

ARTICLE I
Building Standards

64-1. Adoption of standards by reference.

A certain code known as the 2006 International Building Code, including Appendices G and H, and the whole thereof, of which code a copy is on file with the office of the City Clerk of the City of Hagerstown, be and the same is hereby adopted and incorporated as fully as if set out at length herein.

64-2. Amendments. The following sections of the 2006 International Building Code are amended as follows:

CHAPTER 1 – ADMINISTRATION, the following sections are amended to read as follows:

A. 101.1 Title.

These regulations shall be known as the *Building Code* of the City of Hagerstown, hereinafter referred to as “this code.”

B. 101.2 Exception 1

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with International Residential Code, 2006 with the following amendments:

1. CHAPTER 1 – ADMINISTRATION, is deleted and replaced with Chapter 1 of the International Building Code referenced above with amendments contained herein.
2. CHAPTER 2 – Section R202 Definitions, the following definition is amended to read as follows:

TOWNHOUSE, A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two (2) sides and is separated by a property line.

3. CHAPTER 3 - BUILDING PLANNING AND CONSTRUCTION, the following sections are amended to read as follows:

Table R301.2(1):

Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

SUBJECT TO DAMAGE FROM											
Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Weathering	Frost Line Depth	Termite	Decay	Winter Design Temp	Ice Shield Under-Layment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
35	90	B	Severe	30"	Moderate To heavy	Slight	12	Yes <4:12 No > 4:12	1992	300	55

SECTION R311, Means of egress,

R311.5.3.1 **Riser height.** The maximum riser height shall be 8 ¼ inches (210 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs may not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.5.3.2 **Tread Depth.** The minimum tread depth shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread leading edge. The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 inches (9.5 mm). Winder treads shall have a minimum tread depth of 9 inches (229 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12 inches (305 mm) walk line may not exceed the smallest by more than 3/8 inch (9.5 mm).

SECTION R313.2.1 Alterations, repairs and additions,

R313.2.1 **Alterations, repairs and additions.** When interior alterations, repairs or additions requiring a building permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be equipped with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hardwired.

Exception: Inter connection and hard wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.

CHAPTER 4 - FOUNDATIONS the following sections are amended to read as follows:

SECTION R403.1, General

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

Exception: Footings are not required to be stepped or continuous where changes of footing elevations exceed 4 feet. Such footing can be connected by masonry lintels with a minimum 18-inches of bearing on steel reinforced footings.

INTENTIONALLY BLANK

SECTION R403.1.4.1,

403.1.4.1 **Frost protection**, Except where erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures shall extend no less than 30" below finished grade.

Exception: Storage buildings and other structures, 170 square feet or less in area and ten feet or less in eave height.

SECTION R403.1.6 is amended to read as follows:

R403.1.6 Foundation anchorage. When braced wall panels are supported directly on continuous foundations, the wall wood sill plate or cold-formed steel bottom track shall be anchored to the foundation in accordance with this section or with anchor straps in accordance with manufacturer's listings. The wood sole plate on exterior walls on monolithic slabs and wood sill plates shall be anchored to the foundation with anchor bolts spaced a maximum of 4-feet (1219 mm) on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Bolts shall be at least ½ inch (13 mm) in diameter and shall extend a minimum of 7 inches (178mm) into masonry or concrete. Interior bearing wall sole plates on monolithic slab foundation shall be positively anchored with approved fasteners. A nut and washer shall be tightened on each bolt of the plate. Sills and sole plates shall be protected against decay and termites where required by Sections R319 and R320. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.3.1 or R603.1.1.

Exceptions:

1. Foundation anchorage, spaced as required to provide equivalent anchorage to ½-inch-diameter (13 mm) anchor bolts.
2. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels per Figure R602.10.5 at corners.
3. Walls 12 inches (305 mm) total length or shorter connecting offset braced wall panels shall be permitted to be connected to the foundation without anchor bolts. The wall shall be attached to adjacent braced wall panels per Figure R602.10.5 at corners.

The following sections, figures and tables contained in Chapter 4 are deleted in their entirety:

R403.3 Frost protected shallow foundations.
R403.3.1 Foundations adjoining frost protected shallow foundations.
R403.3.1.1 Attachment to unheated slab-on-ground structure.
Figure R403.1.7.1
Table R403.3
Figure R403.3(1)
Figure R403.3(2)
Figure R403.3(3)
Figure R403.3(4)
R403.3.1.2 Attachment to heated structure.
R403.3.2 Protection of horizontal insulation below ground.
R403.3.3 Drainage.
R403.3.4 Termite damage.
Table R404.1(1)
Table R404.1(2)
Table R404.1(3)

SECTION 404.3 Wood sill plates,

R404.3 **Wood sill plates.** Wood sill plates shall be a minimum of 2-inch by 6-inch nominal lumber for basements and crawl spaces with walls supporting unbalanced fill in excess of 48” in height. Other sill plates shall be a minimum of 2-inch by 4-inch nominal lumber. Sill plate anchorage shall be in accordance with Section R404.1.6 and R602.11.

