceeding [2,000] 1,000 gpm of fire sprinkler flow demand, the number and arrangement of the fire department connection inlets shall be as directed by the Fire Code Official.

**Sec. 4-164. Same; Section [916.0] 917.0, Yard Hydrants.**

(a) The following amendments, additions, and/or deletions are made to Section [916.0] 917.0 of the BOCA Code:

(1) A new Subsection [916.2] 917.2, titled "Location and performance of fire hydrants," is added to read as follows: Every building of more than 1,000 square feet in area shall be provided with sufficient fire hydrants located such that no exterior portion of the building is located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as a hose line would be laid along paved streets, through parking lot entrances, around obstructions, etc., in accordance with the determination of the authority having jurisdiction. A fire hydrant is required within two hundred (200) feet of any required fire department connection. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.

**Exception:**

1. An approved alternate water supply source may be acceptable in areas not served by a public water supply.

2. A fire hydrant is not required to be within two hundred (200) feet of any required fire department connection that is intended to supply an automatic fire sprinkler system

that has been retrofitted into an existing building of any use group, provided that the area of the building has not been increased in size or the use group classification has not been changed to require an automatic fire suppression system under any other provision of this Division.

**Sec. 4-165. Same; Section [917.0, Fire Protective Signaling Systems] 918.0, Fire Alarm Systems.**

(a) The following amendments, additions, and/or deletions are made to Section [917.0] 918.0 of the BOCA Code:

(1) A new Subsection [917.4.1.1] 918.4.1.1, titled "Use Group A" is added to read as follows: In all Use Group A in excess of 300 people in accordance with [Section 917.9] Subsection 918.9.

(2) Subsection [917.4.6] 918.4.6, titled "Use Group R-2," is replaced in whole by a new Subsection [917.4.6] 918.4.6 to read as follows: All hotels, multifamily buildings, lodging houses, dormitories, and bath houses (Use Groups R-1 and R-2) having more than fifteen (15) sleeping rooms above the first floor or with an occupancy load of fifty (50) or more, or any group R-1 or R-2 building which is occupied on two (2) or more levels shall be equipped with an approved manual interior fire alarm system.

(3) Subsection [917.7.3] 918.7.3, titled "Zones," is amended to read as follows: Each floor shall be zoned separately and a zone shall not exceed twenty thousand (20,000) square feet (1,860 m<sup>2</sup>) the length of any zone shall not exceed three hundred (300) feet (91440 mm) in any direction. The fire alarm zone shall match the automatic sprinkler system piping zones and any smoke control zone. A zoning indicator panel and the associated controls shall be provided in an approved location. The visual zone indication shall lock in until the system is reset and shall not be cancelled by the operation of an audible alarm - silencing switch. In buildings that have floors located more than seventy-five (75) feet (22860 mm) above the lowest level of fire department vehicle access which are used for human occupancy, a separate zone by floors shall be provided for the following types of alarm - initiating devices where provided:

\* \* \* \* \*

**Sec. 4-166. Same; Section [919.0] 920.0, Single- and Multiple-Station Smoke Detectors.**

(a) The following amendments, additions, and/or deletions are made to Section [919.0] 920.0 of the BOCA Code:

(1) Subsection [919.3.3] 920.3.3, titled "Use Group I-1," is amended to read as

follows: Single- or multiple-station smoke detectors shall be installed and maintained in all sleeping areas in buildings of Use Group I-1. Detector spacing shall be throughout the area served and in accordance with [NFiPA] NFPA [72E] 72.

**Sec. 4-167. Same; Section [922.0] 923.0, Smoke and Heat Vents.**

(a) The following amendments, additions, and/or deletions are made to Section [922.0] 923.0 of the BOCA Code:

(1) Subsection [ 922.1] 923.1, titled "General," is amended to read as follows: Heat and smoke venting shall be installed in all buildings over four thousand (4,000) square feet in area of Use Groups H (high hazard), S-1 (moderate hazard storage), and F (factory), and in buildings where exit access travel distance is increased in accordance with Section 1006.5.1. Smoke and heat vents shall be UL or FM listed and constructed and installed in accordance with this Section.

Exception: Existing buildings that are not of unlimited area and the additions do not exceed 50 percent of the original building area.

(2) Table [922.2] 923.2 is amended by the following additional language:

\* \* \* \* \*

**Sec. 4-168. Same; Section [923.0] 924.0, Supervision.**

(a) The following amendments, additions, and/or deletions are made to Section [923.0] 924.0 of the BOCA Code:

(1) Subsection [923.1] 924.1, titled "Fire suppression systems," is amended [to read] as follows: Delete Exception 6.

**Sec. 4-169. Same; Section [924.0] 925.0, Annunciation.**

(a) A new Section [924.0] 925.0 is added to the BOCA Code to read as follows: Annunciation of fire protective systems shall be provided in all buildings that contain more than one zone. A zone shall be provided for each floor. A floor will be subdivided into zones when the maximum area for a sprinkler, smoke control, or alarm system is exceeded. The smallest zone shall be used for all systems.

(1) Subsection [924.1] 925.1, titled "Location," is added to read as follows: An approved graphic display shall be provided at the main entrance(s) of the building or structure. If the building is not constantly attended, the panel shall be visible and discernible from the exterior.



**Sec. 4-171. Means of Egress; Section 1006.0, Types and Location of Means of Egress.**

(a) The following amendments, additions, and/or deletions are hereby made to Section 1006.0 of the BOCA Code:

(1) Subsection 1006.4.1, "Remoteness," is replaced in whole by a new Subsection 1006.4.1, titled, "Remoteness of exits," to read as follows: Where two (2) exits or two (2) exit access doors are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served. In all cases, the separation distance shall be measured in a straight line between the centerline of exits or exit access doors.

Exception: In buildings equipped throughout with an approved automatic fire suppression system, the minimum separation distance shall be [one-fourth] one-third the length of the maximum overall diagonal dimension.

\* \* \* \* \*

**Sec. 4-175. Same; Section 1014.0, Stairways.**

(a) The following amendments, additions, and/or deletions are made to Section 1014.0 of the BOCA Code:

\* \* \* \* \*

(2) In Subsection 1014.6, titled "Treads and risers," delete Exception 8 and replace with the following: In occupancies in Use Group R-3 and in occupancies in Use Group U which are accessory to an occupancy in Use Group R-3, the maximum riser height shall be 8 1/4 inches (210mm) and the minimum tread depth shall be 9 inches (229mm). A nosing not less than 3/4 inch (19mm) but not more than 1 1/4 inches (32mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279mm).

