

COMMISSIONERS OF BEL AIR
AGENDA
June 17, 2024

Ordinance 830-24 – CHAPTER 145 BUILDING CONSTRUCTION

RECOMMENDED MOTION: "... that Ordinance No. 830-24, rescinding and reenacting Chapter 145, Building Construction, of the Bel Air Town Code be received by the Board of Town Commissioners."

BACKGROUND

The International Code Council, Inc. (ICC) publishes several key building codes, including the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC), International Energy Conservation Code (IECC), and International Swimming Pool and Spa Code (ISPSC). Harford County adopted the 2021 editions of these codes on March 29, 2024, with specific amendments. The Harford County Department of Licenses, Inspections, and Permits serves as the building code review and inspection authority for the Town, by mutual agreement. To maintain consistency with the county's building codes, the Town of Bel Air should also adopt these codes and amendments.

PRIMARY ISSUES

Given the County Executive's request, Harford County Council has adopted the 2021 editions of the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC), International Energy Conservation Code (IECC), and International Swimming Pool and Spa Code (ISPSC) with amendments, effective March 19, 2024. In alignment with this decision and for consistency with our design review and inspection processes, it is prudent for the Town of Bel Air to also adopt these regulations for proper building design, construction, and maintenance within our jurisdiction.

DISCUSSION/EXPLANATION

The recommended motion includes various modifications and additions to Chapter 145, Building Code, along with amendments to the 2021 editions of the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC), International Energy Conservation Code (IECC), and International Swimming Pool and Spa Code (ISPSC). These adjustments aim to enhance the relevance of the 2021 codes to the construction requirements in our town. Proposed deletions are indicated by red strikethrough text, while additions are highlighted with underlined red text in the proposed ordinance.

RECOMMENDATION

The staff recommends that the proposed Ordinance No. 830-24 be received by the Board of Town Commissioners.

ORDINANCE NO. ~~798-21~~ 830-24

AN ORDINANCE TO AMEND the Code of the Town of Bel Air by deleting and repealing Chapter 145 thereof, Building Construction, and replacing it with a new Chapter 145 to be entitled Building Construction which provides for the adoption of the Town building code which chapter provides for the establishment of standards and safeguards for the proper design, acceptable installation and adequate maintenance of Building Construction within the Town of Bel Air, including but not limited to granting and revocation of permits and the fixing of penalties and fees for violation of the chapter.

BE IT ENACTED AND ORDAINED by the Board of Town Commissioners as follows:

Section 1.

The Bel Air Town Code be amended by deleting and repealing Chapter 145, Building Construction.

Section 2.

The Bel Air Town Code is hereby amended by adding thereto new Chapter 145, Building Construction, to read as follows:

- §145-1 Office of Building Official
- §145-2 General duties of the Building Official.
- §145-3 Right of Entry of Building Official.
- §145-4 Review and proposed construction in flood-prone areas.
- §145-5 Adoption of Building Code.
- §145-6 Definitions.
- §145-7 Changes and additions to the 2018~~21~~ International Building Code.
- §145-8 Changes and additions to the 2018~~21~~ International Residential Code.
- §145-9 ~~Adoption of the Changes and additions to the 2018~~21~~ International Mechanical Code.~~
- §145-10 Adoption of the 2021 International Energy Conservation Code with changes and additions.
- §145-11 Adoption of the 2021 International Swimming Pool and Spa Code with changes and additions.
- §145-1~~02~~ Effect on existing building permits.

§ 145-1 Office of Building Official.

- A. The office of Building Official is hereby created and the executive official in charge shall be known as the “Building Official”.
- B. The Building Official shall be appointed by the Bel Air Board of Town Commissioners.
- C. During temporary absence or disability of the Building Official, the appointing authority shall designate an Acting Building Official.

§ 145-2 General duties of the Building Official.

- A. The Building Official shall receive applications required by the Building Code, issue permits and furnish the prescribed certificates. The Building Official shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied

with and that construction is practiced safely. The Building Official shall enforce all provisions of the Building Code. The Building Official shall, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction or to require adequate exit facilities in buildings and structures, the Building Official shall issue such notices or orders as may be necessary.

- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or his/her duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services after investigation of their qualifications and reliability. No certificate called for by any provision in the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- C. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered and of notices or orders issued. The Building Official shall retain on file copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence.
- D. All such records shall be open to public inspection for good and sufficient reasons at the stated office hours but shall not be removed from the office of the Building Official without his/her written consent.
- E. Written reports shall be made to the Building Official's immediate superior once each month, or more often if requested, including statements of permits and certificates issued and orders promulgated.

§ 145-3 Right of Entry of Building Official.

The Building Official, in the discharge of official duties, and upon proper identification, shall have authority to enter any building, structure, or premises at any reasonable hours.

§ 145-4 Review and proposed construction in flood-prone areas.

The Director of Planning and Community Development of the Town of Bel Air or his/her designee shall be the agent of the Town Building Official for the purpose of reviewing all subdivision proposals, new development proposals and building permit applications for new construction or substantial improvements to determine whether the proposed building site is subject to the Town's flood management requirements as specified in Chapter 210 of the Town Code.

§ 145-5 Adoption of Building Code.

For the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, use and occupancy, location and maintenance of buildings and structures within the Town of Bel Air, including but not limited to the granting and revocation of permits and the fixing of penalties and fees, the Town of Bel Air hereby adopts the ~~2018~~2021 International Building Code, the ~~2018~~2021 International Residential Code, ~~and~~ the ~~2018~~2021 International Mechanical Code, 2021 International Energy Conservation Code with changes and additions, and the 2021 International Swimming Pool and Spa Code with changes and additions. (hereinafter referred to as the "Building Code" or "code") published by the International Code Council, Inc., and by reference thereto such codes are made a part of this chapter with the same force and effect as though set out in full herein, save and except as such changes, amendments, revisions, deletions, subsections and/or additions are specified in this chapter. If conflicts with this Code or with changes, amendments, revisions, deletions, subsections and/or additions to that code are found elsewhere in the code, the most restrictive provisions shall govern.

§ 145-6 Definitions.

