

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

Bill No. CB-047-2025  
Chapter No. 36  
Proposed and Presented by (The Chair – by request of the County Executive)  
Introduced by Council Members Watson and Ivey  
Co-Sponsors \_\_\_\_\_  
Date of Introduction September 16, 2025

**BILL**

AN ACT concerning the

**Building Code of Prince George's County**

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

BY reenacting with amendments:

**SUBTITLE 4. BUILDING**

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

The Prince George's County Code

(2023 Edition).

By repealing:

**SUBTITLE 4. BUILDING.**

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

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

By adding:

**SUBTITLE 4. BUILDING.**

Sections 4-189.02, 4-211, 4-212, 4-244, 4-244.01 and 4-244.02  
The Prince George's County Code  
(2023 Edition).

**SUBTITLE 4. BUILDING.**

**DIVISION 1. BUILDING CODE.**

**SUBDIVISION 1. ADOPTION BY REFERENCE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7     1. Building Permits:

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

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

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

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

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

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

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

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

1       and similar finish work.

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

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

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

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

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

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

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

22       2.      Mechanical Permits:

23       (a)     Portable heating appliance.

24       (b)     Portable ventilation equipment.

25       (c)     Portable cooling unit.

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

12     3. Electrical

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

16     4. Repairs/Replacement Permits

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2           (1) All construction documents shall be:

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

5              (ii)   Maximum sheet size 24 x 36

6              (iii)   No pencil/No handwriting

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

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

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

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

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

17              (a)    Building data including:

18              (1)    Construction Type (as per IBC)

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

20              (3)    Height and number of stories

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

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

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

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

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

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

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

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

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

6 The FPEDE must include a signed and sealed statement by both the evaluating  
7 fire protection engineer and the engineer or architect of record attesting:  
8 "These drawings and specifications are in full compliance with the fire safety  
9 provisions of all adopted State and local Building Code, Fire Codes,  
10 Mechanical Codes, local amendments and referenced codes and standards to  
11 the best of their knowledge and belief."

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

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

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

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

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

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

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

University; or

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

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

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

## [(g)] (h) Transitory Provisions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 "Notice of Violation"

24 114.2.1 Issuance of Notice of Violation

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

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

6 114.2.2 Administrative Lien

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

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

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

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

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

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

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

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

21 114.4.1.2 Civil Fine Imposed Through Civil Citation

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

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

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

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

7 114.4.1.3 Administrative Citation

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

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

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

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

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

23 114.5 Disclosure Requirements:

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

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

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

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

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

8 115.2.1 Issuance

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

18 115.2.2 Administrative Lien

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

(b) Section 115.3 of the IBC is amended to read as follows: Unlawful Continuance: 15.3.1 Civil Penalties: Any person, firm, association, partnership, or corporation, or combination thereof, who shall continue work in violation of the provisions of a Stop Work Order, or shall remove or cause to be removed a Stop Work Order sign still in effect and in operation, may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

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

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

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

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

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

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

### 115.3.1.2 Civil Fine Imposed Through Civil Citation

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

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

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

### 115.3.1.3 Administrative Citation

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

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

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

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

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

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

15           115.4 Disclosure Requirements:

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

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

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

24           (a)     Section 111.1, One-Family Dwelling Units. Prior to the consummation of the sale  
25           (settlement) of any new, one-family dwelling, including the sale of a new condominium unit

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

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

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

1 repairs required by such notice or order.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(F) A determination that the variance is in compliance with Subtitle 32

Section 32-203 through 32-212.

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

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

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

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

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

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

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

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

(a) Section 116.3, Notice. If an unsafe condition is found in a building or structure, the Director or the Director's designee 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 101.2]

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

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

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

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

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

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

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

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

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

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

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

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

[b] (d) Section 302.[1.1]2.1 is added to read as follows:, Other Provisions.

Where a type of occupancy, system, or use is not specifically governed by this Code, the Director or the Director's designee may utilize a recognized standard which addresses the occupancy, system, or use adequately.

Sec. 4-126. - Reserved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (c) Section 403.2.1.2 is deleted.

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

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

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

(a) Section 406.4.4 is added to read as follows: "Separation." Every opening located between a public garage and another occupancy shall be designed to prevent the transmission of liquids and vapors from entering adjacent occupancies.

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

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

## Sec. 4-136. Reserved.

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

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

## Table 410

### Temporary Platforms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3                   (a)

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

4                   <sup>1</sup> Storage areas include walk-in freezers and refrigerators.

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

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

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

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

4       Exceptions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Sec. 4-150. Reserved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The fire area exceeds six thousand (6,000) square feet;

(2) The fire area has an occupant load of three hundred (300) or more;

(3) The fire area is located on a floor other than the level of exit discharge serving such occupancies; or

(4) The fire area contains a multi-theatre complex.

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

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

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

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

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

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

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

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

20        (1)      A Group M fire area exceeds six thousand (6,000) square feet[.].  
21        (2)      A Group M fire area is located more than two (2) stories above grade  
22    plane.

23        (3)      The combined fire area on all floors, including any mezzanines,  
24    exceeds twelve thousand (12,000) square feet.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 residential systems for under NFPA 13D.

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

5 [(m)] (n) Section 903.7, Thermal Protection. Heat tracing tape shall not be an  
 6 acceptable means of thermal protection for any portion of a fire suppression system.

7 Exception: Wet pipe suppression systems with heat trace tape specifically listed for intended  
 8 application and installed in accordance with the listing as acceptable as approved by the Director  
 9 or the Director's designee.

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

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

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

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

18 [TABLE 903.3]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The form shall contain the following information:
  - (A) Shall identify the Owner, Tenant's and Contractor's contact information.
  - (B) The period of the time the Agreement covers.
  - (C) Case Number.
  - (D) Project Name.
  - (E) Location and/or Street Address.

1 (F) The Agreement must be notarized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (b) Section 1805.4.3.4, Sump Pumps and Pits. Where subsoil drains do not discharge by  
8 gravity, the drains shall discharge to an accessible sump pit with an automatic electric pump. A  
9 battery back-up or water-powered back-up sump pump will also be provided. Sump pit shall be a  
10 minimum of twenty-four (24) inches in diameter, or eighteen (18) inches square and twenty-four  
11 (24) inches in depth and be provided with a fitted cover. The sump pump shall have adequate  
12 capacity to discharge all water coming into the sump as it accumulates, but in no case shall the  
13 capacity of the pump be less than fifteen (15) gallons per minute. The discharge from the pump  
14 shall be a minimum of one and one-fourth (1 $\frac{1}{4}$ ) inches and shall have a union in the discharge  
15 piping to make the pump accessible for servicing. Subsoil drains and sump pump discharge may  
16 discharge to a properly graded open area provided the point of discharge is ten (10) feet from any  
17 property line or Building Restriction Line (BRL). Where a continuously flowing spring or high  
18 groundwater table is encountered during the design stage, basement floors shall be designed at  
19 least two and one-half (2.5) feet above the groundwater's highest detected level. Alternatively,  
20 pre-approved methods of permanent dewatering shall be provided, and groundwater level shall  
21 be verified again before construction. If such condition is encountered after construction, and  
22 subsoil drains are pre-approved by the County, these drains must be piped to a storm drain or  
23 approved outfall where they shall be fitted with an accessible backwater valve. Residential sump  
24 pumps are not to be relied on for lowering high groundwater table.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 permit. The applicant shall submit evidence of approval.

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

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

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

9 (3) Timber retaining walls are not allowed.

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

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

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

23 (7) Declaration of Easements for Retaining Walls

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

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

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

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

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

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

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

12                   (bb) Building additions

13                   (cc) Porches

14                   (dd) Structures

15                   (ee) Pools

16                   (ff) Decks

17                   (gg) Stormwater management devices and storm drain pipe

18                   (hh) Trees

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

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

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

(cc) Sheds

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

(ee) Patios

(ff) Pergolas

(gg) Benches

(hh) Sidewalks

(ii) Trails

(ji) Signage

(kk) Landscaping (not including trees)

(ll) Private roads and parking lots – guardrails and traffic barriers

shall be provided and located between the wall and the roadway, a minimum of 3 feet from the face of the wall.

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

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

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

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

maintained by the Homeowner's Association.

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

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

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

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

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

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

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

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

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

or

(dd) When deemed necessary by DPIE or the Geotechnical Engineer of

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Section 2801 is added to read as follows: "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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) The antenna requires no mechanical penetration of the roof structure;
- (2) The permissible loading of the roof is not exceeded; and
- (3) The maximum diameter is twenty-four (24) inches or the maximum dimensions  
forty-five (25) inches in length, fifteen (15) inches in width and ten (10) inches in height.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (1) Dirt with minor growth is not considered a noncombustible surface.  
4 (2) The entire width of the ten (10) foot noncombustible surface must be  
5 between the solar array panels and the Security Barrier.

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

10 [i.] Please note that Fire Access roads must meet all other code requirements.  
11 b. If a loose material is provided for a non-combustible surface, then it  
12 must have a minimum depth of three (3) inches over compacted subgrade soil.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25                  [SECTION 3314.2]

## ACCESSIBILITY FOR EMERGENCY VEHICLES

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

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

**[Sec. 4-212. Reserved]**

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

[Sec. 4-216. - Reserved.]

[Sec. 4-217. – Reserved.]

[Sec. 4-218. - Reserved.]

[Sec. 4-219. - Reserved.]

[Sec. 4-220. through Sec.

[Sec. 4-222. - Reserved.]

[Sec. 4-223. - Reserved.]

[Sec. 4-224. - Reserved.]

[Sec. 4-225. through Sec.

1 \* \* \* \* \* \* \* \* \*

2 **SUBTITLE 4. BUILDING**

3 **DIVISION 1. BUILDING CODE**

4 **SUBDIVISION 3. - AMENDMENTS TO THE INTERNATIONAL MECHANICAL**  
5 **CODE.**

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

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

11 **Sec. 4-231. -Mechanical Ventilation; Section 403.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (1) M1503.[4]6. Makeup air required. Exhaust hood systems capable of  
15 exhausting more than 400 cubic feet per minute ([o]0.19m<sup>3</sup>/s) shall be mechanically or naturally  
16 provided with makeup air at a rate approximately equal to the exhaust air rate in excess of 400  
17 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper.  
18 Each damper shall be a gravity damper or an electrically operated damper that automatically  
19 opens when the exhaust system operates. Dampers shall be accessible for inspection, service,  
20 repair and replacement without removing permanent construction or any other ducts not  
21 connected to the damper being inspected, serviced, repaired or replaced.

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

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

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

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

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

13           (b) Section R-311.7.5, Stair Treads and Risers. The maximum riser height shall be eight  
14 and one-fourth (8 $\frac{1}{4}$ ) inches, and the minimum tread depth shall be nine (9) inches. The riser  
15 height shall be measured vertically between the vertical planes of the foremost projection of  
16 adjacent treads and at a right angle to the tread's leading edge. The walking face of treads and  
17 landings of a stairway shall be sloped no steeper than one (1) unit vertical in forty-eight (48)  
18 units horizontal two percent (2%) slope. The greatest riser height within any flight of stairs shall  
19 not exceed the smallest by more than three-eighths (3/8) inch. The greatest tread depth within  
20 any flight of stairs shall not exceed the smallest by more than three-eighths (3/8) inch.