[(2)] (3) Subsection 1014.6.6, titled "Alternating tread stairways," is deleted.

[(3)] (4) Subsection 1014.6.6.1, titled "Handrails of alternating tread stairways," is deleted.

[(4)] (5) Subsection 1014.6.6.2, titled "Treads of alternating tread stairways," is deleted.

[(5)] (6) In Subsection 1014.11, titled "Interior stairway enclosures," Exception 3 is amended to read as follows: Open stairs in a floor opening when all portions of the building served by the stair in the floor opening are within the exit access travel distance, all occupants

1 have access to two exits without passing into the floor opening, and the floor opening stair is not  
2 considered in occupant load calculations.

3 **Sec. 4-178. Same; Section 1022.0, Handrails.**

4 (a) The following amendments, additions, and/or deletions are made to Section 1022.0 of  
5 the BOCA Code:

6 (1) Subsection [1022.2.6] 1022.2.5, titled "Handrails of alternating tread stairways,"  
7 is deleted.

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

9 (a) The following amendments, additions, and/or deletions are made to Chapter 11 of the  
10 BOCA Code, [is replaced in whole by a new Section titled "Physically Handicapped and Aged."  
11 Buildings and facilities required to be accessible by this Section shall comply with ANSI  
12 A117.1, Chapter 35, unless otherwise stated in this Code as amendments. Design provisions for  
13 accessible units in new buildings constructed in the R-2 use groups shall be in accordance with  
14 the Federal Fair Housing Amendments Act of 1988.

15 (1) 1101.1 Applicability: The provisions for physically handicapped and aged  
16 contained in the BOCA Code shall apply to all levels and areas used by the general public, by  
17 employees, or by persons visiting or on the premises for any reason, in use group A, B, E, F, I,  
18 M, S, and R unless otherwise exempted by this Code. Where it can be demonstrated that any of  
19 these provisions is not practical for the proposed use and occupancy, modifications may be  
20 sought under the provisions of Section 106.0 of the BOCA Code. In the event of a conflict with  
21 any other requirement of this Subtitle, or of any other State or Federal law, the more stringent  
22 requirement shall prevail.

23 (A) 1101.1.1 Exceptions: The following are exempt from the provisions of  
24 Chapter 11 of the BOCA Code:

25 (i) No more than one story of a two or three-story building shall be  
26 exempt, provided that the inaccessible story is less than four thousand (4,000) square feet and  
27 site conditions prevent compliance for all stories. Furthermore, to qualify for this exemption the  
28 building must be intended for use by a single tenant and this should be indicated by nonfire-rated  
29 floor ceiling assemblies. If fire-rated floor ceiling assemblies are incorporated in the  
30 construction, the building shall not be eligible for this exemption.

31 (ii) One- and two-family dwellings.

(iii) The provisions of Chapter 11 of the BOCA Code shall apply to qualified historical buildings and facilities unless it can be demonstrated that strict compliance with these provisions will destroy the historic significance of the structure.

(iv) Any building of four thousand (4,000) square feet or less which had a valid Use and Occupancy Certificate as of January 1, 1994.

(v) For new buildings constructed in the R-2 Use Group, the base number of accessible units provided shall be equal to 50% of all units in a 2-story building, 33.3% of all units in a 3-story building, and 25% of all units in a 4-story building. If a building incorporates multilevel structures, within the building perimeter, the most stringent base percentage will apply. Accessible units above the base required levels shall be provided in accordance with the following table:

<i>Project Size (Units)</i>	<i>% Increase of Total Project Size above Base Required Units</i>
0 - 99	0%
100 - 299	5%
300 - 399	10%
over 399	15%

If an applicant submits a Detailed Site Plan for the development of less than 100, 300, or 400 units, respectively, and, subsequently, the same applicant files a Detailed Site Plan on adjacent land that, when combined with the first development, will total more than 99, 299, or 399 units, respectively, then the required percentage of accessible units shall be calculated based on the combined development. For purposes of this Section, land is considered adjacent if the property lines are contiguous at any point; the property lines are separated only by a public or private street, road, highway, utility right-of-way, or other public or private right-of-way at any point; or the property lines are separated only by other land owned by the applicant which is not subject to this Section at the time the applicant submits a Detailed Site Plan for approval.

(vi) Raised platforms in buildings of Use Group A-4, provided the aggregate area of such platforms does not exceed one thousand (1,000) square feet in area. Multiple level platforms shall have at least one level accessible regardless of their size.

(vii) Mezzanines in buildings of Use Group A-4 when the total aggregate area does not exceed four thousand (4,000) square feet and the area is primarily used for

1 additional seating (using fixed type seating) for the facility.

2 (viii) Prefabricated baptistry units and associated access stairs in Use Group  
3 A-4.

4 (2) 1101.2 New buildings: All new buildings except buildings which are not  
5 intended for human habitation are required to meet the provisions for physically handicapped  
6 and aged of the BOCA Code:

7 (3) 1101.3 Existing buildings: Existing buildings when altered or repaired shall be  
8 made to conform to the full requirements of the BOCA Code for new buildings, including the  
9 provisions of the BOCA Code for physically handicapped and aged, as specified in Chapter 34 of  
10 this BOCA Code, except as otherwise provided by this Section.

11 (4) 1101.4 Use Group R, residential buildings

12 (A) 1101.4.1 Accessible and usable units in R-1: All public use areas and all  
13 bedroom units shall be accessible and at least one (1) bedroom unit for every ten (10) bedroom  
14 units, or fraction thereof, in Use Group R-1 projects shall be made usable by the physically  
15 handicapped. The bedroom units allocated for the physically handicapped shall be  
16 proportionately distributed throughout all types of units.

17 (B) 1101.4.2 Distribution of usable units in R-2: The dwelling units allocated  
18 for the physically handicapped shall be proportionately distributed throughout all types of units.  
19 In buildings where there are rental units, ten percent (10%) of the required accessible units shall  
20 be usable by the physically handicapped. In buildings where units are offered for sale, at least  
21 ten percent (10%) of the required accessible units shall be rendered usable by the  
22 builder/developer upon the request of an initial purchaser.