As used in this code, the following terms shall have the meanings indicated:

Building Official - The Director of the Department of Public Works or his/her designee.

Department of Building Safety - The Department of Public Works.

ICC/ANSI A117.1 - The Maryland Accessibility Code set forth in Code of Maryland Regulations, Title 5, Subtitle 05.02.02.

~~2020~~2023 National Electric Code NFPA 70 - The electrical standards and regulations (Chapter 180 of the Bel Air Town Code).

~~2018~~2021 International Plumbing Code and The International Fuel Gas Code- The plumbing standards and regulations (Chapter 353 of the Bel Air Town Code).

§ 145-7 Changes and additions to the 2021 International Building Code.

A. The following subsections are changes or additions to certain sections of the ~~2018~~2021 International Building Code:

(1) Subsection 101.1 is hereby amended by substituting "Town of Bel Air" for "name of jurisdiction" in the second line.

(2) Subsection 101.2.1 is deleted, and the following is inserted in lieu thereof:

101.2.1 Appendices. Provisions in Appendix B, Board of Appeals, Group U - Agricultural Buildings; Appendix F, Rodent Proofing; and Appendix I, Patio Covers, are adopted as part of the Town of Bel Air Building Code."

(3) Subsection 101.4.1 is amended by adding "~~Reference Chapter 202 of the Harford County Code~~ Chapter 180 of the Town of Bel Air Town Code" at the end of this section.

(4) Subsection 101.4.3 is amended by adding "~~Reference Chapter 202 of the Harford County Code~~ Chapter 180 of the Town of Bel Air Code" at the end of this section.

(5) Subsection 101.4.4 is deleted, and the following is inserted in lieu of:

101.4.4 Subsection 104.4 is amended by deleting "The International Property Maintenance Code" starting in the second line. And replacing with Town of Bel Air Chapter 364 Property Maintenance.

(6) Subsection 101.4.7 is amended by adding "or the Maryland Rehabilitation Code (MBRC) set forth in COMAR 09.12.58" between the words "code" and "shall" in the second and by adding "the provisions of the International Existing Building Code shall be applicable to all structures where construction commenced prior to March 1, 1968, and legally existing structures permitted on or after March 1, 1968" at the end of this section.

(7) Subsection 103.1 is deleted.

(8) Subsection 103.3 is amended by deleting the last sentence: "For the maintenance of existing properties, see the International Property Code." and the following is inserted in lieu thereof:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Department of Public Works shall have the authority to employ the related technical officers, inspectors, plan examiners and other employees, such employees shall have the powers as delegated by the Building Official.

- (9) Subsection 104.6 is amended by adding a new sentence at the end of the subsection: "Nothing in this section shall be deemed to restrict or otherwise limit the provisions of any other section of the Town of Bel Air Code."
- (10) Subsection 105.1 is amended by adding "and the international fire code" between the words "code" and "or" in the sixth line.
- (11) Subsection 105.1.1 is deleted.
- (12) Subsection 105.1.2 is deleted.
- (13) Subsection 105.2 is amended by deleting the subheadings "Electrical", "GASes", "MECHANICALechanical" and "Plumbing" and by amending the subheading "Building" by adding and modifying the following sub-items:
1. The provisions of this code shall not apply to residential accessory structures not more than one story in height and that are 200 square feet or less in area and are not classified as Use Group H, High Hazard.
 9. Prefabrication and inground storable residential swimming pools accessory to group R-3 or one- and two-family dwellings that are less than 24 inches (610MM) deep, are not greater than 5,000 gallons (18,925L) and are installed entirely above ground.
 14. The provisions of this code shall not apply to the construction, alteration, or modification of an agricultural building, as defined in Section 202 and as identified in Appendix C, Subsection C101.1. A legally existing agricultural building shall not be considered as a 'change of occupancy' that requires a building permit if the subordinate use is in accordance with the limitations set forth in Sections 302.2, 302.2.1 and any code sections referenced therein of the 2003 International Building Code.
 15. One-story detached accessory structures to Use Group R-3, provided the floor area does not exceed 200 square feet.
 16. Construction trailers as defined in Chapter 2 of the International Building Code as adopted.
- (134) Subsection 105.2.2 is deleted, and the following is inserted in lieu thereof:
- 105.2.2 Repairs.** Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include cutting away of any walls, partition, or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress, or rearrangement of parts of a structure affecting the egress requirements, or other work affecting public health or general safety.
- (145) New Subsection 105.2.3 is added as follows:
- 105.2.3 Public Service Agencies.** A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or meeting or other related equipment that is under the ownership and control of public service agencies by establish right.
- (156) Subsection 105.3 is amended by adding "or electronically" after the word "writing" in the second line.

(167) Subsection 105.5 is amended by deleting "180 days" in the third line and inserting "12 months" in lieu thereof.

(178) New Subsection 105.6.1 is added as follows:

105.6.1 Withholding permits. The Building Official may withhold the issuance of any permit and/or place a hold on inspections if the applicant, the owner or any individual listed on the application as a responsible officer (if the applicant is a business entity) has failed to remedy or correct any existing/alleged violation of the Town Code on any construction projects in Bel Air, Maryland, for which the applicant has been cited by any state, county or municipal agency.

(189) New Subsection 105.8 is added as follows:

105.8 Transfer of permits. When a change of ownership occurs for a property for which a building permit application has been made or a permit has been issued, the application or permit may be transferred to the new property owner after submission to the Town of evidence of the transfer of ownership.

(1920) Subsection 106 is deleted in its entirety.

(201) Subsection 106.1 is deleted and the following is inserted in lieu thereof:

106.1 Live loads posted. In commercial or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50PSF (2.40 KN/m²) the Building Official shall have the authority to require such design live loads to be conspicuously posted by the owner or owner's authorized agent in the part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

(212) Subsection 107.3.2 is amended by deleting the phrase "within 180 days after the effective date of this code and has not been abandoned." Beginning in the sixth line and inserting the following in lieu thereof: "and the permit has not expired in accordance with section 105.5."

(223) Subsection 109.2 is deleted and the following is inserted in lieu thereof:

109.2 Schedule of permit fees. On buildings, structures, mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the current Town of Bel Air Fee Schedule.