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

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

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

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

3     1. Building Permits:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18        2.      Mechanical Permits:

19        (a)     Portable heating appliance.

20        (b)     Portable ventilation equipment.

21        (c)     Portable cooling unit.

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

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

1                   unsafe.

2                   (f)   Portable evaporative cooler.

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

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

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

8                   3.    Electrical

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

12                   4.    Repairs/Replacement Permits

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

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

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

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

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

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

11           (b)    A new Section R105.2.1, Historic Area Work Permit Requirement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (d) Transitory Provisions

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

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

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

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

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

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

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

11                (d)        Permits granted under Section Transitory Provisions shall not be extended  
12        if permitted to expire, pursuant to Section R105.5, or if revoked pursuant to Sections R105.6 and  
13        R105.6.1.

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

19                (a)        The applicant shall file the permit application, accompanied by plans and  
20        other information conforming to Sections R106 of the new edition of the Construction Codes,  
21        sufficiently complete to allow processing of the permit without substantial change or deviation,  
22        within one year after the effective date of the new edition of the Construction Codes;

23                (b)        The applicant shall submit a copy of the design contract, with a notarized  
24        affidavit stating that the submitted copy is a true and accurate copy of the contract for the design  
25        of the building or other structure, that the contract was in effect on or before the effective date of

1 the Construction Codes, and that the design submitted with the permit application was made  
2 under such contract;

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

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

7 (5) Violations or Infractions. The laws and regulations in force on the date that a new  
8 edition of the Construction Codes is adopted and shall apply with respect to violations or  
9 infractions committed prior to said date, whether the prosecutions or adjudications of those  
10 violations of infractions are begun before or after said date.

11 **Sec. 4-245. - Building Planning; Section R-313, Automatic Fire Sprinkler System.**

12 [Section R-313 is deleted.]

13 (a) R-313.1 Section, Automatic Sprinkler System Requirement for New One- and Two-  
14 Family Dwellings and Industrialized Buildings (Modular and Manufactured Homes to be utilized  
15 as a new One- and Two-Family Dwelling). This Section, R-313.1, supersedes Section R-313 of  
16 the IRC. An automatic sprinkler system shall be provided throughout new one- and two-family  
17 dwellings, including industrialized (modular) and manufactured homes, installed as  
18 manufactured homes after December 31, 2010. The following reductions in construction  
19 requirements are permitted when a one or two family dwelling is fully sprinklered:

20 (1) A basement exit to grade is not required;

21 (2) A second exit from the dwelling is not required;

22 (3) Trusses are not required to be provided with a fire-resistive ceiling  
23 membrane; and

24 (4) Fire separations may be reduced from two (2) hours to one (1) hour rating  
25 and may be constructed with combustible framing. The one (1) hour rated fire separation wall

1       need not be able to withstand collapse of construction on either side under fire conditions.

2       (b) Section R-313.2, Connection from Sprinkler Systems. Sprinklers systems designed in  
3       accordance with NFPA 13D shall be supplied and protected from backflow in accordance with  
4       the WSSC Plumbing and Fuel Gas Code. Repairs to detached one- and two-family dwellings and  
5       townhomes not more than three stories above grade plane which, because of lack of maintenance  
6       or structural damage due to fire, explosion, or natural causes, which, in the opinion of the  
7       Director of the Director's designee, exceed fifty percent (50%) of the building shall have an  
8       approved automatic fire sprinkler system installed throughout the building as part of the scope of  
9       repairs completed. Additions to existing structures which exceed one hundred percent (100%) of  
10       the total floor (square footage) of the existing structures will cause the altered structure (addition  
11       plus existing structure) to be fully sprinklered.

12       (c) Section R-313.4, Sprinklers for Additions. All enclosed or habitable additions to an  
13       existing sprinklered one- or two-family dwelling, including industrialized (modular and  
14       manufactured) homes must also be fully sprinklered.

15       (d) Section R-313.5, Location and Performance of Fire Hydrants. Every building of more  
16       than one thousand (1,000) square feet in an area shall be provided with sufficient fire hydrants  
17       located such that no exterior portion of the building is located more than five hundred (500) feet  
18       from a fire hydrant. The distance shall be measured as a hose line would be laid along paved  
19       streets, through parking lot entrances, and around obstructions, in accordance with the  
20       determination of the authority having jurisdiction. For multiple single-family dwellings  
21       (townhouses), provide a fire hydrant within five hundred (500) feet of all exterior portions of the  
22       building, as hose is laid. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a  
23       residual pressure of twenty (20) psi.

24       Exception: An approved alternate water supply source may be acceptable in areas not  
25       served by a public water supply. In addition, a fire hydrant is not required to be situated within

1 two hundred (200) feet of any required fire department connection that is intended to supply an  
2 automatic fire sprinkler system that has been retrofitted into an existing building of any use  
3 group, provided that the area of the building has not been increased in size or the use group  
4 classification has not been changed to require an automatic fire suppression system under any  
5 other provision of this Division.

6 (e) Section R-313.6, Booster Pump for Automatic Sprinklers. Where a booster pump is  
7 required for the water supply to the automatic sprinklers, the pump driver shall follow the  
8 requirements of this Section.

9 (f) Section R-313.6.1, Water Pressure and Volume Boost with Standard Drip Proof Pump  
10 Drive. Water pressure and volume boost with standard drip proof pump drive shall be installed as  
11 follows:

12 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A  
13 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote  
14 location to the pump.

15 (2) Passive electrical supervision to the pump will be accomplished through the  
16 following wiring diagram of either the main or subpanel. See figure R-328.6.1.

17 (g) Section R-313.6.2, Water Pressure and Volume Boost with Totally Enclosed, Fan  
18 Cooled Pump Driver. Water pressure and volume boost with totally enclosed fan cooled pump  
19 driver shall be installed as follows:

20 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A  
21 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote  
22 location to the pump.

23 (2) Passive electrical supervision to the pump will be accomplished through the  
24 following wiring diagram of either the main or subpanel. See figure R-313.6.1.

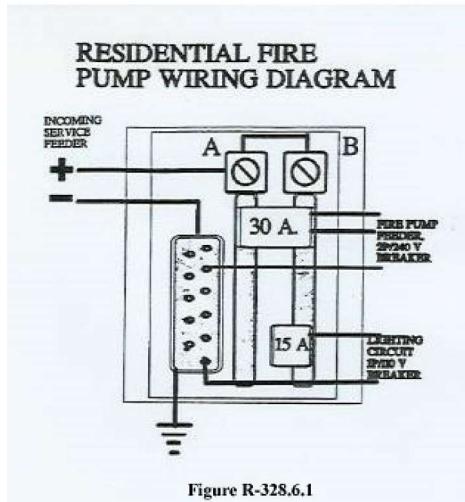
25 (h) Section R-313.6.3, Any Pump with a Stored Water Supply. Any pump with a stored

1 water supply shall be installed as follows:

2 (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A  
 3 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote  
 4 location to the pump.

5 (2) Passive electrical supervision to the pump will be accomplished through the  
 6 following wiring diagram of either the main or subpanel. See Figure R-313.6.1

7 Figure R-328.6.1



9 Figure R-328.6.1

10 (i) Section R-313.6.4, Combination Use Standard Wiring Method. Any pump on a single  
 11 circuit shall be installed to be within visual sight of the pump.

12 (j) Section R-313.6.5, Mounting Considerations for Any Pump Serving a Residential  
 13 Sprinkler System. Any pump serving a residential sprinkler system shall be installed as follows:

- 14 (1) Wall or floor mounted;
- 15 (2) Accessible for inspection or service;
- 16 (3) Ensure not located in hazardous area;

(4)      Install as per manufacturer's requirements.

## **Sec. 4-246. Building Planning; Section R-302, Fire Resistant Construction.**

(a) Section R-302.2.5 is amended to read as follows: "Parapets." Parapets constructed in accordance with Section R-302.2.4 shall be provided for townhouses as an extension of common exterior or walls in accordance with the following:

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

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

Exception: A parapet is not required in Subsections (1) and (2) of this Section when townhouses are provided with residential sprinkler systems installed in accordance with Section 903 of the IBC, or when the roof is covered with a minimum Class C roof covering and the roof decking or sheathing is of noncombustible materials or approved fire-retardant treated wood for a distance of four (4) feet on each side of the wall or walls, or one layer of five-eighths (5/8) inch, or Type X gypsum board is installed directly beneath the roof decking or sheathing for a distance of four (4) feet on each side of the wall or walls.

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

(b) Section R305.1: The Exceptions are amended to include Exception 5: The Director or designee shall approve, in writing, any ceiling height above finished floor.

Sec. 4-246.01. [Building Planning; Section R324.6 “Roof access and Pathways.”] Reserved

1 [This section is deleted in its entirety.]

2 **Sec. 4-247. – Swimming Pools, Spas and Hot Tubs: Section R-327, Barrier Requirements.**

3 Section R-327.1, Outdoor Swimming Pool. An outdoor swimming pool, including an in-  
4 ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which  
5 shall comply with the following: The top of the barrier shall be at least six (6) feet above grade  
6 measured on the side of the barrier which faces away from the swimming pool.

7 **Sec. 4-248. – Reserved [Building Planning; Section R-328, Fire Protection Systems.]**

8 [(a) Section R-328.1, Automatic Sprinkler System Requirement for New One- and Two-  
9 Family Dwellings and Industrialized Buildings (Modular and Manufactured Homes to be utilized  
10 as a new One- and Two-Family Dwelling). This Section, R-328, supersedes Section R-313 of the  
11 IRC. An automatic sprinkler system shall be provided throughout new one- and two-family  
12 dwellings, including industrialized (modular) and manufactured homes, installed as  
13 manufactured homes after December 31, 2010. The following reductions in construction  
14 requirements are permitted when a one or two family dwelling is fully sprinklered:

15 (1) A basement exit to grade is not required;  
16 (2) A second exit from the dwelling is not required;

17 Escape windows from sleeping rooms and basements (habitable or non-habitable) will  
18 not be required to meet any size except that at least one (1) window shall be provided from each  
19 sleeping room located in the [and] basement which may be opened from the inside without the  
20 use of tools or keys;

21 (3) Trusses are not required to be provided with a fire-resistive ceiling  
22 membrane; and

23 (4) Fire separations may be reduced from two (2) hours to one (1) hour rating  
24 and may be constructed with combustible framing. The one (1) hour rated fire separation wall  
25 need not be able to withstand collapse of construction on either side under fire conditions.

1       (b) Section R-328.2, Connection from Sprinkler Systems. Sprinklers systems designed in  
2 accordance with NFPA 13D shall be supplied and back flowed protected in accordance with the  
3 WSSC Plumbing Code. Repairs to detached one- and two-family dwellings and townhomes not  
4 more than four stories above grade plane which, because of lack of maintenance or structural  
5 damage due to fire, explosion, or natural causes, which, in the opinion of the Director of the  
6 Director's designee, exceed fifty percent (50%) of the building shall have an approved automatic  
7 fire sprinkler system installed throughout the building as part of the scope of repairs completed.  
8 Additions to existing structures which exceed one hundred percent (100%) of the total floor  
9 (square footage) of the existing structures will cause the altered structure (addition plus existing  
10 structure) to be fully sprinklered.

11       Section R-328.2, Connection from Sprinkler Systems. A connection from a sprinkler  
12 system designed in accordance with NFPA 13D to a single remote commode (water closet) shall  
13 be permitted. Such connection shall be from the sprinkler system piping to the water closet  
14 supply piping.