23 (C) 1101.4.3 Use Group R-3 and R-4: Where required by the Prince George's  
24 County Zoning Ordinance, accessible single-family dwelling units (Use Groups R-3 and R-4)  
25 shall comply with the provisions of the BOCA Code for adaptable and usable housing.  
26 Furthermore, at least one (1) kitchen, one (1) sleeping area, one (1) living area, one (1)  
27 bathroom, and an approved means of egress shall be located on an accessible route.

28 (5) 1101.5 Use Group A, places of public assembly

29 (A) 1101.5.1 Assembly seating accommodations: Places of assembly with fixed  
30 seating arrangements shall provide viewing positions for persons in wheelchairs in accordance  
31 with the following schedule:

***Capacity of Assembly  
Space***

***Number of  
Viewing Positions***

Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Over 1000	20 plus 1 for each 100 over 1000

(6) 1101.6 Parking lots and building approaches: A parking lot servicing each primary building entrance shall have a number of parking spaces, not to exceed five percent (5%) in grade, reserved for the physically handicapped, as set forth in the following table. Each reserved space shall be identified by a sign seven (7) feet above grade, measured to the bottom edge of the sign, stating that the space is reserved by law for the physically handicapped. Where such signs are placed flush against buildings or structures, or in other locations not accessible to vehicular or pedestrian traffic, a sign height of not less than six (6) feet, nor more than ten (10) feet, may be permitted, provided that such signs are located so to clearly identify the reserved space. Such signs shall be posted in conformance with the decision standards in the most recent edition of the State Manual on Uniform Traffic Control Devices for Streets and Highways. Each reserved parking space shall have a firm, smooth paved surface. Curb cuts shall be constructed so as to provide as direct a route as possible between reserved parking spaces for the handicapped and each accessible entrance to the structure, at all pedestrian walk intersections, and elsewhere to provide reasonable direct circulation within each development. In no case shall the curb cuts be more than one hundred fifty (150) feet apart.

***Total Required Parking  
In Lot***

***Required Minimum Number  
of Accessible Spaces***

Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Over 1000	20 plus 1 for each 100 over 1000

Parking spaces for the physically handicapped shall be identified as specified in this Section and located as close as possible to elevators, ramps, walkways and entrances. Where feasible, parking spaces shall be located so that the physically handicapped are not compelled to wheel or walk across main traffic lanes and/or behind parked cars to reach entrances, ramps, walkways and elevators. Storm drainage grates and similar devices shall not be located within the required means of access for the physically handicapped.

(7) 1101.7] (1) 1101.1.1 Swimming pool access: All public [and semipublic] swimming pools shall have an approved lift with a capacity of not less than three hundred (300) pounds for ingress to and egress from the pool or a suitable system of ramps which would readily and safely accomplish the same purpose.

[(8) 1101.8 Exit-way access passageways and corridors

(A) 1101.8.1 Checkout lanes and traffic control devices: Buildings which include checkout lanes shall provide at least one (1) unobstructed checkout lane on each floor where such lanes are used which is not less than thirty-six (36) inches wide. Buildings which utilize turnstiles, cart corrals, or other interior or exterior traffic control devices shall provide a clearly marked unobstructed route at a primary building entrance for the physically handicapped which is at least thirty-six (36) inches wide. The route shall be unobstructed by locked gates during normal business hours or by steps, abrupt changes in grades, or other impediments. The requirement that this route be unobstructed by locked gates shall apply to any existing building.

1 (9) 1101.9 Primary entrance and exit way

2 (A) 1101.9.1 Primary entrance requirements: All primary entrances at a grade  
3 floor level of a building or structure shall be accessible and usable from the parking lot or the  
4 nearest street by means of a sidewalk uninterrupted by obstructions, with no side slope, and shall  
5 have a width of not less than five (5) feet, except private walks to dwelling units where three (3)  
6 feet is acceptable, and a gradient of not more than one (1) foot in twenty (20) feet or a ramp  
7 meeting the requirements of this Section. Any building or structure shall have an accessible  
8 entrance within a reasonable travel distance of any other entrance, not to exceed two hundred  
9 fifty (250) feet.

10 (B) 1101.9.2] (2) 1102.1.2 Exit-way ramps

11 (i) 1101.9.2.1 Width: Exit-way ramps shall have a width of not less than  
12 five (5) feet.

13 Exception: When exit-way ramps are constructed for R-4 1& 2 Family Dwellings they  
14 shall comply with CABO ANSI A 117,1-92.

15 [(10) 1101.10 Visual alarm devices: Flashing red light or other approved means, at  
16 required fire alarm pull boxes, in corridors, stairwells, and throughout the building, shall be  
17 provided which are automatically activated when other alarm devices are activated.

18 (11) 1101.11 Public and pay telephones

19 (A) 1101.11.1 Telephone access: Where a public or pay telephone is installed,  
20 the following shall apply:

21 (i) 1101.11.1.1 Percentage of accessible telephones: At any given  
22 location, twenty-five percent (25%) or not less than one (1) telephone of each kind, whichever is  
23 more, shall be accessible to and usable by physically handicapped persons.

24 (ii) 1101.11.1.2 Hearing amplification: All of the telephones required to  
25 be accessible by Section 1101.11.1.1 shall be equipped with a hearing amplification device and  
26 appropriately identified with instructions for use.

27 (12) 1101.12 Access to plumbing fixtures

28 (A) 1101.12.1 Required fixtures: In every toilet room, at least one (1) fixture of  
29 each type provided shall be accessible to, and usable by, physically handicapped persons. There  
30 shall be not less than one dispenser of each type provided (such as soap, towel dispenser or  
31 electric hand dryer, and sanitary napkin dispenser in the women's rest room) in each rest room

accessible and usable by the physically handicapped.

Exception: In buildings of Use Group A-4, single fixture toilet rooms may be exempt if they are located within one hundred (100) feet of another handicapped accessible and usable toilet room on the same floor level and located on an accessible route.

(B) 1101.12.2 Drinking fountains: At each location where drinking fountains or other water dispensing means are provided, there shall be a fountain or dispensing means located so as to be accessible to, and usable by physically handicapped persons.]

**Sec. 4-187. Structural Loads; Section [1609.0] 1607.0, Roof Loads.**

(a) The following amendments and/or deletions are hereby made to Section [1609.0] 1607.0 of the BOCA Code:

(1) The following sentence is added to the text of Subsection [1609.3] 1607.3, "Minimum roof live loads": However, in no case shall a roof be designed for less than thirty (30) psf live load.