(234) Subsection 109.3 is amended by deleting the last two sentences "If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the building official."

(245) Subsection 109.4 is deleted and the following is inserted in lieu thereof:

109.4 Work commencing before permit issuance. Any person who commences any work on a building or structure before obtaining the necessary permits shall be subject to a fee established by the Town of Bel Air Fee Schedule that shall be in addition to the required permit fees unless waived by the Building Official pursuant to the established policy.

(256) New Subsection 110.1.1 is added as follows:

110.1.1 Purpose of inspections. All inspections conducted by the Town are performed for the protection and promotion of public safety, health, and welfare. The inspections are made solely for the public benefit and are not to be construed as providing any warranty of construction to individual members of the public.

(267) New Subsection 110.3.123 is added as follows:

110.3.123 Hazardous Material Inspections. As deemed necessary by the Building Official, approval from the Harford County Hazardous Materials Team may be required prior to a certificate of occupancy being issued.

(278) New Subsection 110.7 is added as follows:

110.7 Standards. All buildings, structures and appurtenances thereto shall be constructed strictly in compliance with accepted engineering practice. All members and components of the structure shall be installed, fitted, or fastened, moved or stored in such a manner that the full structural capabilities of the members are obtained. Improper alignment (level and square), fitting, fastening or methods of construction shall be considered a violation of this code.

(289) Subsection 111.2 is amended by deleting the phrase “or other laws that are enforced by the Department of Building Safety” in the third line and inserting the following in lieu thereof:

“and is satisfied that the work conforms to the requirements of all other applicable laws.”

(2930) Subsection 111.3 is amended by adding the following at the end of the subsection: "Any person, firm or corporation engaged in the process of selling property in which a temporary certificate of occupancy is issued shall at the time of settlement present to the buyer a copy of the temporary certificate of occupancy which must include a list of deficiencies that remain to be corrected."

(301) Subsection 112.1 is amended by deleting the phrase “this code” in the third line and inserting the following in lieu thereof: “The Department of Public Works.”

(312) Subsection 112.3 is amended by deleting the phrase “this code” in the third line and inserting the following in lieu thereof: “The Department of Public Works.”

(323) Subsection 113.2 is amended by adding the following between the words “apply” and “or” in the fifth line: "The Department of Public Works has made an incorrect determination that a structure or equipment within a structure is unsafe, the structure is unfit for human occupancy or the structure has been declared as dangerous in accordance with Section 116 of this code.”

(334) Subsection 114.4 is amended by deleting the phrase "shall be subject to penalties as prescribed by law" in the last line and inserting the following in lieu thereof: "shall be guilty of a misdemeanor, punishable as provided in Chapter 1, Article II of the Bel Air Town Code. Each day that a violation continues shall be deemed a separate offense."

(35) New subsection 116.1 is added as follows:

116.1.1 Structure unfit for human occupancy,

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by Chapters 145, 180 and 353 of the Town of Bel Air Code.

- (346) Subsection 116.3 is deleted and the following is inserted in lieu thereof:

116.3 Notice. If an unsafe condition is found, the Building Official shall serve on the owner, agent or person in control of the structure a written notice of violation that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition or to demolish the unsafe structure within a (specified period of) stipulated time. Unless the person served with an order makes a timely request for a hearing pursuant to Subsection 116.7, the order becomes a final order on the 11th day after service. If a person who has been issued an order under this section makes a timely request for a hearing, i.e., requests a hearing within 10 days from service in accordance with Subsection 116.7, the order becomes a final corrective order if the Town Administrator affirms the order following the hearing.

- (357) Subsection 116.4 is amended by inserting the phrase “first class” in the ~~third~~first line ~~of item 2~~ after the word “certified”.

- (368) Subsection 116.5 is amended by adding the following between the words “of” and “the” in the last line: Section 105.2.2 and.”

- (379) New Subsection 116.6 is added as follows:

116.6 Abatement. If a person who has been issued an order under this section fails, with the time limit specified in a notice of violation or order, to abate the unsafe condition as directed, the Building Official may take whatever abatement action may be necessary by use of Town employees and equipment and/or by contract with private contractors. The cost and expense of abating the unsafe condition shall be submitted by the Building Official to the Director of Finance together with the name of the owner of the property on which the violation occurred as determined from the property tax assessment records. These charges shall constitute a lien upon the real property and shall be collectable in the same manner as real property taxes with the same priority, interest and penalties. Initiation of abatement action shall not preclude the issuance of any other action or legal proceedings authorized or permitted under this code, the laws of the State of Maryland and the common law.

- (3840) New Subsection 116.6.1 is added as follows:

116.6.1 Notice of abatement action. The Building Official, before or within 10 days after commencement of any abatement action, shall issue a notice of abatement action to the owner of the property on which the abatement action has been or will be commenced. The notice shall describe the abatement action to be undertaken and shall specify that the costs for the action shall constitute a lien on the real property of the owner. The notice of abatement action issued by the Building Official shall be served as provided for by Subsection 116.4 of this code.

(3941) New Subsection 116.7 is added as follows:

116.7 Hearing. The property owner or agent receiving a notice of violation issued under Subsection 116.3, a notice of abatement issued under Subsection 116.6.1 or a lien upon the real property may request a hearing within 10 days from the receipt or posting of such notice or lien issued by the Building Official. The request must be in writing and served personally on the Town Administrator or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service. The Town Administrator may subpoena anyone having any connection with a hearing under this section as a witness or to give evidence relating to a notice of violation.

(402) New Subsection 116.8 is added as follows:

116.8 Finality of lien. Unless a person served with a notice of abatement makes a timely request for a hearing pursuant to Subsection 116.7, the lien shall become final on the property upon completion of the work. If a person makes a timely request for a hearing, any lien on the property shall become final after completion of all the work the Town Administrator determines was properly conducted by way of abatement action.

(413) New Subsection 116.9 is added as follows:

116.9 Unauthorized tampering. Signs, placards, notices or other postings affixed by the Building Official or his/her assignee under section 116 shall not be mutilated, destroyed or tampered with, or removed without authorization from the Building Official or his/her assignee.