15 (c) Section R-328.4, Sprinklers for Additions. All enclosed or habitable additions to an  
16 existing sprinklered one- or two-family dwelling, including industrialized (modular and  
17 manufactured) homes must also be fully sprinklered.

18 (d) Section R-328.5, Location and Performance of Fire Hydrants. Every building of more  
19 than one thousand (1,000) square feet in an area shall be provided with sufficient fire hydrants  
20 located such that no exterior portion of the building is located more than five hundred (500) feet  
21 from a fire hydrant. The distance shall be measured as a hose line would be laid along paved  
22 streets, through parking lot entrances, and around obstructions, in accordance with the  
23 determination of the authority having jurisdiction. For multiple single-family dwellings  
24 (townhouses), provide a fire hydrant within five hundred (500) feet of all exterior portions of the  
25 building, as hose is laid. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a

1 residual pressure of twenty (20) psi.

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

9       (e) Section R-328.6, Booster Pump for Automatic Sprinklers. Where a booster pump is  
10 required for the water supply to the automatic sprinklers, the pump driver shall follow the  
11 requirements of this Section.

12       (f) Section R-328.6.1, Water Pressure and Volume Boost with Standard Drip Proof Pump  
13 Drive. Water pressure and volume boost with standard drip proof pump drive shall be installed as  
14 follows:

15           (1)       Circuit breaker switch must be within the visual line-of-sight of the pump. A  
16 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote  
17 location to the pump.

18           (2)       Passive electrical supervision to the pump will be accomplished through the  
19 following wiring diagram of either the main or subpanel. See figure R-328.6.1.

20       (g) Section R-328.6.2, Water Pressure and Volume Boost with Totally Enclosed, Fan  
21 Cooled Pump Driver. Water pressure and volume boost with totally enclosed, fan cooled pump  
22 driver shall be installed as follows:

23           (1)       Circuit breaker switch must be within the visual line-of-sight of the pump. A  
24 sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote  
25 location to the pump.

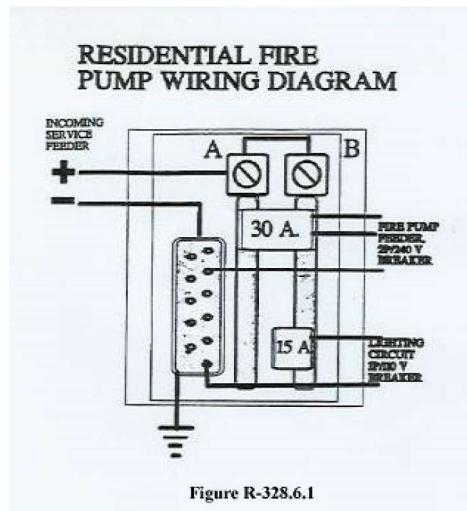
(2) Passive electrical supervision to the pump will be accomplished through the following wiring diagram of either the main or subpanel. See figure R-328.6.1.

(h) Section R-328.6.3, Any Pump with a Stored Water Supply. Any pump with a stored water supply shall be installed as follows:

(1) Circuit breaker switch must be within the visual line-of-sight of the pump. A sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote location to the pump.

(2) Passive electrical supervision to the pump will be accomplished through the following wiring diagram of either the main or subpanel. See figure R-328.6.1

**Figure R-328.6.1**



(i) Section R-328.6.4, Combination Use Standard Wiring Method. Any pump on a single circuit shall be installed to be within visual sight of the pump.

(j) Section R-328.6.5, Mounting Considerations for Any Pump Serving a Residential Sprinkler System. Any pump serving a residential sprinkler system shall be installed as follows:

(1) Wall or floor mounted;

- (2) Accessible for inspection or service;
- (3) Ensure not located in hazardous area;
- (4) Install as per manufacture's requirements.]

## Sec. 4-249. - Foundations; Section R-403, Footings.

(a) The following amendments, additions, and/or deletions are to Section R-403 of the IRC:

(1) [Unless noted otherwise by engineering design, all footings supporting reinforced concrete or masonry basement walls shall be provided with footing dowels at the minimum amount of one-half (½) of the vertical wall reinforcement.] At a minimum, every other vertical reinforcement shall have a footing dowel or use engineer design per IRC code. The lap length at the top of the footing shall be adequate to develop the full tension capacity of the reinforcement.

(2) [Continuous wall footings shall not be less than sixteen (16) inches wide and eight (8) inches thick.] Footing design shall be based on minimum soil load bearing capacity of 1,500 psf. See IRC Table 403.1(1) to 403.1(3). Footings in accordance with the engineering design are acceptable if a geotechnical report including the soil load bearing capacity is provided for each lot.

(3) Section R-403.1.4, Minimum Depth. All exterior footings and foundation systems shall extend below the frost line. The bottom of [A]ll exterior footings shall be placed at thirty (30) inches below the finished grade.

(a) Exception: An exception to Section R-403.1.4 can be granted by the Director or designee for accessible access.

(4) Section R-403.1.6, "the maximum spacing of one-half (½) inch diameter anchor bolts is amended to be four (4) feet."

(5) Section R-403.2, titled "Footings for wood foundations" is deleted.

**Sec. 4-250. - Foundations; Section R-404, Foundations and Retaining Walls.**

(a) The following amendments, additions, and/or deletions are made to Section R-404 of the International Residential Code:

(1) Section R-404.1.1, Design Loads. In addition to other applicable loads, the basement walls shall be designed for the at-rest pressure (lateral soil load) as described in Table 1610.1 of the [2018] 2021 International Building Code.

(2) Section R-404.1.2, Design of Concrete Masonry. Design of concrete masonry unit (CMU) walls shall conform to the Building Code Requirements for Masonry Structures (ACI 530/TMS 402) Chapters 1, 2 and 3. Minimum horizontal joint reinforcement consisting of not less than two continuous wires each with a minimum cross-sectional area of 0.017 square inch (9 gage) shall be provided in horizontal bed joints spaced not more than every second course vertically. For basement walls subjected to lateral earth pressure, minimum vertical reinforcement shall consist of one No. 5 rebar (ASTM A615 grade 60) spaced not more than sixteen (16) inches (for nominal 8", 10", or 12" walls). Cells having vertical reinforcement shall be filled with concrete or masonry grout meeting the requirement of ASTM C476. Vertical steel reinforcement shall be placed not more than 2 inches from the inside face of the walls.

(3) Section R-404.1.3, Design of Concrete Walls. Design of concrete walls subjected to lateral earth pressure shall conform to the Building Code Requirements for Reinforced Concrete (ACI 318[-14]) Chapter 10. Minimum reinforcement in each direction shall not be less than that required by Chapter 7 (i.e. for ASTM A615 grade 60, No. 4@14" for 8-inch thick, No. 4@12" for 10-inch thick, and No. 4@10" for 12-inch-thick wall). For design of concrete walls subjected to lightly loaded lateral earth pressure (4 feet or less of unbalanced backfill) or concrete walls with insignificant stress components (for example, stresses reduced by mean of wall stiffeners) the ACI 318[-14] Chapter 22 may be used to determine the amount of reinforcement required. Engineered wall design is acceptable for wing walls per ACI-318 code.

(b) For walls that are proposed to serve as flood walls, the permittee shall secure approval from the US Army Corps of Engineers prior to submittal to Prince George's County for building permit. The applicant shall submit evidence of approval.

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

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

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

(3) Timber retaining walls are not allowed.

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

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

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

(7) Declaration of Easements for Retaining Walls

(i) Retaining walls and tiered walls with a cumulative height of 6 feet or greater are required to have a permanent easement in front of and behind the wall. The easement dimension shall not be less than 10 feet wide on the low side of the wall.

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

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

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

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

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

### (bb) Building additions

### (cc) Porches

## (dd) Structures

### (ee) Pools

(ff) Decks

(gg) Stormwater management devices and storm drain pipe

### (hh) Trees

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

(aa) Storm drain outfall pipe located perpendicular to the wall, if there is no alternative but to penetrate through the wall. The storm drain shall have a drop manhole on the high side of the wall, and the storm drain pipe under the footing of the retaining wall shall

1       be encased in an outer pipe sleeve that is at least 12 inches larger in size than the conveying  
2       storm drain pipe.

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

6               (cc) ) Sheds

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

9               (ee) Patios

10               (ff) Pergolas

11               (gg) Benches

12               (hh) Sidewalks

13               (ii) Trails

14               (jj) Signage

15               (kk) Landscaping (not including trees)

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

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

23               (viii) The retaining wall Declaration of Easement shall specify maintenance  
24       responsibility.

25               (ix) The Declaration of Easement shall restrict future construction of

1       unacceptable elements.

2               (x) Retaining walls that span across multiple residential lots shall be  
3 maintained by the Homeowner's Association.

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

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

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

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

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

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

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

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

(cc) Walls on or adjacent to unstable soils, such as over-consolidated clay;  
or  
(dd) When deemed necessary by DPIE or the Geotechnical Engineer of  
record (GER).

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

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

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

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

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

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

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

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

(16) To prevent surface storm water from flowing over the top wall of wall, a

1 swale is required immediately behind the wall. The swale may be located at least 12 inches  
2 behind the high side of the wall, with a depth of at least 6 inches. The swale shall have 4 inches  
3 of topsoil at the surface and 12" of impervious lean clay soil or an impermeable geo-membrane  
4 below the topsoil. If the length of land adjacent to and perpendicular to the wall is negligible, for  
5 example less than 5 feet wide, such that surface sheet flow down the slope and towards the wall  
6 is minimal, then the swale above the wall is not required. All concentrated flows shall be  
7 intercepted into a storm drain system and conveyed thru the wall.

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

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

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

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

1      **Sec. 4-250.01. Foundations; Section R-404.2, titled "Wood Foundation Walls."**

2      This Section is deleted in its entirety.

3      **Sec. 4-251. - Foundations; Section R-405, Foundation Drainage.**

4      (a)     The following amendments, additions, and/or deletions are made to Section R-405 of  
5      the International Residential Code:

6              (1)     Section R-405.1.2, Subsoil Drainage Systems. Subsoil drains shall be required  
7      for all buildings having basements, cellars, crawl spaces, or floors below grade. Subsoil drains  
8      shall be located inside and outside of the foundation and shall be installed at or below the area to  
9      be protected. Drains shall discharge by gravity or mechanical means into an approved drainage  
10     system.

11             (2)     Section [R-405.1.3] R-405.2.3, Sump Pumps and Pits. Where subsoil drains do  
12      not discharge by gravity, the drains shall discharge to an accessible sump pit with an automatic  
13      electric pump. A battery back-up or water-powered back-up sump pump will also be provided.  
14      The sump pit shall be a minimum of twenty-four (24) inches in diameter or eighteen (18) inches  
15      square and twenty-four (24) inches in depth and be provided with a fitted cover. The sump pump  
16      shall have adequate capacity to discharge all water coming into the sump as it accumulates but in  
17      no case shall the capacity of the pump be less than fifteen (15) gallons per minute. The discharge  
18      from the pump shall be a minimum of one and one-fourth (1 $\frac{1}{4}$ ) inches and shall have a union in  
19      the discharge piping to make the pump accessible for servicing. Subsoil drains and sump pump  
20      discharge may discharge to a properly graded open area provided the point of discharge is ten  
21      (10) feet from any property line or Building Restriction Line (BRL). Where a continuously  
22      flowing spring or high groundwater table is encountered during the design stage, basement floors  
23      shall be designed at least two and one-half (2.5) feet above the groundwater's highest detected  
24      level. Alternatively, pre-approved methods of permanent dewatering shall be provided, and the  
25      groundwater level shall be verified again before construction. If such condition is encountered by

1 the County and subsoil drains are pre-approved by the County; these drains must be piped to a  
2 storm drain or approved outfall where they shall be fitted. When piped to a storm drain all  
3 drainage lines shall include an accessible backwater valve. Residential sump pumps are not to be  
4 relied on for lowering high groundwater table.