**Sec. 4-194. Masonry; Section [2110.0] 2109.0, Bond.**

(a) The following amendments, additions, and/or deletions are made to Section [2110.0] 2109.0 of the BOCA Code:

(1) A new Subsection [2110.3.3] 2109.3.3, titled "Masonry wall reinforcement," is added to Section [2110.0] 2109.0 to read as follows: All masonry walls and cavity walls, except those systems which encompass engineered systems in accordance with standards of Chapter 35, shall be bonded by joint reinforcement (approved type) at vertical intervals not to exceed sixteen (16) inches.

**Sec. 4-202. Same; Section 2709.0, Parking Lots and Exterior Passageways.**

(a) A new Section 2709.0, titled "Parking Lots and Exterior Passageways," is added to the BOCA Code to read as follows:

(1) 2709.1 Scope: This Section applies to all new construction as well as existing multiunit dwellings, except for use groups R-3 and R-4.

(2) 2709.2 Exterior passageways: All exterior walkways serving [multidwelling units] all use groups other than R-3 and R-4 between buildings, between parking lots, and between buildings and parking lots shall be illuminated with no less than one and one-fourth (1 1/4) lumens per square foot.

(3) 2709.3 Parking lots: All parking facilities [constructed to serve a multiunit



dwelling] serving all use groups other than R-3 and R-4 shall be illuminated with no less than one and one-fourth (1 1/4) lumens per square foot in the darkest portion of the parking facility.

**Sec. 4-204. Mechanical Systems; Section [2811.0] 2809.0, Existing Buildings.**

(a) The following amendments, additions, and/or deletions are made to Section [2811.0] 2809.0 of the BOCA Code:

(1) A new Subsection [2811.2] 2809.2, titled "[Eminent] Imminent hazard," is added to read as follows: Any boiler or pressure vessel which is deemed an immediate hazard to the general public shall be removed from service and secured safe. The Building Official shall have the authority to take or cause to be taken any and all measures to enforce this Section. He may request assistance of Police or Fire Services, public utility companies, or others to lend assistance in securing any boiler or vessel deemed an immediate and [eminent] imminent hazard.

(2) A new Subsection [2811.3] 2809.3, titled "Posting," is added to read as follows: The Building Official shall cause to be posted on each unsafe device a notice reading as follows: "This device is unsafe and its use or operation has been prohibited by the Building Official and it shall be unlawful for any person or persons to operate such equipment except for the purpose of making required repairs."

(3) A new Subsection [2811.4] 2809.4, titled "Notification of repairs," is added to read as follows: Except for one- and two-family dwellings, notification within one (1) business day shall be given to the Building Official for any repairs to pressure side of boilers or unfired pressure vessels.

**Sec. 4-205. Same; Section [2812.0] 2810.0, Minimum Heating Standards.**

(a) A new Section [2812.0] 2810.0, titled "Minimum Heating Standards," is added to the BOCA Code to read as follows:

(1) [2812.1] 2810.1 Scope: To provide minimum protection of health, every dwelling unit shall be provided with a heating system or heat supply in compliance with the BOCA Code and the Mechanical Code that will maintain a temperature of seventy (70) degrees fahrenheit in all habitable spaces, bathrooms, and toilet compartments when the outdoor ambient temperature is, at design condition, fourteen (14) degrees fahrenheit.

(2) [2812.2] 2810.2 Design standards: Heating system design shall be based on accepted engineering practice standards and/or methods established by accredited authoritative agencies listed in Appendix A. Certification of calculations and design by a registered

professional engineer may be accepted by the Building Inspector as to compliance with this Section of the BOCA Code.

(3) [2812.3] 2810.3 Plans: The actual design conditions used shall be stated on plans submitted for permit. The minimum design condition required by this Section shall be met.

(4) [2812.4] 2810.4 Maximum temperature differentials: The system shall be designed, installed, and balanced to maintain a maximum temperature differential in those spaces specified in Subsection [2812.1] 2810.1 of not greater than eight (8) degrees fahrenheit.

**Sec. 4-212. Same; Section 3004.0, Tests and Inspections.**

(a) The following amendments, additions, and/or deletions are made to Section 3004.0 of the BOCA Code:

\* \* \* \* \*

(2) Each of the following Subsections are deleted in their entirety:

3004.2 titled "Acceptance tests;"

3004.3 titled "Periodic tests and periodic inspections;"

3004.3.1 titled "Periodic tests;"

3004.3.2 titled "Periodic inspections;"

3004.4 titled "Frequency of tests and inspections;"

3004.4.1 titled "Periodic inspection intervals;"

3004.4.2 titled "Periodic test intervals;"

3004.5 titled "Minimum requirements for tests and inspections;"

3004.5.1 titled "Elevators, dumbwaiters and escalators;"

3004.5.2 titled "Freight lifts[, conveyors] and amusement devices;"

3004.5.3 titled "Manlifts;" [and]

3004.5.4 titled "Miscellaneous hoisting and elevating equipment[.];" and

3004.5.5 titled "Conveyors."

**Sec. 4-213. Same; Section 3005.0, Certificate of Compliance.**

(a) The following amendments, additions, and/or deletions are made to Section 3005.0 of the BOCA Code:

(1) Subsection 3005.1, titled "General," is amended to read: The operation of all equipment governed by the provisions of this Article of the BOCA Code and hereafter installed, relocated, or altered shall be unlawful by persons other than the installer thereof, until such

1 equipment has been inspected and tested and a final or limited certificate of compliance has been  
 2 issued therefor by the State of Maryland, Department of Licensing and Regulation, Division of  
 3 Labor and Industry.

4 \* \* \* \* \*

5 **Sec. 4-224. Existing Structures; Section 3402.0, General Requirements.**

6 (a) The following additions, amendments, and/or deletions are made to Section 3402.0 of  
 7 the BOCA Code:

8 (1) A new Subsection [3402.9] 3402.10, titled "Balconies and soffits," is added to  
 9 read as follows: Balconies and soffits that are subject to repair or replacement, in Use Groups R-  
 10 1 and R-2 shall comply with Sections 1406.4[ and 1406.6].