(424) New Section 117 is added as follows:

SECTION 117

EMERGENCY MEASURES

117.1 Imminent danger. When, in the opinion of the Building Official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the Building Official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The Building Official shall post at each entrance of such structure a notice reading as follows: "This structure is unsafe and its occupancy has been prohibited by the Building Official. It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same."

117.2 Temporary safeguards. When, in the opinion of the Building Official, there is imminent danger due to an unsafe condition, the Building Official shall cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted.

117.3 Closing streets. When necessary for public safety, the Building Official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures and prohibit the same from being used.

117.4 Emergency repairs. For the purposes of this section, the Building Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

117.5 Cost of emergency repairs. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the Building Official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located.

117.6 Unsafe equipment. Equipment deemed unsafe by the Building Official shall not be operated after the date stated in the written notice unless the required repairs or changes have been made and the equipment has been approved or unless an extension of time has been secured from the Building Official in writing.

117.6.1 Authority to seal equipment. In the case of an emergency, the Building Official shall have the authority to immediately seal out of service any unsafe device or equipment regulated by this code.

117.6.2 Unlawful to remove seal. Any device or equipment sealed out of service by the Building Official shall be plainly identified in an approved manner. The identification shall not be tampered with, defaced or removed except by the Building Official and shall indicate the reason for such sealing.

- (435) Section 202 is amended by adding the following definition between the terms “Construction Documents and “Construction Types”:

Construction Trailer. A single-unit industrialized building that meets all of the following criteria:

1. Has a body width of no more than 12 feet and has a body length not to exceed 60 feet; and
2. The unit must be placed on a active construction site and removed within 30 days of completion of the construction; and
3. The unit shall not be open to the public and shall be for exclusive use of the on-site contractors to conduct necessary business or to store construction materials related to the construction project; and
4. All applicable electrical and plumbing installations have approved temporary permits and have received appropriate inspections and occupancy approvals.

- (446) Section 202 is amended by adding the following definition between the terms “power-operated door” and “prefabricated wood I-joist:

~~**POWER SAFETY COVER.** A pool cover that is placed over the water area and is opened and closed with a motorized mechanism activated by control switch.~~

- (45) Section 202 is amended by adding the following definition between the terms “public entrance” and “public way”:

~~**PUBLIC SWIMMING POOL.** A pool other than a residential pool that is intended to be used for swimming or bathing and is operated by the owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for use.~~

- (46) Section 202 is amended by adding the following definitions between the terms “residential aircraft hangar” and “resistance factor”:

~~**RESIDENTIAL.** FOR the purpose of this code, residential applies to detached one and two-family dwellings and townhomes not more than three stories in height.~~

~~**RESIDENTIAL SWIMMING POOL.** A pool intended for use which is accessory to a residential setting and available only to the household and its guest. All other pools shall be considered public pools for the purpose of this code.~~

- (47) ~~Section 202 is amended by adding the following definition between the terms “solid” and “special amusement building”:~~

~~**SPA.** A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and filled with each use. A spa usually includes a filter, an electric, solar or gas heater, a pump or pumps and a control, and can also include other equipment such as lights, blowers and water sanitizing equipment.~~

- (47) Subsection 308.5.1 is amended by adding the following exception:

Exception: A childcare facility maybe classified as I-4 when the facility is classified as a day care occupancy under the State Fire Prevention Code.

- (48) Subsection 406.2.7 is amended by deleting “Section 1108” and replacing with “The Maryland Accessibility Code COMAR 09.12.53

- (49) Subsection 411.4 is amended by deleting Item 3 and replacing it with the following:

3. All exits and exit access doors from each puzzle room shall be open and readily available upon activation by the automatic fire alarm system, automatic sprinkler system, a manual control at a constantly attended location and shall have a readily accessible control located inside each puzzle room.

- (4850) Subsection 502.1 is deleted and the following is inserted in lieu thereof:

502.1 Address identification. New and existing buildings shall be provided with approved address identification in accordance with Chapter 115 of the Town of Bel Air Code.

- (51) New Section 511 is added as follows:

511.1 Electrical Energy Storage Systems. Electrical energy storage systems shall be regulated by the provisions contained in the International Fire Code.

- (4952) Subsection 903.2.1.2 is amended by substituting “300” for Number 2 between the words “of” and “or”.

- (53) Subsection 907.2.1.1 is amended by deleting “1,000” in the section heading between the words “of” and “or” and also in line 2 between the words “of” and “or” and replacing with “300”.

- (54) Subsection 1004.8 is amended by adding the words “nail salons” between the words “centers” and “trading” in the third line.

- (5055) Subsection 1020.1 is amended by adding the following exception: “Corridors contained within a single tenant space.”

- (516) Subsection 1101.2 is deleted and the following is inserted in lieu thereof:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with COMAR 05.02.02.

Exception: The design of covered multifamily dwellings as set forth in COMAR 05.02.02.05B(9) shall be in accordance with this chapter and ICC A117.1.

(527) New Subsection 1106.810 is added as follows:

1106.8 10 Identification. Each accessible parking space provided shall be identified as set forth in COMAR 05.02.02.07D.

(538) Figure 1608.2 is amended by adding the following note:

1. The ground snow load, PG, for Town of Bel Air, Maryland shall be 30 psf.

(549) Subsection 1612.3 is amended by deleting "INSERT NAME OF JURISDICTION" in the seventh line and inserting in lieu thereof "Town of Bel Air" and deleting "INSERT DATE OF ISSUANCE" starting in the seventh line and inserting in thereof "April 19, 2016."

(5560) Subsection 1809.5 is amended by deleting Method 1 and inserting in lieu thereof "1. Extending below the frost line established as 30" below final grade."

(5661) New Subsection 3001.1.1 is added as follows:

3001.1.1 Maryland State Elevator Code. The provisions of this code are in addition to the requirements in the Maryland State Elevator Code. If a conflict between this code and the state code exists, the requirements in the state code shall apply.

(5762) Subsection 3103.1 is amended by adding "within any 365 consecutive-day period or, with the approval of the building official, multiple periods equaling fewer than 180 days within any 365 consecutive-day period" after the word "days" in the third line.