5 (3) Section R-405.1.4, Areaway Drains. All open subsurface space adjacent to a  
6 building serving as an exit or entrance shall be provided with a drain or drains. Such areaway  
7 drains shall be of approved material in accordance with Chapter 30 of this Code and not less than  
8 2 inches in diameter and shall discharge by gravity or mechanical means in accordance with R-  
9 405.1.2. Areaway drains for areas exceeding 800 square feet shall be sized in accordance with  
10 Section 1113 of the [2006] 2021 International Plumbing Code.

11 (4) Section R-405.1.5, Window Well Drains. Window well areaways shall have  
12 drains. Window well areaways 10 square feet or less may discharge to the subsoil drain through  
13 a 2-inch minimum diameter pipe. Drains for window well areaways greater than 10 square feet  
14 shall be installed in accordance with Section R-405.1.3.

15 (5) Section R-405.1.6, Foundation Weep Holes. Where subsoil drains are required  
16 by Section R-405.1.1, foundations of hollow core masonry shall have foundation weep holes.  
17 Weep holes shall be placed a maximum of 4-foot o/c intervals and shall discharge into the  
18 aggregate of the interior subsoil drainage system.

19 (6) Section R-405.1.7, Site Grading. The ground immediately adjacent to the  
20 foundation shall be sloped away from the building at a slope [of not less than one unit vertical in  
21 12 units horizontal (1:12) for a minimum distance of 5 feet (914 mm) measured perpendicular to  
22 the face of the wall or an approved alternate method of diverting water away from the foundation  
23 shall be used] that conforms with the County Grading Code 32-151. Consideration shall be given  
24 to the possible additional settlement of the backfill when establishing the final ground level  
25 adjacent to the foundation.

(7) Section R-405.2, titled "Wood foundations" is deleted in its entirety.

## **Sec. 4-252. - Floors; Section R-502, Wood Floor Framing.**

(a) The following addition is made to Section R-502 of the International Residential Code:

(1) Section R-502.7[.2]. Floor joists adjacent and parallel to the exterior foundation wall shall be provided with full-depth solid blocking, not less than two (2) inches nominal in thickness, placed perpendicular to the joist at spacing not more than four (4) feet. The blocking shall be nailed to the floor sheathing, the joist and the exterior rim joist/board.

**Sec. 4-253. - Engineered Floor Truss Systems; Section R-502.8.3, Protection of Structural Members.**

(a) Section R-502.8.3, Protection of Truss Framing Members. All combustible truss framing members which comprise a portion of a nonrated floor assembly shall be protected by the installation of a ceiling. The ceiling material shall not be less than one-half (1/2) inch gypsum board or an approved equivalent alternative material. The ceiling must be adequately supported by direct mechanical fastening to the structural framing or be suspended by not less than No. 12 MSG galvanized steel wire or by an equivalent method. 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, excluding crawlspaces less than forty-two (42) inches in depth by an automatic sprinkler system; and

(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. 4-254. Wall Construction; Section R602.10 Wall Bracing.

[Residential structures in the R-55 (One-Family Detached Residential) Zone shall not have

1 more than five (5) bathrooms for that structure or a combination of the primary residential and  
2 any accessory use on the property. At least one bathroom within any structure on the property  
3 must be accessible from a common interior area, such as a hallway.] Section R602.10.9.2 Braced  
4 wall panel supported by floor joists, beams or girders (see section R602.10.8). When the interior  
5 braced wall panel, not supported by continuous braced wall or foundation wall below, is used in  
6 conjunction/combination with the exterior braced walls, the design of this braced wall system  
7 (interior and exterior) including the design of the supporting joists, beams and girders, column  
8 and foundation shall be in accordance with accepted engineering practice.

9 **Sec. 4-255. Administration and Enforcement; Sec R113. Violations.**

10 (a) Section R113.2 of the IRC is amended to read as follows:

11 "Notice of Violation"

12 R113.2.1 Issuance of Notice of Violation

13 The Building Official is authorized to serve a notice of violation or order on the person  
14 responsible for the erection, construction, alteration, extension, repair, moving, removal,  
15 demolition or occupancy of a building or structure in violation of the provisions of this code, or  
16 in violation of a detail statement or a plan approved thereunder, or in violation of a permit or  
17 certificate issued under the provisions of this code. Such order shall direct the discontinuance of  
18 the illegal action or condition and the abatement of the violation.

19 R113.2.2 Administrative Lien

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

(b) Section R113.4 of the IRC is amended to read as follows: "Violation Penalties"

R113.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or combination thereof who shall violate a provision of the International Residential Code (IRC), or of this Subtitle, or fail to comply with any of the requirements thereof, violates a lawful order issued thereunder, or any person who shall erect, construct, alter, or repair a building or structure or mechanical or electrical system without all required permits or in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this Subtitle or the IRC, may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

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

R113.4.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed through a notice of violation, the notice of violation shall state the amount of the civil fine and a description of the circumstances giving rise to the assessment. A civil fine imposed through a notice of violation shall be one thousand dollars (\$1,000) per violation. Each day that a violation continues shall be deemed a separate offense. A civil fine assessed through a notice of violation shall be due and payable within 30 days after the Building Official issues the written notice.

R113.4.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written notice of violation assessing a civil fine under this section shall be a final decision of the Director or the Director's designee.

R113.4.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a notice of violation has not been paid within 30 days after the written notice of violation, the Director may cause the written notice of violation to be recorded with the Director of Finance for

1 Prince George's County. Recordation of the notice of violation shall constitute a lien on the  
2 subject property and shall be collected in the same manner as other County real estate taxes. The  
3 filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this  
4 subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in  
5 favor of an appellant regarding a civil fine imposed under this subsection, the Director of  
6 Finance shall release the tax lien.

7                   R113.4.1.2 Civil Fine Imposed Through Civil Citation

8                   R113.4.1.2.1 In the event that a responsible party does not comply with a notice of  
9 violation within the time period provided, including any period allowed by appeal, and upon  
10 verification by the Director or the Director's designee that the violation still exists, the Director  
11 or the Director's designee may issue upon the responsible parties a civil citation pursuant to  
12 Subtitle 28, Division 3, of this Code.

13                   R113.4.1.2.2 Separate Violation: Each day the violation continues is deemed a separate  
14 offense and is subject to an additional citation and fine in the same dollar amount as the repeat  
15 citation(s).

16                   R113.4.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed  
17 under this subsection is in addition to any other sanction provided by law.

18                   R113.4.1.3 Administrative Citation

19                   R113.4.1.3.1 In lieu of issuing a civil citation pursuant to Section R113.4.1.2 above,  
20 upon verification of a violation of this Section, the Director or Director's designee may issue  
21 upon the responsible parties an administrative citation as that term is defined in Section 13-  
22 1121.

23                   R113.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance  
24 of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125  
25 of this Code.

1           R113.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in  
2 accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-  
3 1130, 13-1131, and 13-1132 of this Code.

4           R113.4.1.3.4 A civil fine imposed through an administrative citation under this section  
5 shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days  
6 after the citation is issued. Each day that a violation continues shall be deemed a separate  
7 offense.

8           (c) Section R.113.5 is added and shall read as follows:

9           113.5 Disclosure Requirements:

10           113.5.1 Disclosure to Prospective Transferee: When the owner of a dwelling unit or  
11 structure has received a notice of violation issued under this Subtitle, the owner shall provide a  
12 copy of the notice of violation to a prospective purchaser, lessee, or other transferee.

13           113.5.2 Recordation: The Director may record a notice of violation issued under this  
14 Subtitle among the land records in the Circuit Court for Prince George's County.

15 **Sec. 4-255.01. Administration and Enforcement; Sec R114. Stop Work Order.**

16           (a) Section R114.1 of the IRC is amended to read as follows:

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

25           R.114.1.2 Administrative Lien

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

7       (b) Section R114.2 of the IRC is amended to read as follows: Unlawful Continuance

8           R114.2.1 Civil Penalties: Any person, firm, association, partnership, or corporation, or  
9       combination thereof, who shall continue work in violation of the provisions of a Stop Work  
10      Order or shall remove or cause to be removed a Stop Work Order sign still in effect and  
11      operation, may be liable for a civil fine in accordance with the provisions of this section. A civil  
12      fine imposed under this subsection is in addition to any other sanction provided by law. A civil  
13      fine may be assessed in conjunction with a written notice of violation or through the issuance of  
14      a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

15           R114.2.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is  
16       imposed through a notice of violation, the notice of violation shall state the amount of the civil  
17       fine and a description of the circumstances giving rise to the assessment. A civil fine imposed  
18       through a notice of violation shall not exceed one thousand dollars (\$1,000) per violation. Each  
19       day that a violation continues shall be deemed a separate offense. A civil fine assessed through a  
20       notice of violation shall be due and payable within 30 days after the Building Official issues the  
21       written notice.

22           R114.2.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written  
23       notice of violation assessing a civil fine under this section shall be a final decision of the Director  
24       or the Director's designee as is contemplated.

25           R114.2.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a

1 notice of violation has not been paid within 30 days after the written notice of violation, the  
2 Director may cause the written notice of violation to be recorded with the Director of Finance for  
3 Prince George's County. Recordation of the notice of violation shall constitute a lien on the  
4 subject property and shall be collected in the same manner as other County real estate taxes. The  
5 filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this  
6 subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in  
7 favor of an appellant regarding a civil fine imposed under this subsection, the Director of  
8 Finance shall release the tax lien.

9                   **R114.2.1.2 Civil Fine Imposed Through Civil Citation**

10                  R114.2.1.2.1 In the event that a responsible party does not comply with a notice of  
11 violation within the time period provided, including any period allowed by appeal, and upon  
12 verification by the Director or the Director's designee that the violation still exists, the Director  
13 or the Director's designee may issue upon the responsible parties a civil citation pursuant to  
14 Subtitle 28, Division 3, of this Code.

15                  R114.2.1.2.2 Separate Violation: Each day the violation continues is deemed a separate  
16 offense and is subject to an additional citation and fine in the same dollar amount as the repeat  
17 citation(s).

18                  R114.2.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed  
19 under this subsection is in addition to any other sanction provided by law.

20                   **R114.2.1.3 Administrative Citation**

21                  R114.2.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.2.1.2 above,  
22 upon verification of a violation of this Section, the Director or Director's designee may issue  
23 upon the responsible parties an administrative citation as that term is defined in Section 13-  
24 1121.

25                  R114.2.1.3.2 In addition to any other matters that the Director prescribes, the issuance

1 of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125  
2 of this Code.

3 R114.2.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in  
4 accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-  
5 1130, 13-1131, and 13-1132 of this Code.