11 **Sec. 4-225. Same; Section 3406.0, Historic Structures.**

12 (a) The following amendments, additions, and/or deletions are hereby made to Section  
 13 3406.0 of the BOCA Code:

14 (1) The text of Subsection 3406.1, "[Approval] Compliance," is amended as follows:  
 15 The provisions of this Code relating to the construction, repair, alteration, enlargement,  
 16 restoration, and moving of buildings or structures shall not be mandatory for existing buildings  
 17 or structures identified as historic resources on the Adopted and Approved Historic Sites and  
 18 Districts Plan of Prince George's County, Maryland, subject to the approval of the Board of  
 19 Appeals, upon recommendation of the Historic Preservation Commission as to exterior features,  
 20 or the recommendation of the Prince George's County Planning Board in the case of the White  
 21 Farm, identified as Site Number 73-6 on said plan, when such buildings are judged by the  
 22 Building Official to be safe and in the public's interest of health, safety, and welfare regarding  
 23 any proposed construction, alteration, repair, enlargement, relocation, and location within the fire  
 24 limits. All such approvals must be based on the applicant's complete submission of professional  
 25 architectural and engineering plans and specifications bearing the professional seal of the  
 26 designer.

27 **Sec. 4-227. Chapter 35 - Referenced Standards.**

28 (a) The following standards are added, amended, or deleted from Chapter 35 of the BOCA  
 29 Code:

30 (1) The standards listed under the heading "[BOCA] CODES," [subheading] are  
 31 modified as follows: "[BOCA/National] ICC International Plumbing Code," [are] is replaced in

whole to read as follows:

The Plumbing and Gas Fitting Regulations of the Washington Suburban Sanitary District.

ICC International Private Sewage Disposal Code is deleted.

(2) The following additional standards are added to the heading, "[NFiPA] NFPA," and adopted by reference:

[NFiPA] NFPA 231 F, Storage of rolled paper, 1983;

[NFiPA] 72 H, Testing procedures for signaling systems, 1988;]

[NFiPA] NFPA 1141, Fire Protection in Planned Building Groups;

[NFiPA] NFPA 1231, Standard on Water Supplies for Suburban and Rural Firefighting.

(3) The following additional standards are deleted from [NFiPA] NFPA:

[NFiPA] NFPA 13R-89, Systems.

### **DIVISION 3. GRADING, DRAINAGE, AND POLLUTION CONTROL**

#### **Sec. 4-281. Development Bonds.**

\* \* \* \* \*

(d) If all work authorized by the permit is not completed within the time specified therein or as otherwise provided for in Section 4-289 of this Code or violates any other term or condition, the permit shall be defaulted. [cash] A cash deposit shall be forfeited or, if a bond has been posted, [payment in full to Prince George's County will be ordered.] action will be taken as follows:

(1) Where the Director determines that a permit is in default and the work is guaranteed by a surety bond, the Department shall immediately notify the bonding institution or agent to undertake and complete the work in accordance with the permit.

(2) Where the Director has determined that a permit is in default and the work is guaranteed by a form of bond other than a surety bond, and the bonding institution or agent fails to commit to undertake completion of the work within thirty (30) days of having been given notice by the Department, the Director shall immediately move to collect all bonds which have been posted.

(3) Upon a decision to collect the bonds, the Director shall evaluate the work remaining to be done, determine whether the work covered by the permit should be completed,

1 the work site should be restored to its original condition, or other modifications to the permitted  
 2 work site should be made. The Director shall then determine whether the bonds posted are  
 3 sufficient to carry out the required completion, restoration, or modified work.

4 (4) After evaluating the work to be performed as specified above, the Director shall  
 5 develop an estimate of the costs for said work, to include an amount equal to twenty-five percent  
 6 (25%) of the anticipated construction cost as a contingency, and compare the estimated amount  
 7 to the amount of bond posted by the permittee. If the amount of the bond posted is in excess of  
 8 the estimate, the Department shall immediately move to collect the bonds and carry out the  
 9 necessary work. The entire amount of the bonds posted may be used either in or near the permit  
 10 site as may be determined by the Director to be necessary.

11 (5) If the bonds posted are not sufficient, the Department shall develop and  
 12 implement a course of action as determined by the Director. The Department shall immediately  
 13 move to collect all of the bonds which have been posted.

14 (6) If the bonds which have been posted are in excess of the amount required to carry  
 15 out the completion, restoration, or modified work determined by the Director to be necessary, the  
 16 excess amount shall be released to the payer after all work has been finished by the Department  
 17 and all costs of same have been accounted for.

18 (7) Upon notification that a bond has been forfeited in accordance with this Subtitle,  
 19 the bonding institution or agent providing the bond shall have thirty (30) days to issue payment  
 20 to the County. If the bonding institution or agent fails to render payment within thirty (30) days  
 21 of the notice from the Director to make payment, the bonding institution or agent may be barred  
 22 from issuing any subsequent bonds for any other work within the County for a period of five (5)  
 23 years. The right to reissue bonds after having been previously barred shall be allowed only after  
 24 all outstanding amounts have been paid, plus an amount equal to ten (10%) a year, compounded  
 25 annually.

26 (e) [The] All funds[, so] received[,] from defaulted permits will be used by the County for  
 27 defraying the cost of contracting, including engineering and administration, and for the  
 28 completion of all work authorized by the permit per the approved plans, but no less than  
 29 restoring the site to meet the minimum requirements of this Division with particular emphasis on  
 30 stability, safety, drainage, vegetative cover, and erosion control. Any unused portion of monies  
 31 forfeited will be returned. In the event that the entire amount of cash deposit or bond is

1 expended, the permittee has a continuing obligation for payment of all additional monies  
 2 required to complete the work. There is created a tax lien on the real property for monies  
 3 expended by the County for the implementation of the plan. Upon certification from the County  
 4 Attorney that a tax lien has been created, the amount of such lien shall be collected by the  
 5 Director of Finance in the same manner as other County real estate taxes.

6 [(e)] (f) Before acceptance, all bonds shall be approved by the Director and the County  
 7 Attorney. If a corporate bond is offered, it shall be executed by a surety or guaranty company  
 8 qualified to transact business in the State of Maryland. If a cash bond is offered, it shall be  
 9 deposited with the Office of Finance, Treasury Division, which shall give an official receipt  
 10 therefore, stipulating that said cash has been deposited in compliance with, and subject to the  
 11 provisions of, this Section.

12 [(f)] (g) Cash deposits shall be returned and surety bonds cancelled upon substantial  
 13 compliance of all work authorized by the permit and the issuance of a certificate of completion  
 14 by the Director.