(5863) Subsection 3103.1.2 is amended by deleting "120 square feet (11.16 m²)" in the second line and inserting in lieu thereof "400 square feet (32.55 m²)" and by deleting "10" in the fifth line and inserting in lieu thereof "50."

(59) ~~Subsection 3109.1 is deleted and the following is inserted in lieu thereof:~~

~~**3109.1 General.** All swimming pools, spas and hot tubs shall be provided with barrier protection in accordance with Section 305 of the 2018 International Swimming Pool and Spa Code. No Property owner or contractor shall fill a new swimming pool or spa with water until a permanent or temporary barrier has been approved by the Department of Public Works. A temporary barrier may remain in place for no more than 30 days unless approved by the Building Official.~~

(60) ~~New subsection 3109.2 is added as follows:~~

~~**3109.2 Suction entrapment avoidance.** All swimming pools, spas and hot tubs shall be provided in accordance with Section 310 of the 2018 International Swimming Pool and Spa Code.~~

~~(61)~~64 New Subsection 3301.3 is added as follows:

3301.3 Housekeeping. Rubbish and trash shall not be allowed to accumulate on construction sites and shall be removed as soon as conditions warrant. Combustible rubbish shall be removed promptly and shall not be disposed of by burning on the premises, and the area adjoining around the operation shall be kept in a safe and sanitary condition.

~~(62)~~65 New subsection 3301.4 is added as follows:

3301.3 Drainage Nuisance. Any surface or roof drainage which is collected by man-made means on a property shall not be channeled onto the property of another. Any channeling or collection of water must be dissipated and dispersed on the collecting property to not cause damage to the property of another. Sump pumps and downspouts shall not be discharged closer than 10 feet to the property line. Discharge shall not be into the Town sanitary sewer system.

~~(63)~~66 Chapter 35 referenced Standards, under the NFPA 70-17 is hereby deleted and ~~70-20~~Harford County Chapter 105 is inserted in lieu thereof.

§ 145-8 Changes and additions to the 20~~18~~21 International Residential Code.

A. The following sections are changes or additions to certain sections of the 20~~18~~21 International Residential Code:

(1) Subsection R101.1 is amended by deleting "[Name of Jurisdiction]" and inserting in lieu thereof "Town of Bel Air."

(2) New subsection R101.4 is added as follows:

R101.4 Safeguards During Construction. The provisions of Chapter 33 of the 20~~18~~21 International Building Code as adopted in this chapter shall be applicable to all construction sites possessing a valid building permit.

(3) Subsection R102.5 is deleted, and the following is inserted in lieu thereof:

R102.5 Appendices. Provisions in Appendix A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use and Type B Vents; Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems; Appendix D, Recommended Procedures for Safety Inspection of an Existing Appliance Installation; Appendix E, Manufactured Housing Used as Dwellings; Appendix G, Swimming Pools, Spas and Hot Tubs; Appendix H, Patio Covers; Appendix J, Existing Buildings and Structures; and Appendix K, Sound Transmission, shall be deemed as part of this code.

(4) Sections R103 through R114 of the 20~~18~~21 International Residential Code are deleted and Sections 102 through 117 of the 20~~18~~21 International Building Code, as amended, shall be applicable.

(5) Section R202 is amended by deleting the definition of "fire separation distance" and inserting in lieu thereof:

FIRE SEPERATION DISTANCE. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the center line of a street, an alley or public way.

3. To an imaginary line between two buildings on the lot.
4. To an exclusive use easement line.

The Distance shall be measured at a right angle from the face of the wall.

- (6) Section R202 is amended by deleting the definition of "manufactured home" and inserting in lieu thereof:

MANUFACTURED HOME: Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Calculations used to determine the number of square feet in a structure will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable room, cabinets and other projections containing interior spaces but do not include bay windows. This term includes all structures which meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to Subsection 3282.13 and complies with the standards set forth in Part 3280.

Note: For mobile homes built prior to June 15, 1976, a label certifying compliance with the standard for mobile homes, NFPA 501, ANSI 119.1, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

- (7) Table R301.2(1) is amended by adding the following design values: "Ground snow load - 30 psf; Wind - 90 mph; Topographic effects – no; Special wind region – no; Wind-born debris zone – no; Seismic design category - b; Weathering - severe; Frost line depth - 30 inches (762 mm); Termite - moderate to heavy; Winter design temp -13° F.; Ice barrier underlayment required - no; Flood hazards - July 16, 1981 and January 7, 2000; Air freezing index - 554; Mean annual temp - 31°F.

- (8) Table R302.1(1) is amended by adding the following line at the bottom of the table:

All portions of attached decks and open roof covered decks. Open roof covered decks may have a maximum opaque wall surface area of 50%	Not allowed	N/A	< 2 Feet
--	-------------	-----	----------

- (9) Table R302.1(2) is amended by adding the following line at the bottom of the table:

All portions of attached decks and open roof covered decks. Open roof covered decks may have a maximum opaque wall surface area of 50%	Not allowed	N/A	< 2 Feet
--	-------------	-----	----------

- (10) New Subsection R312.1.5 is added as follows:

R312.1.1 Areaway guards. A guardrail or other approved barrier shall be installed on areaway walls with a grade level elevation difference of greater than 48 inches (1219.2 mm). Guards shall be constructed in accordance with Subsection R312.

(11) ~~Subsection R313.1 and R313.2 are amended by adding a “1” in the beginning of the first sentence of the exception and adding the following exception:~~

1. ~~“A property for construction of a townhouse that is not connected to an electric utility.”~~

(11) ~~Subsection R313.2 is amended by deleting the exceptions and adding the following:~~

1. ~~An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.~~

2. ~~An automatic residential fire sprinkler system shall not be required for a new one or two-family dwelling constructed on a lot served by an existing service line from a water main to the property line that is less than a nominal 1 inch size or a lot subject to a valid, unexpired public works agreement that was executed prior to March 1, 2011. For a property to qualify for an exemption due to an undersized existing water service line, the water service line must be:~~

(1) ~~approved and owned by the public or private water system that owns the mains.~~

(2) ~~installed prior to March 1, 2011.~~

(3) ~~fully operational from the public or private water main to a curb stop or meter pit located at the property line.~~

(12) Subsection R319.1 is deleted, and the following is inserted in lieu thereof:

R19.1 Address identification. Address numbers shall be provided on new or renovated buildings as required by the Bel Air Town Code Chapter 115.