6 R114.4.1.3.4 A civil fine imposed through an administrative citation under this section  
7 shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days  
8 after the citation is issued. Each day that a violation continues shall be deemed a separate  
9 offense.

10 (c) Section R.114.3 is added and shall read as follows:

11 114.3 Disclosure Requirements:

12 114.3.1 Disclosure to Prospective Purchaser or Lessee: When a stop work order has  
13 been issued under this Subtitle and remains effective at the time of a prospective transfer or  
14 lease, the owner shall provide notice of the stop work order to a prospective purchaser or lessee.

15 114.3.2 Recordation: The Director shall record evidence of a stop work order issued  
16 under this Subtitle among the land records in the Circuit Court for Prince George's County.

17 **Sec. 4-255.02. Roof Assemblies; Section R903 Weather Protection.**

18 Section R903.4.2 is added to read as follows: "Gutters and Downspouts." Unless  
19 constructed with parapet walls and coping, all exterior walls shall be provided with gutters and  
20 downspouts or leaders to dispose of roof drainage to comply with the International Plumbing  
21 Code.

22 \* \* \* \* \* \* \* \*

23 **SUBTITLE 4. BUILDING.**

24 **DIVISION 1. BUILDING CODE.**

25 **SUBDIVISION 5. INTERNATIONAL ENERGY CONSERVATION CODE.**

1 **Sec. 4-256. - Building Envelope Requirements; C402.2.1.1, Roof Solar Reflective and**  
2 **Thermal Emittance.**

3 Section C402.2.1.1. is amended to read as follows: Low sloped roofs, with a slope less than  
4 2 units vertical in 12 horizontal, directly above cooled conditioned spaces in Climate Zones 1, 2,  
5 3 and 4 shall comply with one or more options in Table C402.2.1.1.

6 **Sec. 4-257. - Building Envelope Requirements. Table C402.3. Fenestration.**

7 Table C402.3 is amended to read as follows: SHGC is Climate Zone 4 is changed from .40  
8 to .35.

9 **Sec. 4-258. - Electrical Power and Lighting Systems (Mandatory); C405.2.1 Occupant**  
10 **Sensor Controls.**

11 Section C405.2.1 Occupant sensor controls shall be installed in all classrooms,  
12 conference/meeting rooms, employee lunch and break rooms, private offices, restrooms, storage  
13 rooms, janitorial closets, enclosed stairways, and other spaces 300 square feet ( $28m^2$ ) or less  
14 enclosed by floor-to-ceiling height partitions. These automatically turn off lights within 30  
15 minutes of all occupants leaving the space, and shall turn the lighting on to not more than 50  
16 percent power.

17 **Sec. 4-259. - Electrical Power and Lighting Systems (Mandatory); C405.2.4. Specific**  
18 **Application Controls.**

19 Section C405.2.4 7. Lighting for parking areas shall have automatic controls so that after 15  
20 minutes of non-activity, lighting power density can be reduced by 30 percent.

21 **Sec. 4-260. - Electrical Power and Lighting Systems (Mandatory); C405.10. Solar Energy**  
22 **Systems.**

23 Section C405.10. Provide adequate on-site access for solar energy systems and provide  
24 interconnection pathways to building distribution. Documentation must be provided through  
25 construction documents and the main electrical service panel.

**1 Sec. 4-261. - Additional Efficiency Package Options; C406.5. On-site Renewable Energy.**

2 Section C406.5. Total minimum ratings of on-site renewable energy systems shall comply  
3 with one of the following: 1. Provide not less than 1.75 Btu (1850 W), or not less than 0.50 watts  
4 per square foot ( $5.4 \text{ W/m}^2$ ) or conditioned floor area. 2. Provide not less than 5 percent of the  
5 energy used within the building for building mechanical and service water heating equipment  
6 and lighting regulated in this chapter.

**7 Sec. 4-262. - Additional Efficiency Package Options; C406.5, District Energy Systems.**

8 Section C406.5 is added to read as follows: A minimum of 40 percent of heating and  
9 cooling load as calculated in section C403.2.2 must be provided by a district energy system.

**10 Sec. 4-263. - Additional Efficiency Package Options; C406.9. Water Heating Needs.**

11 Section 406.9. Hotels, motels, hospitals, restaurants, buildings with residential occupancies,  
12 building with laundry facilities or other high process service water heating needs or buildings  
13 showing a service hot water load of 10 percent or more of total building energy shall provide at  
14 least forty percent (40%) of hot water through instantaneous or tankless fuel-fired water heating  
15 systems, waste heat recovery from equipment or Combined Heat and Power (CHP), solar water  
16 heating system.

17 \* \* \* \* \* \* \*

**SUBTITLE 4. BUILDING.****DIVISION 2. ENFORCEMENT****20 Sec. 4-264. Subpoena Power.**

21 (a) In the administration and enforcement of Subtitles 4, 5, and 13, the Prince George's  
22 County Department of Permitting, Inspections and Enforcement, has the power to issue  
23 subpoenas necessary to effectuate the duties and responsibilities of permit issuance, inspections  
24 and enforcement.

25 (b) Service of subpoena. Any such subpoena shall be served by:

(1) certified mail, return receipt requested (with service by certified mail being complete upon delivery and proof being shown by the green return receipt card); or

(2) personal service of process by:

(A) a competent private person, 18 years of age or older, who is not a party to the action; or

(B) the sheriff or deputy sheriff of the political subdivision in which is located the residence of the person or the main office of the firm, association, partnership or corporation against whom or which the subpoena is issued.

**(c) Enforcement of Subpoena.**

(1) In case of failure to comply with a subpoena, the County, on behalf of the Prince George's County Department of Permitting, Inspections and Enforcement, may apply to a court of appropriate jurisdiction for an order requiring the attendance and testimony of witnesses and/or the production of records and documents, and/or the taking of interrogatories and depositions.

(2) After notice to the person subpoenaed as a witness or directed to produce records and documents, and upon a finding that the attendance and testimony of the witness or the production of the records and documents is relevant or necessary for the ability to issue permits, conduct inspections and enforce Subtitles 4, 5 and 13 of the Prince George's County Code, the court may issue an order requiring the attendance and testimony of the witness and the production of the records and documents. Any failure to obey such an order of the court may be punished as contempt of court.

**Sec. 4-265. through Sec. 4-269. Reserved.**

\* \* \* \* \*

#### **SUBTITLE 4. BUILDING.**

### **DIVISION 3. ELECTRICAL VEHICLE CHARGING INFRASTRUCTURE.**

**Sec. 4-270. - Electric Vehicle Charging Infrastructure.****(a) Definitions**

(1) "Electric Vehicle" is a vehicle, whether hybrid or not, that is powered by an electric motor drawing current from rechargeable storage batteries, fuel cells, or other portable sources of electrical current, and which may include a nonelectrical source of power designed to charge batteries and components.

(2) "Electric Vehicle Supply Equipment" is a device that supplies electricity to an electric vehicle, commonly called charging stations or charging docks, it provides electric power to the vehicle and use that to recharge the vehicle's batteries.

(3) "Level 2 Electric Vehicle Charging Station Ready Outlet" is an outlet/receptacle with a 50 amp, 240 volt rating, for purposes of connecting a Level 2 electric vehicle charging station.

(4) "Level 2 Charging" means that the charging capability of the electric vehicle charging outlet includes the ability to charge a battery or any other storage device in an electric vehicle through means of an alternating current electrical service that meets applicable industry safety standards and future changes to the National Electrical Code as adopted in Subtitle 9 of this Code.

(5) "Dedicated Level 2 Charging Device" means electric vehicle supply equipment, for example a charging station or similar device, hardwired into an appropriate dedicated circuit that is capable of delivering 7 kilowatts or more of electricity for the purposes of level 2 electric vehicle charging.

**(b) Scope.**

(1) This section applies only to the construction of new dwelling units with a garage, carport or driveway including:

(a) Single Family Detached;

- (b) Townhouses and Duplexes;
- (c) Three-family;
- (d) Two-family; and
- (e) conversions of single-family detached dwellings.

This section does not apply to:

- (a) Manufactured homes (mobile homes) and industrialized dwellings and
- (b) New dwelling units that do not have electric utility available.
- (c) Dwelling units with building permits approved prior to July 1,

(1) For new dwelling unit construction subject to this section:

(a) A residential dwelling unit with a garage, carport, or driveway shall be provided with one Level 2 Electric Charging Station Ready Outlet, on a dedicated circuit of the intended vehicle parking location, that is able to provide Level 2 appropriate electric vehicle supply equipment is connected; or

(b) A residential dwelling unit with a garage, carport or driveway shall contain one Level 2 Charging Device.

(2) Electric Vehicle Charging Station Ready Outlets shall be labeled for their intended use for electric vehicle charging.

## **Sec. 4-271. - Electric Charging Stations.**

(a) DPIE shall implement a review process for permits to install electric vehicle charging stations on properties improved with the following uses:

(1) Single Family Detached dwelling uses;

- (2) Townhouses and Duplexes;
- (3) Converted structures originally used as a single-family detached dwelling unit; and
- (4) Multi-Family dwellings.

(b) Each electric station installed shall meet the standards in the residential electric vehicle charging station permitting guidelines established by DPIE.

**Sec. 4-272. through Sec. 4-315. - Reserved.**

\* \* \* \* \*

#### **SUBTITLE 4. BUILDING.**

## **DIVISION 4. RESERVED.**

Sec. 4-316. through Sec 4-344. - Reserved.

\* \* \* \* \*

#### **SUBTITLE 4. BUILDING.**

## **SECTION 5. ADMINISTRATIVE PROVISIONS.**

**Sec. 4-345. Requirements for Grading, Building Construction, Removal, etc., generally.**

(a) The regulations contained in this Subtitle and the provisions of its Divisions jointly construed shall control all matters concerning grading, drainage, and erosion control, and the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures and their service equipment, and shall apply to existing or proposed buildings and structures in the County, except such matters as are otherwise provided for in the Prince George's County Code, in the rules and regulations pertaining to the Washington Suburban Sanitary District as lawfully adopted by the Washington Suburban Sanitary Commission pursuant to the authorities contained in its organic statute, in Subtitle 27 of this Code adopted by the Prince George's County Council sitting as the District Council for that part of the Maryland-Washington Regional District in the County, as the same may from time to

1 time be amended and in all laws having general application in the County under the public  
2 general and public local laws of the State, as well as rules and regulations of Maryland State  
3 departments or agencies.

4 (b) All work done under any permit issued under this Subtitle, except as provided in  
5 Subsection (k), below, shall be in full prior compliance with Subtitle 27 of this Code, including  
6 obtaining a Special Exception for the intended use; the rules and regulations of the Washington  
7 Suburban Sanitary Commission, where applicable; the regulations of Subtitle 11, Subtitle 23,  
8 Subtitle 25, and any other applicable provisions of the Prince George's County Code; or any  
9 other statute, ordinance, or regulation officially and lawfully adopted by State, Bi-County, or  
10 County agencies that are applicable in the County.

11 (c) No building permit shall be issued or granted for any building or structure in Prince  
12 George's County to be served by water supply systems or sewerage systems for which service  
13 from said system or systems cannot or will not be provided by the estimated completion date of  
14 the building or structure for which the permit is requested.

15 (d) No building permit shall be issued or granted for any building or structure in Prince  
16 George's County where the agency having jurisdiction over the provision of water supply or  
17 sewerage systems certifies that existing water supply or sewerage systems are inadequate to  
18 serve said building or structure, taking into account all other existing developments and  
19 developments approved for service by said agency within the service area.