15 [(g)] (h) Upon completion and acceptance of the various stages of grading and/or site  
 16 development, the permittee may request, in writing to the Director, partial release of the monies  
 17 posted as a guarantee pursuant to Section 4-281 of this Code. A Two Hundred Fifty Dollar  
 18 (\$250.00) nonrefundable fee (Section 4-352(a)(14)) for administrative expenses shall be paid for  
 19 each request.

20 [(h)] (i) Whenever the Director requests payment of the monies posted as a guarantee  
 21 pursuant to Section 4-281 of this Code, the permittee shall pay a Two Hundred Fifty Dollar  
 22 (\$250.00) nonrefundable fee (Section 4-352(a)(15)) for administrative expenses.

## 23 **DIVISION 4. STORMWATER MANAGEMENT.**

### 24 **Subdivision 3. Inspection, Maintenance, and Enforcement.**

#### 25 **Sec. 4-330. Performance Bond.**

26 \* \* \* \* \*

27 (c) The security required in this Section shall include provisions relative to forfeiture for  
 28 failure to complete work specified in the approved stormwater design plan, compliance with all  
 29 the provisions of this Ordinance and other applicable laws and regulations, and any time  
 30 limitations. Action on a defaulted permit shall be taken in accordance with the provisions set  
 31 forth in 4-281.

\* \* \* \* \*

## DIVISION 5. ADMINISTRATIVE PROVISIONS.

### Sec. 4-352. Fee Schedule.

(a) The fee schedule for work performed in connection with the Building Code shall be as follows:

(1) General: No permit to begin work for new construction, alteration, removal, demolition, or other building operation or grading shall be issued until the fees prescribed by this Section shall have paid to Prince George's County, nor shall an amendment or revision to a permit necessitating an additional fee be approved until the additional fee shall have been paid. The fee for any permit shall not be less than Twenty Dollars (\$20.00). A nonrefundable filing fee for all new buildings, structures, and/or grading shall be a minimum of Fifteen Dollars (\$15.00) per permit application and not more than fifty percent (50%) of the estimated cost of the permit, and shall be applied to the permit fee if the permit is actually issued within six (6) months of the date of the application; otherwise, the permit application shall expire and the filing fee shall be forfeited.

\* \* \* \* \*

(4) New buildings, additions, or enlargements: Permit fees shall be based upon area (as calculated from exterior dimensions) of all floors including balconies, mezzanines, basements, cellars and porches, specialty items, and square foot construction costs set forth in [Table 1 of the current "Building Valuation Data Report"] the "Type of Construction Factor" published by Building Officials and Code Administrators International, Inc., corresponding to the appropriate use group and type of construction and a fee multiplier of 0.0060.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that Sections 4-110, 4-176, 4-181, 4-183, 4-190, 4-198, 4-200, 4-207, 4-211, 4-231, 4-432, 4-233, 4-234, 4-235, 4-236, 4-237, 4-238, 4-239, 4-241, 4-243, and 4-245 of the Prince George's County Code be and the same are hereby repealed:

## SUBTITLE 4. BUILDING.

### DIVISION 1. BUILDING CODE.

#### Subdivision 2. Amendments to the BOCA Code.

**Sec. 4-110. [Same; Section 106.0, Approval.] Reserved.**

1        [(a) The following amendments, additions, and/or deletions are made to Section 106.0 of  
2 the BOCA Code:

3            (1) The text of Subsection 106.2, "Modifications," is amended to read as follows:  
4 When there are practical difficulties involved in carrying out structural, fire safety, or mechanical  
5 provisions of this code, the code official shall have the right to vary or modify such provisions  
6 upon application of the owner or the owner's representative, provided that the spirit and intent of  
7 the law is observed and that the public health, safety, and welfare is assured.]

8 **Sec. 4-176. [~~Same; Section 1015.0, Smokeproof Enclosures~~] Reserved.**

9        [(a) The following amendments, additions, and/or deletions are made to Section 1015.0 of  
10 the BOCA Code:

11            (1) Subsection 1015.7.1, titled "Smokeproof enclosures," is amended to read as  
12 follows: The stairway pressurization system shall be activated by all devices which are required  
13 to activate the alarm system in Section 917.7.1 and shall be provided with standby power in  
14 accordance with Section 2707.1.]

15 **Sec. 4-181. [~~Interior Environment; Section 1214.0, Sound Transmission Control in~~  
16 ~~Residential Buildings~~] Reserved.**

17        [(a) The following amendments, additions, and/or deletions are made to Section 1214.0 of  
18 the BOCA Code:

19            (1) Subsection 1214.1, titled "Scope," is amended to read as follows: This Section  
20 shall apply to all common interior walls, partitions, and floor/ceiling assemblies between  
21 adjacent dwelling units or between a dwelling unit and adjacent public areas such as halls,  
22 corridors, stairs, or service areas in all buildings of Use Groups R-3 designed and constructed in  
23 accordance with the CABO One and Two Family Dwelling Code listed in Appendix A.]

24 **Sec. 4-183. [~~Energy Conservation; Section 1306.0, Energy Conservation in Electrical~~  
25 ~~Distribution Systems~~] Reserved.**

26        [(a) The following additions, amendments, and/or deletions are made to Section 1306.0 of  
27 the BOCA Code:

28            (1) A new Subsection 1306.3, titled "Artificial lighting standards," is added to read as  
29 follows: Electric power for artificial lighting shall be limited in accordance with the criteria  
30 specified in the ASHRAE (American Society of Heating, Refrigerating, Air Conditioning  
31 Engineers) Standard 90 listed in Appendix A and the Illuminating Engineers Society (IES)



Lighting Handbook.]

**Sec. 4-190. [Same; Section 1825.0, Retaining Walls] Reserved.**

[(a) The following amendments, additions, and/or deletions are made to Section 1825.0 of the BOCA Code:

(1) A new Subsection 1825.5.1 is added to Section 1825.0 to read as follows: When the grade level on either side of a retaining wall exceeds 30 inches, guardrails shall be provided in accordance with Section 1021.0 of the BOCA Code.]

**Sec. 4-198. [Electric Wiring, Equipment and Systems; Section 2701.0, General] Reserved.**

[(a) The following amendments, additions, and/or deletions are made to Section 2701.0 of the BOCA Code:

(1) The following sentence is added to the text of Subsection 2701.1, "Scope:" Whenever any provisions on Architectural Barrier Free Design conflict with any provisions of this Article of the BOCA Code, the provisions of the Architectural Barrier Free Design shall control.]