(14) ~~Subsection R326.1 is hereby deleted and the following is inserted in lieu thereof:~~

~~**R326.1 General.** All swimming pools, spas and hot tubs shall be provided with barrier protection in accordance with Section 305 of the 2018 International Swimming Pool and Spa Code. No Property owner or contractor shall fill a new swimming pool or spa with water until a permanent or temporary barrier has been approved by the Department of Public Works. A temporary barrier may remain in place for no more than 30 days unless approved by the Building Official.~~

(14) ~~New subsection R326.2 is added as follows:~~

~~**R326.2 Suction entrapment avoidance.** All swimming pools, spas and hot tubs shall be provided in accordance with Section 310 of the 2018 International Swimming Pool and Spa Code.~~

(153) Subsection R405.1 is amended by deleting the exception at the end of the subsection.

(164) Subsection R506.2.2 is amended by deleting the exception at the end of the subsection.

(175) New Subsection R703.9.3 is added as follows:

R703.9.3 Special inspections. Special inspections shall be required for all EIFS (exterior insulation finish system) applications.

Exceptions:

- (1) Special inspections shall not be required for EIFS applications installed over a water-resistive barrier with a means of draining moisture to the exterior.
- (2) Special inspections shall not be required for EIFS applications installed over masonry or concrete walls.

(186) New Subsection R903.4.2 is added as follows:

R903.4.2 Gutters and leaders. Gutters and leaders shall be installed in accordance with the Town of Bel Air Plumbing Code. All rain leaders or extensions shall not discharge closer than 10 feet to any lot line so as not to be a nuisance to surrounding properties.

(197) PART IV – Energy Conservation is deleted, and the International Energy Conservation Code is here by adopted in §145-109 of this ordinance.

~~- Subsection N1102.4.1.2 (R402.4.1.2) is amended by adding the following at the end of the subsection:~~

~~Except as provided for in the:~~

~~(I) — Simulated performance path listed in Subsection N1105 (R405); and~~

~~(II) — Energy rating index compliance alternative in Subsection N1106 (R406).~~

(20) ~~Table N1105.5.2(1) (R405.5.2(1)) is amended by adding the following “not to exceed five air changes per hour with baseline of three air changes per hour in Climate Zones 4 and 5 maintained for standard reference design” after “the measured air exchange rate” under the “Proposed Design.”~~

(20) ~~Subsection N1106.2 (R406.2) is amended by adding the following at the end of the paragraph:~~

~~**Exception:** The maximum of five air changes per hour tested in accordance with Subsection R402.4.1.2 may be used to determine the energy rating index score with baseline of three air changes per hour in Climate Zones 4 and 5 maintained for ERI reference design.~~

(18) Part VII, Chapters 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 are deleted and Town of Bel Air Chapter 353 Plumbing and Gas Fitting Standards is inserted in lieu thereof except for Subsection P2904, Dwelling unit fire sprinkler systems, which shall remain as part of this code.

(2319) Part VIII, Chapters, 34, 35, 36, 37, 38, 39, 41, AND 43 are deleted and the Town of Bel Air Chapter 180 Electrical Standards is inserted in lieu thereof.

(240) Subsection AE101.1 is amended by deleting the sentence "These provisions shall be applicable only to a manufactured home used as a single dwelling unit installed on privately owned (non-rental) lots and shall apply to the following:" and inserting the following sentence in lieu thereof: "These provisions shall be applicable only to a manufactured home used as a single dwelling unit installed on private and rental lots and shall apply to the following."

- (251) Subsection AE201.1 is amended by deleting the definition of "manufactured home" and inserting the following in lieu thereof:

MANUFACTURED HOME: Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Calculations used to determine the number of square feet in a structure will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable room, cabinets and other projections containing interior spaces but do not include bay windows. This term includes all structures which meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to Subsection 3282.13 and complies with the standards set forth in Part 3280.

Note: For mobile homes built prior to June 15, 1976, a label certifying compliance with the standard for mobile homes, NFPA 501, ANSI 119.1, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

- (262) Subsection AE201.1 is amended by deleting the definition of "Privately Owned (Non-Rental) Lot" and inserting the following in lieu thereof:

PRIVATELY OWNED (NON-RENTAL) LOT. A parcel of real estate outside of a manufactured home rental community (park) where the land and the manufactured home to be installed thereon are held in common ownership.

- (273) Subsection AE201.1 is amended by adding the following definition:

RENTAL LOT. A lot or space that is rented in an approved manufactured home community or park.

- (284) **SUBSECTION AE201.1 IS AMENDED BY ADDING THE FOLLOWING DEFINITION:**

INDUSTRIALIZED BUILDING. As defined by § 12-301(d) of the Public Safety Article of the Annotated Code of Maryland, 'industrialized building' means a building assembly or system of building subassemblies manufactured in its entirety, or in substantial part, off site and transported to the point of use for installation or erection, with or without other specified components, as a finished building or as a part of a finished building comprising two or more industrialized building units. An industrialized building need not have electrical, plumbing, heating, ventilating, insulation or other service systems, but when such systems are installed at the off-site manufacture or assembly point they shall be deemed a part of such building assembly or system of building assemblies. 'Industrialized building' does not include open frame construction, which can be completely inspected on site. 'Industrialized building' does not include a mobile home.

- (295) Section AE301 is deleted in its entirety.

- (206) Section AE302 is deleted in its entirety.
- (217) Section AE303 is deleted in its entirety.
- (228) Section AE304 is deleted in its entirety.
- (239) Subsection AE602.1 is amended by adding the phrase "or ANSI A225.1-1994" in the last line of the last paragraph after the word "designer."

§145-9 Adoption of ~~2018~~21 International Mechanical Code by reference.