20 (e) The applicant for the building permit is required to exhibit a copy of an approved  
21 Washington Suburban Sanitary Commission House Connection and Plumbing Application or a  
22 valid Washington Suburban Sanitary Commission Plumbing Permit for the building or structure  
23 for which the building permit is requested. Said documents are to serve as certification by that  
24 agency as to the availability and adequacy of the water supply and/or sewerage system. Where  
25 the water supply and/or sewerage system is not available but service has been previously

1 authorized by the Commission, the applicant for the building permit is required to submit a  
2 separate statement which shall be provided by the Washington Suburban Sanitary Commission  
3 specifying the projected date when such water and/or sewerage service can be provided to the  
4 proposed use.

5 (f) The applicant for the building permit is required at the time application is made to  
6 indicate his best estimated starting and completion dates of the construction of said building or  
7 structure.

8 (g) The Director or the Director's designee shall make a determination, based on normal  
9 construction procedures as evidenced by progress determined from comparable projects, as to the  
10 reasonableness of the applicant's estimated completion date for his building or structure. If the  
11 Director or the Director's designee determines that the applicant's time estimate is unreasonable,  
12 he shall advise the applicant, in writing, as to his reasons for such a determination. The applicant  
13 shall then be given the opportunity to either justify his previous estimate or to submit a new  
14 estimate. If the Director or the Director's designee still considers the applicant's estimate to be  
15 unreasonable, then the applicant shall have recourse to the Board of Appeals for Prince George's  
16 County to challenge the Director's or the Director's designee's determination. The Director or the  
17 Director's designee shall then compare the estimated completion dates with the dates given for  
18 the availability of water supply or sewerage systems to insure that the availability date is not later  
19 than the estimated completion date for the building or structure for which the building permits  
20 are requested.

21 (h) The issuance or granting of a building permit is specifically prohibited when the  
22 agency having jurisdiction over the provision of water supply or sewerage system is unable to  
23 provide an estimated date(s) when such service will be made available.

24 (i) No building permit shall be issued until such time as provisions have been made and  
25 approved for the improvement of adjacent or abutting streets, or provisions for their

1 improvement have been accomplished under the provisions of Subtitle 23, or the regulations of  
2 the appropriate municipality when such permit is requested for work to be accomplished within a  
3 municipality. The Director or the Director's designee is hereby authorized and directed to assist  
4 in the enforcement of such statutes, ordinances, and regulations to the full extent of the powers  
5 delegated to him in this Division.

6 (j) Permits applied for prior to July 1, 1992, for sanitary landfills and for clean earth fills,  
7 when not pursuant to an approved plan of development, shall be exempted from compliance with  
8 the provisions of Division 2 of Subtitle 25 of this Code.

9 (k) No building permit shall be recommended for approval by the Planning Board or its  
10 authorized representative, or issued by the Department of Permitting, Inspections, and  
11 Enforcement, for any building or structure in Prince George's County on a lot or parcel of land  
12 that is located within the area of an adopted and approved Area Master Plan which includes a  
13 Zoning Proposal that has been prepared pursuant to the provisions of the Zoning Ordinance, or a  
14 Sectional Map Amendment which has been transmitted by the Planning Board to the District  
15 Council pursuant to the provisions of the Zoning Ordinance, if the lot or parcel is in a  
16 nonresidential zone, was proposed by the Planning Board for a less intense zone in which the  
17 proposed use is not permitted, and is undeveloped, until final action on the Sectional Map  
18 Amendment by the District Council. This Subsection shall not apply to a lot or parcel of land for  
19 which a grading permit has been issued by Prince George's County, sediment and erosion control  
20 devices have been installed by the permittee, and site grading activities have been initiated by the  
21 permittee.

22 (l) For a project participating in the Department of Permitting, Inspections, and  
23 Enforcement's Peer Review Program for Building/Site-Road Permits or Third Party Plan Review  
24 Program for Building Permits, as established by the department, [every agency] all agencies with  
25 responsibility relating to the approval of the project's building and/or grading permits, which

1 includes the Department of Permitting, Inspections, and Enforcement, Prince George's County  
2 Department of Public Works and Transportation, Prince George's County Health Department,  
3 Prince George's County Fire/EMS Department, Maryland-National Capital Park and Planning  
4 Commission, Washington Suburban Sanitary Commission and Prince George's Soil  
5 Conservation District, shall exercise best efforts to ensure the issuance of the building and/or  
6 grading permit(s) for the project within fifteen (15) business days of the project's participation in  
7 the Peer Review Program or Third Party Plan Review Program. The fifteen business day time  
8 frame includes ten (10) business days for the first review cycle and five (5) business days for the  
9 second review cycle of every agency involved in the review process as required. This time frame  
10 does not include the time required for the design professional and permittee to respond to and  
11 address permit plan comments.

12 (m) An existing building in the C-S-C (Commercial Shopping Center) Zone with an  
13 original use and occupancy permit for a food or beverage store issued on or before May 1, 1965,  
14 with said use located in a building that was constructed prior to November 29, 1949, for which  
15 an off-site sales Class A beer, wine, and liquor license issued by the Board of License  
16 Commissioners for Prince George's County pursuant to Title 26 of the Alcoholic Beverages  
17 Article of the Annotated Code of Maryland on or before July 1, 2016, shall be permitted to  
18 perform interior and exterior renovations related to storage, pursuant to the terms of its Class A  
19 license, to improve and/or expand the facility by an area not to exceed twenty percent (20%) of  
20 the existing square footage of the current enclosed area and shall not be required to obtain a  
21 building permit to make such renovations or improvements.

22 **Sec. 4-346. - Issuance of Certificates of Occupancy.**

23 No certificates of occupancy for any building or structure erected, repaired, changed to a  
24 different use, or transferred to a new owner or occupant shall be issued unless such building or  
25 structure was erected, altered, or repaired and is otherwise in compliance with the provisions of

1 this Division and other provisions of State or local laws, ordinances, and regulations.

2 **Sec. 4-347. - Exemptions to Subtitle.**

3 (a) Procedure: The County Council may exempt, upon specific request, from the  
4 requirements of this Subtitle, all grading, buildings, or other structures within the corporate limits  
5 of any Prince George's County municipality, with planning and zoning authority, whenever the  
6 County Council determines, by resolution, that the building regulations and administrative  
7 procedures of said municipality and the enforcement thereof are as adequate and equally  
8 effective as the County's building and grading regulations, any other applicable regulations and  
9 administrative procedures presently or hereafter enacted. Said exempting resolution may include  
10 any conditions, restrictions, or requirements deemed necessary by the County Council. An  
11 official copy of any building permit approved and issued, with all attachments, shall be  
12 forwarded, within three (3) business days immediately following issuance, to the State  
13 Supervisor of Assessments within the County and the Building Official.

14 (b) Compliance with Zoning Ordinance: Where applicable, permits issued shall comply  
15 with zoning laws and shall be referred to the Prince George's County Planning Board for review  
16 and recommendations respecting zoning requirements.

17 (c) Referral: Whenever any municipality, delegated authority under the provisions of this  
18 exemption, determines that it lacks the necessary expertise to review an application and issue a  
19 permit subsequent thereto, said application shall be referred to the County Building Official for  
20 appropriate action. If so referred, compliance shall be had with all applicable provisions of this  
21 Subtitle including fee requirements. Administration and enforcement shall be pursuant to this  
22 Subtitle.

23 **Sec. 4-348. - Exemption from fees.**

24 (a) Upon certification by the Superintendent of Schools that a construction project is a part  
25 of an educational program of the Prince George's County Public Schools, the Building Official

1 shall waive any fees that would be otherwise required by this Subtitle.

2 (b) The Building Official shall waive any fees that would be otherwise required by this  
3 Subtitle for any construction project that is undertaken by the Prince George's County Public  
4 Schools, Office of Central Services, Department of the Environment, Department of Public  
5 Works and Transportation, The Maryland National Capital Park and Planning Commission,  
6 Department of Parks and Recreation, Fire and Emergency Medical Services, Redevelopment  
7 Authority, Revenue Authority, Homeland Security, and the Prince George's County Community  
8 College, Memorial Library, Police Department, and Circuit Court.

9 (c) The Building Official may waive any fees that would be otherwise required by this  
10 Subtitle for any new construction project that is undertaken by a hospital, as defined by Section  
11 12-130(a)(1) of the County Code. The Building Official may require such information as  
12 necessary to determine a waiver under this subsection.

13 **Sec. 4-349. - Administration and Enforcement of Subtitle — Generally.**

14 (a) Administration and enforcement of this Subtitle shall be by the Department of  
15 Permitting, Inspections, and Enforcement, and the executive official in charge thereof shall be  
16 known as the Building Official.

17 (b) The Building Official shall be designated by the Director of Permitting, Inspections,  
18 and Enforcement as a classified employee under Subtitle 16, Personnel, of this Code. The  
19 Building Official shall, with the approval of the Director of Permitting, Inspections, and  
20 Enforcement, designate such number of officers, technical assistants, inspectors, and other  
21 employees as shall be necessary for the administration of this Subtitle. The Building Official  
22 may designate an employee as his Deputy who shall exercise all the powers of the Building  
23 Official during the temporary absence or disability of the Building Official.

24 (c) The Building Official shall have the power and the duty to enforce the provisions of  
25 this Subtitle and all fees provided in this Subtitle shall be paid to the order of Prince George's

1 County. All permits and certificates shall be issued by the Building Official in the name of  
2 Prince George's County.

3 **Sec. 4-350. - Same — Interpretations, etc., by Building Official.**

4 Wherever in the regulations provided for in this Subtitle it is provided that anything shall be  
5 done to the approval of or subject to the direction of the Building Official, this shall be construed  
6 to give the Building Official only the discretion of determining whether the rules and standards  
7 established by this Subtitle have been complied with, and no such provision shall be construed as  
8 giving any officer discretionary powers to establish such regulations or standards or power to  
9 require conditions not prescribed by this Subtitle or any other ordinance of the County or to  
10 enforce any provisions of this Subtitle in an arbitrary or discriminatory manner.

11 **Sec. 4-351. - Same — Stop Work Orders.**

12 (a) Whenever any work is being done in violation of the provisions of this Subtitle or in  
13 variance with the term of any permit issued for such work, the Building Official or his duly  
14 authorized representative may order all or part of the work on the job stopped until such violation  
15 or variance is eliminated and any work or installation made in violation of this Subtitle is  
16 corrected. Such "stop work order," if oral, shall be followed by a written "stop work order"  
17 within twenty-four (24) hours (excluding Saturday, Sunday, or holidays).

18 (b) It shall be unlawful to do or perform any work in violation of such "stop work order,"  
19 except as may be necessary to prevent injury or damage to persons or property.

20 (c) The "stop work order" shall contain, or be accompanied by, a written notice indicating  
21 that there is a right to a hearing before the Building Official or his designee. Such request for a  
22 hearing may be filed in writing or in person at the Office of the Building Official. The owner or  
23 permittee affected by such "stop work order" shall be entitled to such hearing as quickly as  
24 feasible, but at least within twenty-four (24) hours of receipt of such request for hearing by the  
25 Building Official. The Building Official, or a designated impartial member of his staff who has

1 or is delegated authority to act, shall afford the owner or permittee a fair hearing with an  
2 opportunity to present evidence or testimony that is relevant to the "stop work order." The owner  
3 or permittee shall be afforded reasonable notice of the time and place of the hearing at the time  
4 of the request in person, or by telephone or other appropriate means if the request is forwarded in  
5 writing.