**Sec. 4-200. [Same; Section 2703.0, Permit and Certificate of Inspection] Reserved.**

[(a) The following amendments, additions, and/or deletions are made to Section 2703.0 of the BOCA Code:

(1) The last sentence of Subsection 2703.1, titled "General," is amended to read: It shall be unlawful to use an electrical system in a building or structure, unless the required certificate of inspection and permit has been issued by the Building Official.]

**Sec. 4-207. [Plumbing Systems; Section 2901.0, General] Reserved.**

[(a) The following amendments, additions, and/or deletions are hereby made to Section 2901.0 of the BOCA Code:

(1) The following sentence is added to the text of Subsection 2901.1, "Scope:" Whenever any provisions on Architectural Barrier Free Design conflict with any provisions of this Article of the BOCA Code, the provisions of the Architectural Barrier Free Design shall control.]

**Sec. 4-211. [Elevator and Conveying Systems; Section 3001.0, General] Reserved.**

[(a) The following amendments, additions and/or deletions are made to Section 3001.0 of the BOCA Code:

(1) The following sentence is added to the text of Subsection 3001.1, "Scope:"

Whenever any provisions on Architectural Barrier Free Design conflict with any provisions of this Article of the BOCA Code, the provisions of Architectural Barrier Free Design shall control.]

**[Subdivision 3. Amendments to the Mechanical Code.]**

**Sec. 4-231. [Amendments, Additions, and Deletions to Mechanical Code.] Reserved.**

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

**Sec. 4-232. [Administration; Section M-102.0, Applicability.] Reserved.**

[(a) The following additions, amendments, and/or deletions are made to Section M-102.0 of the Mechanical Code:

(1) Subsection M-102.1, titled "General," is amended to read as follows: The provisions of this Code shall apply to the mechanical installations in all buildings and structures and their appurtenant constructions, presently, or hereafter occupied or constructed.]

**Sec. 4-233. [Same; Section M-103.0, Repairs and Maintenance.] Reserved.**

[(a) The following additions, amendments, and/or deletions are made to Section M-103.0 of the Mechanical Code:

(1) Subsection M-103.2, titled "Maintenance," is amended to read as follows: All mechanical systems, both existing and new, and all parts thereof shall be maintained in a safe condition. All devices or safeguards which are required by this Code shall be maintained in good working order and must be capable of performing their intended function in a safe and dependable manner.

(2) A new Subsection M-103.4, titled "Prohibited repairs," is added to read as follows: The use of any type of sealant, glue, or welding for the repair of heat exchangers of hot air furnaces is prohibited.]

**Sec. 4-234. [Same; Section M-108.0, Application for Permit.] Reserved.**

[(a) The following additions, amendments, and/or deletions are made to Section M-108.0 of the Mechanical Code:

(1) Subsection M-108.1, titled "Permits required," is amended to read as follows: Mechanical work shall not be commenced until a permit for such work has been issued by the Code Official. A mechanical permit shall not be transferable. A permit is required for the

1 following:

- 2 1. The replacement of any boiler.
- 3 2. For any welding, or other repairs, on the pressure side of any existing boiler.
- 4 3. For the replacement of any burner or firing device on any boiler.

5 (2) Subsection M-108.3, titled "By whom application is made," is amended to read as  
 6 follows: The application for a permit shall be made by the owner or lessee of a building or  
 7 structure or agent of either, or by the licensed engineer or architect employed in connection with  
 8 the proposed work or the contractor employed to perform the work, except a permit for the  
 9 replacement or repair of any existing boiler system regulated and/or licensed by this Code may  
 10 only be issued to a contractor licensed by the County to perform such work.

11 (3) Subsection M-108.7, titled "Time limitation of application," is deleted.]

12 **Sec. 4-235. [Same; Section M-112.0, Conditions of Permit.] Reserved.**

13 [(a) The following additions, amendments, and/or deletions are made to Section M-112.0 of  
 14 the Mechanical Code:

15 (1) Subsection M-112.1, titled "Payment of fees," is amended to read as follows: A  
 16 permit, certificate, or license required by the Code shall not be issued until the prescribed fees  
 17 have been paid.]

18 **Sec. 4-236. [Same; Section M-113.0, Fees.] Reserved.**

19 [Section M-113.0 of the Mechanical Code is deleted in its entirety.]

20 **Sec. 4-237. [Same; Section M-116.0, Violations.] Reserved.**

21 [(a) The following additions, amendments, and/or deletions are made to Section M-116.0 of  
 22 the Mechanical Code:

23 (1) Subsection M-116.4, titled "Violation penalties," is amended to read as follows:  
 24 Any person who shall violate a provision of the Mechanical Code or shall fail to comply with  
 25 any of the requirements thereof or who shall erect, construct, alter, or repair mechanical  
 26 equipment or systems in violation of an approved plan or directive of the Mechanical Official, or  
 27 of a permit or certificate issued under the provisions of this Mechanical Code shall be subject to  
 28 penalties in Subsection 116.4 of the BOCA Code.]

29 **Sec. 4-238. [Same; Section M-117.0, Stop Work Order.] Reserved.**

30 [(a) The following additions, amendments, and/or deletions are made to Section M-117.0 of  
 31 the Mechanical Code:

(1) Subsection M-117.2, titled "Unlawful continuance," is amended to read: Any person who shall continue any work in or about the structure or mechanical device after having been served with a stop work order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to the penalties in Subsection 116.4 of the BOCA Code.]

**Sec. 4-239. [Same; Section M-121.0, Means of Appeal.] Reserved.**

[(a) Section M-121.0 of the Mechanical Code is amended in its entirety to read as follows:

(1) M-121.1 Application for Appeal: The owner of a building or structure or any other person may appeal to the Board of Appeals a decision of the Code Official refusing to grant a modification of the provisions of the Mechanical Code covering the manner of construction or materials to be used in the erection, alteration, or repair of a mechanical system. Application for appeal may be made when it is claimed that the true intent of the Mechanical Code or the rules legally adopted thereunder have been incorrectly interpreted; the provisions of the Mechanical Code do not fully apply; or an equally good or better form of construction can be used. Appeals shall proceed in accordance with Section 121.0 of the BOCA Code as amended.]