The ~~2018~~21 International Mechanical Code published by the International Code Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts with this code, or with changes, amendments, revisions, deletions, subsections and/or additions to that code are found elsewhere in the Town Code, the most restrictive provisions shall govern.

A. Registration.

- (1) All persons that intend to install, maintain, alter, remodel or repair heating systems, cooling systems, refrigeration systems, ventilation systems or hydronic systems in Harford County shall be registered with the Division of Plumbing Services and shall have a current certificate of registration.
- (2) To obtain a certificate of registration, the applicant shall have been qualified and approved by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.
- (3) Master, master restricted, limited heating, ventilation, air-conditioning and refrigeration certificate of registration. Any applicant who applies for a master, master restricted or a limited heating, ventilation, air-conditioning and refrigeration services shall provide the following information:
 - a) A current license number issued by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.
 - b) A current business address with phone number.
 - c) A current certificate of insurance equal to or greater than such amount as required by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.
- (4) Journeyman, apprentice certificate of registration. Any applicant who applies for a journeyman or apprentice certificate to assist in performing mechanical services shall provide a current license number issued by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.
- (5) Fees for certificate of registration shall be as set forth in Chapter 157 of the Harford County Code, as amended.
- (6) Master, master restricted and limited heating, ventilation, air-conditioning, and refrigeration certificates issued pursuant to this section shall expire on April 30 of each even-numbered year, and all such certificates shall be issued for a 2-year period. All journeyman and apprentice

certificates issued pursuant to this section shall expire on October 31 of each even-numbered year.

- (7) The administrative authority may, in its discretion, suspend or revoke the certificate of registration of any person who makes any false or misleading statement in an application; who sells, lends or otherwise permits any improper use of a certificate, obtains permits for others to install, maintain, alter, remodel or repair heating systems, cooling systems, refrigeration systems, ventilation systems or hydronic systems, loses or has been suspended from his or her State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors' qualification or who commits any violation of the Harford County Mechanical Code
- (8) Upon receipt of written requests directed to the administrative authority, the administrative authority, in its discretion, may suspend or revoke the certificate of any person who commits any violation of the Harford County Mechanical Code or any other law or regulation governing the conduct to provide heating, ventilation, air-conditioning or refrigeration services.
 - a) No certificate shall be suspended or revoked except after a hearing before the administrative authority of which the certificate holder shall receive at least 5 days' notice, in writing, together with a statement of the charges. Upon such hearing, the administrative authority may suspend any certificate for such a period of time as it may find proper or may revoke same.
 - b) In the event of a revocation, no application for the reinstatement of a revoked certificate shall be entertained until the expiration of 6 months from the date of such revocation. At the end of such 6-month period, the administrative authority may, in its discretion, reinstate a revoked certificate.
- (9) Any certificate holder shall notify the administrative authority immediately of any changes in location of business, employer, phone number, licensing status or insurance coverage.
- (10) Any certificate of insurance required to be submitted under this section shall provide that in the event the insurance required under this chapter is cancelled, the insurer shall notify the Harford County Division of Plumbing Services within 10 days after the date of cancellation.

B. Permit applicants.

- (1) No work regulated by this code shall be commenced without a permit being issued by the Department of Inspections, Licenses and Permits. Only to the extent that a registrant with the Department of Inspections, Licenses and Permits is authorized to do work, shall a registered master, master restricted, limited heating, ventilation, air-conditioning and refrigeration contractor be eligible to apply for permits authorized by this code.
- (2) A mechanical permit issued in accordance with this Code may be issued to the owner of a single-family dwelling occupied exclusively by the owner upon the following conditions:
 - a) All work must be done in accordance with this code.
 - b) The owner shall be tested and qualified by the Department of Inspections, Licenses and Permits in accordance with requirements established by the Mechanical Board.
 - c) The owner shall sign an affidavit agreeing to comply with all applicable provisions of this chapter and attesting that the location in which the work will be performed is the applicant's primary residence.

C. The following sections are changes or additions to certain sections of the 2015 International Mechanical Code:

(1) Definitions:

- a) As used in this code, the term “Code Official” means the Director of Public Works or his/her designee.
- b) As used in this code, the term “Department of Mechanical Inspection” means the Department of Inspections, Licenses and Permits.
- c) As used in this code, the term “International Fuel Gas Code” means the Town of Bel Air Plumbing and Gas Fitting Standards, as amended.
- d) As used in this code, the term “International Plumbing Code” means Town of Bel Air Plumbing and Gas Fitting Standards, as amended.

(2) Subsection 101.1 is amended by deleting “[NAME OF JURISDICTION]” and inserting in lieu thereof “Town of Bel Air, Maryland”.

(3) SUBSECTION 101.2.1 is deleted and the following is inserted in lieu thereof:

101.2.1 Appendices. Provisions in Appendix A, Combustion Air Openings and Chimney Connector Pass-throughs shall be deemed as part of this code.

(4) Section 103.1 is deleted in its entirety.

(5) Subsection 106.2 is amended by adding the following: “9. Repair, service, and maintenance of existing equipment.”

(6) Subsection 106.3 is amended by adding “in writing or electronically” after the word “furnished” in the third line and by adding “only an individual registered in accordance with § 145-9A of this article shall be eligible to make application for permit to do work in accordance with this code.”

(7) Subsection 106.3.1 is amended by deleting “by a registered design professional where required by state law” in the sixth line and inserting “in accordance with §145-9A” in lieu thereof and by deleting “by a registered design professional” in the ninth line and inserting “in accordance with §145-9A” in lieu thereof.

(8) New subsection 106.3.1.1 is added as follows:

106.3.1.1 Plans and specifications.

- a) Plans and specifications for installation of all heating ventilation, air-conditioning or refrigeration systems shall:
 - 1. Be approved by a licensed Maryland HVACR master, HVACR master restricted licensed for the system being installed, or a Maryland licensed professional engineer or architect; and
 - 2. Have affixed to them the name and license number of the Maryland HVACR master, HVACR master restricted licensed for the system being installed, or Maryland licensed professional engineer or architect.