6 **Sec. 4-352. - Fee Schedule.**

7 (a) General: No permit to begin work for new construction, alteration, removal,  
8 demolition, or other building operation shall be issued until the fees prescribed in the Table of  
9 Fees have been paid to Prince George's County, nor shall an amendment or revision to a permit  
10 necessitating an additional fee be approved until the additional fee has been paid. The fee for  
11 each building permit shall be based on the total construction cost of the building, structure,  
12 and/or any other improvement of the property or by applying the Building Valuation Data  
13 Method (BVDM) for which such building permit is obtained.

14 (b) Special Fees: The payment of the fee for construction, alteration, removal, or  
15 demolition and for all work done in connection with or concurrently with the work contemplated  
16 by a building permit shall not relieve the applicant or holder of the permit from the payment of  
17 other fees that may be prescribed by law or ordinance for water taps, sewer connections,  
18 electrical permits, mechanical permits, erection of signs and display structures, marquees, or  
19 other appurtenant structures, or fees for inspections, certificates of use and occupancy, or other  
20 privileges or requirements, both within and without the jurisdiction of the Department of  
21 Permitting, Inspections, and Enforcement.

22 (c) Planning Board Review Fee: Upon the filing of a permit application required by the  
23 Zoning Ordinance to be reviewed by the Prince George's County Planning Board, the applicant  
24 shall pay to the Planning Board a fee to help defray the costs related to permit review. The fee  
25 for such permit review shall be Five Dollars (\$5.00), which shall be collected by the Department

1 of Permitting, Inspections, and Enforcement and remitted to the Planning Board.

2 (d) New Buildings, Additions, or Enlargements: Permit fees shall be based upon the area  
3 as calculated from exterior dimensions of all floors including balconies, mezzanines, basements,  
4 cellars and porches, and square foot construction costs set forth in the Building Valuation Data  
5 "Type of Construction Factor" published by the International Code Council, corresponding to the  
6 appropriate use group and type of construction and a fee multiplier of 0.0080.

7 (e) Alterations and Repairs on Existing Buildings—No Enlargement: The fee for repairs  
8 and alterations of any building or structure shall be as prescribed in the Table of Fees. Proof of  
9 the amount of contract may be required prior to issuance of the Building Permit and kept as a  
10 permanent record of the permit. Cost estimates shall be computed on the basis of standard  
11 construction estimating practices as reflected in the current Mean's Construction Cost Data or  
12 equivalent authority.

13 (f) Townhouses: Permit fees shall be based upon the area (as calculated from exterior  
14 dimensions) of all floors including balconies, mezzanines, basements, cellars and porches,  
15 specialty items, and square foot construction costs set forth in the Building Valuation Data "Type  
16 of Construction Factor" published by the International Code Council, corresponding to the  
17 appropriate use group and type of construction and a fee multiplier of 0.0080.

18 (g) Refunds: Except for stormwater management facilities, in any case where permits have  
19 been issued and no work has begun thereunder, the person who has paid the fee for said permit  
20 may return said permit for cancellation, and, upon the cancellation thereof, there shall be  
21 refunded to him the amount of said fees less the actual expenses (not to exceed fifty percent  
22 (50%) of the fee paid, but not less than the filing fee) incident to the issuance of said permit as  
23 determined by the Building Official; provided that the application for such refund shall be made  
24 within six (6) months after the issuance of said permit, after which time no refund may be made.  
25 No filing fee of any kind shall be refunded.

(h) Earnest Payment: Any earnest payment fees in excess of the total amount of the building permit fees shall be refunded to the applicant at the time of building permit issuance. Fees collected for earnest payment pursuant to Section 27-548.08 of the County Code shall be credited toward the total amount of building permit fees required by Prince George's County Codes.

(i) **Miscellaneous Building Permit Fees:** Beginning with the fiscal year 2009, and every fiscal year thereafter, the Director or the Director's designee shall submit a schedule of miscellaneous permit fees to the County Council for adoption by resolution. The schedule shall specify the amounts of the fees contained in this subsection (i) and may contain other provisions concerning fee administration. The fee adjustments shall reflect, at a minimum, the annual average increase in the Consumer Price Index for all urban consumers published by the United States Department of Labor, for the fiscal year preceding the year for which the amount is being calculated. The permit fees may be adjusted using a method established by the International Code Council's Building Safety Journal at the time of the adjustment, provided that the adjustments meet the minimum requirement stated above. The fees shall be rounded to the nearest Five Dollar increment.

(1) Minimum Permit Fee.

(A) One- and Two-Family Dwellings.

(B) Commercial Buildings.

(2) Filing Fee.

### (3) Re-Inspection.

(A) One- and Two-Family Dwellings.

(B) Commercial Buildings.

(4) Inspection After Hours.

**(5) Permit Revision/Modification.**

- (6) Use and Occupancy.
  - (A) One- and Two-Family Dwellings.
  - (B) Commercial Buildings.
  - (C) Investigation for Partial Occupancy.
- (7) Plans Revision.
  - (A) One- and Two-Family Dwellings.
  - (B) Commercial Buildings.
- (8) Finishing Basement (One- and Two-Family Dwellings).
- (9) Renewing a Permit.
  - (A) One- and Two-Family Dwellings.
  - (B) Commercial Buildings.
- (10) Private In-Ground Pool.
- (11) Private Above-Ground Pool.
- (12) Commercial Swimming Pools.
- (13) Raze Permits.
  - (A) One- and Two-Family Dwellings.
  - (B) Commercial Buildings.
- (14) Moving a Building.
- (15) Revising Permit Applications.
- (16) Elevators.
- (17) Chair Lift.
- (18) Fence Permit.
- (19) Decks.
- (20) Gazebos.
- (21) Change of Ownership.

- 1       (22) Temporary Use and Occupancy.
- 2       (23) Partial Use and Occupancy.
- 3       (24) Special Investigation.
- 4       (25) Accessory Buildings such as Sheds, 150 Square Feet and Larger.
- 5       (26) Accessory Buildings such as Sheds, Smaller than 150 Square Feet.
- 6       (27) Sunrooms, Porches and Garages (attached or detached).
- 7       (28) Carports.
- 8       (29) Fire Damage.
- 9       (30) Driveways.
- 10      (31) Mobil/Replacement Homes.
- 11      (32) Fireplaces (One- and Two-Family Dwellings).
- 12      (33) Retaining Walls, Two Feet and Taller.
- 13      (34) Patios, Five Hundred Square Feet and Larger.
- 14      (35) Patios, under Five Hundred Square Feet.
- 15      (36) Pole Bases.
- 16      (37) Awnings.
- 17      (38) Open Pit.
- 18      (39) Waterproofing.
- 19      (40) Wheelchair Ramps.
- 20      (41) Roofing.
- 21      (42) Satellite Dishes, Two Feet in Diameter and Larger.
- 22      (43) Observation Stands.
- 23      (44) Solar Panels.
- 24      (45) Freestanding Signs.
- 25      (46) Wall Mounted Signs.

1 (47) Tanks, Above or Under Ground.

2 (48) Telecommunications Antennas.

3 (49) Telecommunications Towers.

4 (50) Electrical.

5 (51) Mechanical.

6 (52) Fire Protection.

7 (A) Sprinkler Heads.

8 (i) Residential Buildings (One- and Two-Family Dwellings).

9 (ii) Commercial Buildings.

10 (B) Fire Alarms.

11 (53) Post Construction Permit Fee. [() These fees are in addition to the standard permit fee  
12 schedule as prescribed in the Table of Fees, [s]Section 2-253.63, Attachment A and as published  
13 on the Department of Permitting, Inspections and Enforcement [DPIE] website.()]

14 (A) Residential One- and Two-Family Dwellings and Grading, Clearing, Storm  
15 Water Management, Storm Drain, and Paving unpermitted construction.

16 (i) Building – [\$250.00] \$500.00

17 (ii) Electrical – [\$250.00] \$500.00

18 (iii) Mechanical – [\$250.00] \$500.00

19 (iv) Fire Protection – [\$250.00] \$500.00

20 (vi) Geotechnical – [\$250.00] \$500.00

21 (vii) Civil – [\$250.00] \$500.00

22 (B) Commercial Building and Grading, Clearing, Storm Water Management,  
23 Storm Drain, and Paving unpermitted construction.

24 (i) Building – [ \$1000.00] \$2000.00

25 (ii) Electrical – [\$1000.00] \$2000.00

- (iii) Mechanical – [\$1000.00] \$2000.00
- (iv) Fire Protection – [\$1000.00] \$2000.00
- (vi) Geotechnical – [\$1000.00] \$2000.00
- (vii) Civil – [\$1000.00] \$2000.00

(C) Second Offense Post Construction Fees. Additional permit fees for a second or subsequent offense within twenty-four (24) months will be based assessed. The Department of Permitting, Inspections and Enforcement will base the increased Post Construction Permit Fee on the following: applicant's name, property owner, and/or company affiliated with the unpermitted construction.

(i) Residential One- and Two-Family Dwellings and Grading, Clearing, Storm Water Management, Storm Drain, and Paving unpermitted construction.

- (a) Building – [ \$500.00 ] \$1000.00
- (b) Electrical – [ \$500.00 ] \$1000.00
- (c) Mechanical – [ \$500.00 ] \$1000.00
- (d) Fire Protection – [ \$500.00 ] \$1000.00
- (e) Geotechnical – [ \$500.00 ] \$1000.00
- (f) Civil – [ \$500.00 ] \$1000.00

(ii) Commercial Building and Grading, Clearing, Storm Water Management, Storm Drain, and Paving [U]unpermitted construction.

- (a) Building – [\$1000.00] \$3000.00
- (b) Electrical – [\$1000.00] \$3000.00
- (c) Mechanical – [\$1000.00] \$3000.00
- (d) Fire Protection – [\$1000.00] \$3000.00
- (e) Geotechnical – [\$1000.00] \$3000.00
- (f) Civil – [\$1000.00] \$3000.00

(54) Preliminary Design Meeting — The Building Plan Review Division Engineers meeting with Developers, Owners, Architects and Professional Engineers to discuss the proposed new construction and or alteration/repair to an existing building and to aid, recommendation and guidelines to comply with County Construction Codes. The cost of the Preliminary Design Meeting is as prescribed in the Table of Fees, section 2-253.63, Attachment A and as published on the Dpie website, plus the technology fee.

(55) Variance Review — As prescribed in the Table of Fees, section 2-253.63, Attachment A and as published on the DPIE website.

(56) Review and Inspection of Swimming Pools & Spas — As prescribed in the Table of Fees, section 2-253.63, Attachment A and as published on the DPIE website, plus the technology fee.

(57) Raze Inspections - Commercial — As prescribed in the Table of Fees, section 2-253.63, Attachment A and as published on the Dpie website.

(58 ) Raze Inspections - Residential — As prescribed in the Table of Fees, section 2-253.63, Attachment A and as published on the DPIE website.

(j) Reserved.

(k) Reserved.

(1) Reserved.

(m) Reserved.