**Sec. 4-241. [Chapter 6 - Boilers and Water Heaters.] Reserved.**

[(a) Chapter 6 of the Mechanical Code is amended as follows:

(1) Subsection M-607.1, titled "General," is amended to read as follows: All steam boilers shall be protected with a low-water cutoff control. All hot water heating boilers with an input greater than 200,000 British thermal units per hour shall be protected with low-water cutoff control. Such controls shall be installed externally or as an integral part of the boiler.]

**Sec. 4-243. [Chapter 20 - Boilers and Pressure Vessels, Maintenance and Inspection.] Reserved.**

[(a) Chapter 20 of the Mechanical Code is amended as follows:

(1) Subsection M-2001.4.1, "Renewal of certificate," is amended to read as follows: The certificate of fitness shall continue in force for a period of two years unless revoked or suspended, and applications shall be made for renewal bi-annually.

(2) Subsection M-2002.1, "Periodic inspections," is amended by the addition of the following: Exception: Heating boilers or pressure vessels which are located in occupancies classified in Use Group R-2 or R-3 having less than three dwelling units.

(3) Subsection M-2002.3.1, titled "Fusion welding," is added to read as follows:

Repairs by fusion welding shall be made only:

- (A) After the owner obtains approval of a National Board Inspector;
- (B) In accordance with the National Board Inspection Code Chapter III, Repairs and Alterations to Boilers and Pressure Vessels by Welding; and
- (C) By a repair organization having a valid:
  - (i) National Board "R" symbol stamp; or
  - (ii) Appropriate ASME Code symbol stamp encompassing the specific repair.

(4) A new Subsection M-2001.4.2, "Annual inspection fees," is added to read as follows: Inspection and licensing fees shall be as established in accordance with Section 4-352 of the County Code and shall be collected prior to license issuance and/or renewal.]

**Sec. 4-245. [Chapter 21 - Referenced Standards.] Reserved.**

[(a) The following standards are added, amended, or deleted from Chapter 21 of the Mechanical Code:

(1) The following standard is added: National Board Inspection Code published by the National Board of Boilers and Pressure Vessel Inspectors, 1155 North High Street, Columbus, Ohio 43201.]

SECTION 3. BE IT FURTHER ENACTED that Sections 4-230, 4-231, 4-232, 4-233, and 4-240 of the Prince George's County Code be and the same are hereby added:

**SUBTITLE 4. BUILDING.**

**DIVISION 1. BUILDING CODE.**

**Subdivision 3. Amendments to the Mechanical Code.**

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

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

**Sec. 4-231. Administration; Section 102, Applicability.**

(a) The following amendments, additions, and/or deletions are hereby made to Section 102 of the Mechanical Code:

(1) A new Subsection 102.3.1, titled "Certificate of fitness," is added to read as follows: No boiler or unfired pressure vessel shall be placed into operation until a certificate of

1 fitness has been issued. The certificate of fitness shall continue in force for a period of two years  
 2 unless revoked or suspended, and applications shall be made for renewal biannually.

3 (2) An exception is added to Subsection 102.4, titled "Additions, alterations or  
 4 repairs," to read as follows: Exception: The use of any type of sealant, glue, or welding for the  
 5 repair of heat exchangers of hot air furnaces is prohibited.

6 **Sec. 4-232. Same; Section 106, Permits.**

7 (a) The following amendments, additions, and/or deletions are hereby made to Section 106  
 8 of the Mechanical Code:

9 (1) A new Subsection 106.3.2, titled, "Application requirements for boilers, water  
 10 heaters, and pressure vessels," is added to read as follows:

11 (A) Boiler, Water Heater, and Pressure Vessel work shall not be commenced  
 12 until a permit for such work has been issued by the Code Official. Permits for the installation of  
 13 a natural gas fired boiler, water heater, or pressure vessel shall be governed by the Plumbing and  
 14 Gas Fitting Regulations of the Washington Suburban Sanitary Commission. A permit shall not  
 15 be transferable. A permit is required for the following:

16 1. The replacement of any boiler;  
 17 2. For any welding, or other repairs, on the pressure side of any existing  
 18 boiler; or

19 3. For the replacement of any burner or firing device on any boiler.

20 (B) The application for a permit shall be made by the owner or lessee of a  
 21 building or structure or agent of either, or by the licensed engineer or architect employed in  
 22 connection with the proposed work or the contractor employed to perform the work, except a  
 23 permit for the replacement or repair of any existing boiler system regulated and/or licensed by  
 24 this Code may only be issued to a contractor licensed by the County to perform such work.

25 (2) Subsection 106.5, titled "Fees," is amended to read as follows: Inspection and  
 26 licensing fees shall be as established in accordance with Section 4-352 of the County Code and  
 27 shall be collected prior to license issuance and/or renewal.

28 **Sec. 4-233. Boilers, Water Heaters and Pressure Vessels; Section 1003, Pressure Vessels.**

29 (a) The following amendments, additions, and/or deletions are hereby made to Section  
 30 1003 of the Mechanical Code:

31 (1) Subsection 1003.3, titled "Welding," is amended to read as follows:

(A) Repairs by fusion welding shall be made only:

1. After the owner obtains approval of a National Board Inspector;
2. In accordance with the National Board Inspection Code Chapter III, Repairs and Alterations to Boilers and Pressure Vessels by Welding; and
3. By a repair organization having a valid:
  - (i) National Board "R" symbol stamp; or
  - (ii) Appropriate ASME Code symbol stamp encompassing the specific repair.

**Subdivision 4. CABO One and Two Family Dwelling Code.**

**Sec. 4-240. Amendments to the CABO One and Two Family Dwelling Code, 1995 Edition.**

(a) The following deletion and amendments are made to the CABO One and Two Family Dwelling Code, 1995 Edition:

- (1) Chapters 39-46 are deleted.
- (2) The text of Section 314.2 is amended to read as follows: Treads and risers. The maximum riser height shall be 8 1/4 inches (210mm) and the minimum tread depth shall be 9 inches (299mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking face of treads and landings of a stairway shall be sloped no steeper than one unit vertical in 48 units horizontal (2 percent slope). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5mm). The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5mm).

(3) The following addition is made to Section 316.1: Smoke detectors are not required in sleeping rooms where the dwellings are equipped throughout with an approved automatic sprinkler system as prescribed in Chapter 9 of BOCA.

SECTION 4. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such

1 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

2 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
3 calendar days after it becomes law.

Adopted this 28th day of October , 1998.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Ronald V. Russell  
Chairman

ATTEST:

\_\_\_\_\_  
Joyce T. Sweeney  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Wayne K. Curry  
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.