- b) For installations other than one-family and two-family dwellings, adequate details of mechanical and electrical work, including computations, diagrams and other essential technical data, shall be filed. All engineering plans and computations shall bear the signature and license number of the licensed engineer, architect or mechanical licensee responsible for the design. For one-family and two-family dwellings, a residential heat gain and loss load calculation (for example, a Manual J evaluation or equivalent supporting documentation acceptable to the Department) shall be filed for new installations at the time of permit application. For replacement of a condensing unit, air-handling unit, furnace or boiler in an existing HVACR system in one-family and two-family dwellings the permit application shall be accompanied with documentation reflecting calculations by which the sizing of the equipment to be installed was determined. A signed and dated copy of this document shall be retained by the contractor, and a copy shall be left with the homeowner upon completion of the work. Plans shall indicate how required structural and fire resistance rating integrity will be maintained and where penetrations will be made for electrical, mechanical, plumbing and communication conducts, pipes and systems.

- (9) New Subsection 106.3.4 is added as follows:

106.3.4 Applicants. Only an individual registered in accordance with this §145-9a shall be eligible to make application for permit to do work in accordance with this code.

- (10) Subsection 106.4.3 is amended by deleting “180 days” in the fourth line and inserting “12 months” in lieu thereof.

- (11) New Subsection 106.4.5.1 is added as follows:

106.4.5.1 Withholding Permits. The Code Official may withhold the issuance of any permit and/or place a hold on inspections if the applicant, the owner or any individual listed on the application as a responsible officer (if the applicant is a business entity) has failed to remedy or correct any existing/alleged violation of the building code on any construction projects for which the applicant has been cited.

- (12) Subsection 108.4 is amended by deleting “[SPECIFY OFFENSE] punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.” and replacing with “misdemeanor, punishable as provided in Chapter 1, Article II of the Bel Air Town Code.”

- (13) Subsection 108.5 is amended by deleting “any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars” and replacing with “misdemeanor, punishable as provided in Chapter 1, Article II of the Bel Air Town Code.”

- (14) Subsection 202 General Definitions is amended by adding the following definition between the definitions of “registered design professional” and “return air”:

REPAIR. To put back in good condition, fix, to renew parts, to make existing systems function. Anything that can be made to work is repairable. The replacement of a system or a condenser unit, air-handling unit, furnace or boiler which make up a system shall constitute altering or remodeling, not repair.

- (15) Subsection 301.11 is amended by adding “Temporary repairs may not be made to a

damaged heat exchanger.” At the end of this subsection.

§145-10 Adoption of the 2021 International Energy Conservation Code with changes and additions

The 2021 International Energy Conservation Code published by the International Code Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts with this code, or with changes, amendments, revisions, deletions, subsections and/or additions to that code are found elsewhere in the Town Code, the most restrictive provisions shall govern.

A. The following subsections are changes or additions to certain sections of the 2021 International Building Code:

(1) Subsection C101.1 is amended by deleting “Name of Jurisdiction” and inserting in lieu thereof “The Town of Bel Air”.

(2) Sections C103 through C110 are deleted and sections 102 through 117 of section 82-2B of the Harford County Code shall be inserted in lieu thereof.

(3) Section C202 is amended by adding the following definition between the word “Historic Building” and “IEC Design Motor”.

Hotel. Means an establishment that offers sleeping accommodations for compensation with the exception of a bed and breakfast establishment.

(5) Section C202 is amended by adding the following definition between the words “Manual” and “Nameplate Horsepower”.

Master Control Device. Means a control that is activated when a person enters the room through the primary room-access method; or an occupancy sensor control that is activated by a person’s presence in the room.

(6) Subsection R101.1 is amended by deleting “Name of Jurisdiction” and inserting in lieu thereof “The Town of Bel Air”.

(7) Subsection R102.1.1 is amended by adding the following at the end of the section.” Compliance with the silver rating of the ICC 700 NGBS as codified in the annotated Code of Maryland, Public Safety Article §12-509(A).”

(8) Subsection R401.2.5 is amended by adding the following after item number 3. “4. For buildings complying with section R402.1.31, the structure shall also comply with the additional energy features of section N1108.3.”

(9) New Subsection R402.1.3.1 is amended as follows:

R402.1.3.1 Maryland Alternative R-Value. Assemblies with an R-value of insulation materials equal to or greater than that specified in table R402.1.3.1 shall be an alternative to the U-factor in table R402.1.2 when combined with sections R408.3 the provision of section R408.2.1 shall be applied to the base model house to establish the reference base design establishing energy efficiency.

(10) Subsection R402.2.1 is amended by adding “or section R402.1.3.1” between R402.1.3” and “requires” in the second and seventh line.

(11) Subsection R402.2.2 is amended by adding “or section R402.1.3.1” between “R402.1.3” and “requires” in the second and seventh line.

(12) New Subsection R408.3 is added as follows:

R408.3 Maryland Alternative Additional Energy Efficiency Package Options. The provisions of this section shall be applied as part of the prescriptive compliance path of Section R402.1.3.1 Additional Energy Efficiencies from table R408.3 must be selected to meet or exceed a minimum percentage increase of 6%.

§145-11 Adoption of the 2021 International Swimming Pool and Spa Code with changes and additions.

The 2021 International Swimming Pool and Spa Code published by the International Code Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts with this code, or with changes, amendments, revisions, deletions, subsections and/or additions to that code are found elsewhere in the Town Code, the most restrictive provisions shall govern.

A. The following subsections are changes or additions to certain sections of the 2021 International Swimming Pool and Spa Code:

(1) Subsection 101.1 is amended by deleting “Name of Jurisdiction” and inserting in lieu thereof “The Town of Bel Air”.

(2) Sections 395.1 is deleted, and the following is inserted in lieu thereof:

305.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs as equipped with a lockable safety cover complying with ASTN F1346. The areas where those spas or hot tubs are located shall not be required to comply with Sections 305.2 through 305.7.

§145-102 Effect on existing building permits.

This chapter shall not apply to buildings for which a valid building permit was applied for prior to the date of adoption of this chapter.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Town Commissioners that this ordinance shall become effective on, 2024.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYS:

ABSENT:

Paula S. Etting, Chair

Board of Town Commissioners