(n) School Facilities Surcharges:

(1) Upon the issuance of a building permit for new residential construction for which a building permit application has been made on or after July 1, 1996, the applicant shall pay a school facilities surcharge, with the exception of a permit for the construction of:

(A) Dwellings for the elderly which are operated in accordance with State and Federal fair housing laws within an apartment house for the elderly, an assisted living

1 facility, a congregate living facility, a mixed residential development, or planned retirement  
2 community;

3 (B) A single-family detached dwelling to be built or subcontracted by an  
4 individual owner in a minor subdivision and intended as the owner's personal residence;

5 (C) Improvements on property in an infrastructure finance district approved  
6 before January 1, 2000; or

7 (D) Multifamily housing designated as student housing within one and one-  
8 half (1 1/2) miles of the University of Maryland, College Park Campus, under the following  
9 conditions:

10 (i) A multifamily project that includes the following features:

11 (aa) A minimum of one (1) bathroom per two (2) beds;

12 (bb) Appropriate locks will be provided on every bedroom door  
13 as permitted by the Life Safety Code;

14 (cc) At least seventy percent (70%) of bedrooms shall not  
15 exceed one hundred and forty-five (145) square feet or be smaller than standard market units  
16 (exclusive of the closet and bathroom);

17 (dd) Balconies shall not be permitted, but enclosed decks and  
18 patios shall be permitted on the ground floor;

19 (ee) At least ninety percent (90%) of dwelling units shall be  
20 furnished with a single or full bed and desk in each bedroom and appropriate seating for each  
21 resident in the living and dining areas;

22 (ff) Design of amenities shall be geared toward college students  
23 such as study rooms, computer rooms, club rooms and game rooms; and

24 (gg) Written evidence of a relationship with an institution of  
25 higher education in terms of one or more of the following: resident life services, shuttle bus

1 services, coordinated permit parking policies and telecommunications wiring.

2 (ii) A multifamily project that is exempt pursuant to subsection (D)(1)  
3 shall be assessed a school facilities surcharge at the time a building permit is issued for the  
4 conversion of a multifamily dwelling to standard market units.

5 (2) The amount of the school facilities surcharge for a building permit issued on or after  
6 July 1, 2003 shall be:

7 (A) Seven Thousand Dollars (\$7,000) if the building is located between  
8 Interstate Highway 495 and the District of Columbia;

9 (B) Seven Thousand Dollars (\$7,000) if the building is included within a basic  
10 plan or conceptual site plan that abuts an existing or planned mass transit rail station site  
11 operated by the Washington Metropolitan Area Transit Authority; or

12 (C) Twelve Thousand Dollars (\$12,000) for all other buildings.

13 (3) School Facility Surcharge in Municipal Corporations: Prior to the issuance of a  
14 building permit for new residential construction in a municipality with zoning authority and the  
15 authority to issue building permits, the applicant shall pay to the County a school facilities  
16 surcharge in the amount of:

17 (A) Seven Thousand Dollars (\$7,000) if the building is located between  
18 Interstate Highway 495 and the District of Columbia;

19 (B) Seven Thousand Dollars (\$7,000) if the building is included within a basic  
20 plan or conceptual site plan that abuts an existing or planned mass transit rail station site  
21 operated by the Washington Metropolitan Area Transit Authority; or

22 (C) Twelve Thousand Dollars (\$12,000) for all other buildings.

23 School Facilities Surcharge shall be in accordance with that established by Council Resolution at  
24 the beginning of each successive fiscal year effective July 1<sup>st</sup>.

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$7,870
All other buildings	\$13,493

1 CR-48-2008 established the school facilities surcharge for Fiscal Year 2009, effective July 1,  
 2 2008, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,177
All other buildings	\$14,019

3 CR-63-2009 established the school facilities surcharge for Fiscal Year 2010, effective July 1,  
 4 2009, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,120
All other buildings	\$13,921

1 CR-56-2010 established the school facilities surcharge for Fiscal Year 2011, effective July 1,  
 2 2010, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,299
All other buildings	\$14,227

3 CR-51-2011 established the school facilities surcharge for Fiscal Year 2012, effective July 1,  
 4 2011, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,565
All other buildings	\$14,682

5 CR-46-2012 established the school facilities surcharge for Fiscal Year 2013, effective July 1,  
 6 2012, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington	\$8,762

Metropolitan Area Transit Authority	
All other buildings	\$15,020

1 CR-66-2013 established the school facilities surcharge for Fiscal Year 2014, effective July 1,  
 2 2013, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$8,858
All other buildings	\$15,185

3 CR-55-2014 established the school facilities surcharge for Fiscal Year 2015, effective July 1,  
 4 2014 as follows:

Construction
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority F
All other buildings

5 CR-35-2015 established the school facilities surcharge for Fiscal Year 2016, effective July 1,  
 6 2015 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia	\$9,017

and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	
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All other buildings	\$15,458
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1 CR-50-2016 established the school facilities surcharge for Fiscal Year 2017, effective July 1,  
 2 2016 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,116
All other buildings	\$15,628

4 CR-57-2017 established the school facilities surcharge for Fiscal Year 2018, effective July 1,  
 5 2017 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,317
All other buildings	\$15,972

1 CR-38-2018 established the school facilities surcharge for Fiscal Year 2019, effective July 1,  
 2 2018 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,550
All other buildings	\$16,371

3 CR-55-2019 established the school facilities surcharge for Fiscal Year 2020, effective July 1,  
 4 2019 as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,741
All other buildings	\$1g,698

7 CR-44-2020 established the school facilities surcharge for Fiscal Year 2021, effective July 1,  
 8 2020 as follows:

Construction	Fee

Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$9,770
All other buildings	\$16,748

1 CR-65-2021 established the school facilities surcharge for Fiscal Year 2022, effective July 1,  
 2 2021, as follows:

Construction	Fee
Buildings located between Interstate Highway 495 and the District of Columbia and buildings included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority	\$10,180
All other buildings	\$17,451

3  
 4 (o) Public Safety Surcharge:

5 (1) Upon the issuance of a building permit for new residential construction for which a  
 6 building permit application has been made on or after July 1, 2005, the applicant shall pay a  
 7 public safety surcharge, with the exception of a permit for the construction of:

8 (A) New residential construction for which a preliminary plan has been approved  
 9 prior to July 1, 2005; or

10 (B) A single-family detached dwelling to be built or subcontracted by an  
 11 individual owner in a minor subdivision and that is intended to be used as the owner's personal  
 12 residence.

(2) The amount of the public safety surcharge for a building permit issued on or after July 1, 2005 shall be:

(A) Two thousand dollars (\$2,000) if the building is located in the developed tier, as defined by the Maryland-National Capital Park and Planning Commission in the 2002 Prince George's County approved General Plan;

(B) Six thousand dollars (\$6,000) for all other buildings.

**Editor's note**— CR-20-2006 partially waived the public safety surcharge for property included in the EYA Hyattsville Redevelopment Project and directed that the funds from the partially waived public safety surcharge will be used for a joint project between the County and the City of Hyattsville.

CR-54-2006 established the public safety surcharge for Fiscal Year 2007, effective July 1, 2006.

CR-22-2007 provides a waiver of the public safety facilities surcharge for the property included in the Newton Green Senior Housing Project in Bladensburg.

CR-51-2007 established the public safety surcharge for Fiscal Year 2008, effective July 1, 2007, as follows:

Construction	Fee
Developed Tier construction	\$2,124
All other buildings	\$6,371

CR-49-2008 established the public safety surcharge for Fiscal Year 2009, effective July 1, 2008, as follows:

Construction	Fee
Developed Tier construction	\$2,207
All other buildings	\$6,619

1 CR-64-2009 established the public safety surcharge for Fiscal Year 2010, effective July 1, 2009,  
 2 as follows:

Construction	Fee
Developed Tier construction	\$2,192
All other buildings	\$6,573

3 CR-55-2010 established the public safety surcharge for Fiscal Year 2011, effective July 1, 2010,  
 4 as follows:

Construction	Fee
Developed Tier construction	\$2,240
All other buildings	\$6,718

5 CR-50-2011 established the public safety surcharge for Fiscal Year 2012, effective July 1, 2011,  
 6 as follows:

Construction	Fee
Developed Tier construction	\$2,312
All other buildings	\$6,933

7 CR-45-2012 established the public safety surcharge for Fiscal Year 2012, effective July 1, 2012,  
 8 as follows:

Construction	Fee
Developed Tier construction	\$2,365
All other buildings	\$7,092

9 CR-65-2013 established the public safety surcharge for Fiscal Year 2014, effective July 1, 2013,

1 as follows:

Construction	Fee
Developed Tier construction	\$2,391
All other buildings	\$7,170

2 CR-130-2013 approves a partial waiver of the adequate public facilities surcharge for all  
3 residential units within the Patriots Landing Redevelopment Project.

4 CR-56-2014 established the public safety surcharge for Fiscal Year 2015, effective July 1, 2014,  
5 as follows:

Construction	Fee
Developed Tier construction	\$2,439
All other buildings	\$7,314

6 CR-34-2015 established the public safety surcharge for Fiscal Year 2016, effective July 1, 2015,  
7 as follows:

Construction	Fee
Developed Tier construction	\$2,434
All other buildings	\$7,299

8 CR-49-2016 established the public safety surcharge for Fiscal Year 2017, effective July 1, 2016,  
9 as follows:

Construction	Fee
Developed Tier construction	\$2,461
All other buildings	\$7,379

1 CR-56-2017 established the public safety surcharge for Fiscal Year 2018, effective July 1, 2017,  
2 as follows:

Construction	Fee
Developed Tier construction	\$2,515
All other buildings	\$7,541

4 CR-37-2018 established the public safety surcharge for Fiscal Year 2019, effective July 1, 2018,  
5 as follows:

Construction	Fee
Developed Tier construction	\$2,578
All other buildings	\$7,730

6 CR-54-2019 established the public safety surcharge for Fiscal Year 2020, effective July 1, 2019,  
7 as follows:

Construction	Fee
Developed Tier construction	\$2,630
All other buildings	\$7,885

8 CR-43-2020 established the public safety surcharge for Fiscal Year 2021, effective July 1, 2020,  
9 as follows:

Construction	Fee
Developed Tier construction	\$2,638
All other buildings	\$7,909

1 CR-66-2021 established the public safety surcharge for Fiscal Year 2022, effective July 1, 2021,  
 2 as follows:

Construction	Fee
Developed Tier construction	\$2,749
All other buildings	\$8,241

3 **Editor's note**— Chapter 431, Laws of Maryland 2003 provides that the school facility surcharge  
 4 shall be adjusted each year, beginning in Fiscal Year 2005, by the percentage change in the  
 5 Consumer Price Index for All Urban Consumers published by the United States Department of  
 6 Labor from the previous year. Section 2 of CB-31-2003 provides that the County Council shall  
 7 adjust the school facility surcharge by resolution.

8 **Sec. 4-353. through Sec. 4-355. - Reserved.**

9 **DIVISION 6. - RESERVED.**

10 **Sec. 4-356. through Sec. 4-379. - Reserved.**

11 \* \* \* \* \*

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

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

Adopted this 7<sup>th</sup> day of October, 2025.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:



Edward P. Burroughs, III  
Chair

ATTEST:



Donna J. Brown  
Clerk of the Council

DATE: 10/27/2025

BY:

APPROVED:



Aisha N. Braveboy  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

\* \* \* \* \*