5. CHAPTER 6 WALL CONSTRUCTION,

Figure R602.3(2) Framing details, shall be amended to read as follows:

INTENTIONALLY BLANK

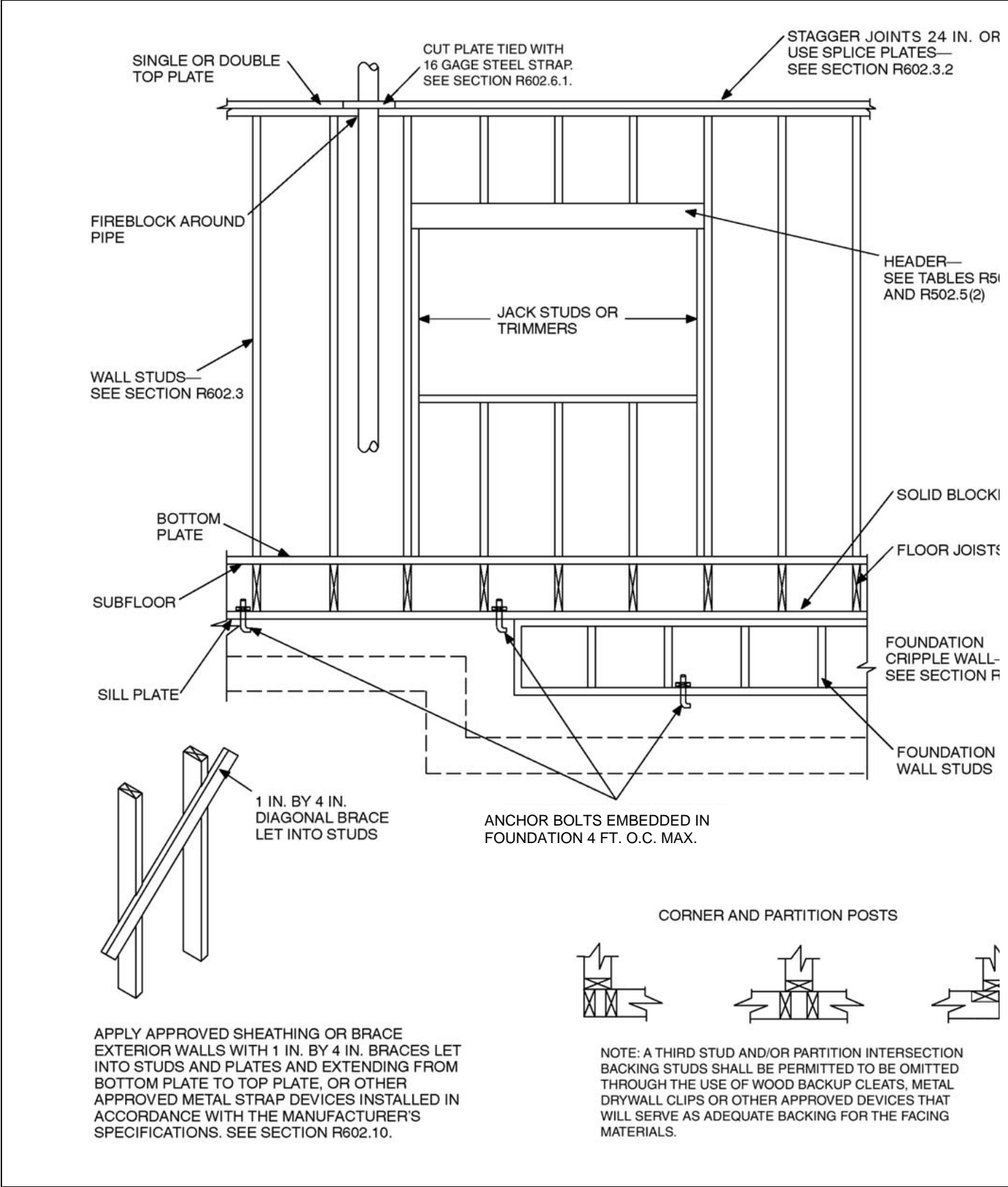


Figure R602.3(2) Framing Details

6. CHAPTER 24, FUEL GAS,

SECTION G2401.1 (101.2) is amended to read as follows:

G2401.1 (101.2) Application. This chapter covers those fuel-gas piping systems, fuel-gas utilization equipment and related accessories, venting systems and combustion air configurations most commonly encountered in the construction of one- and two-family dwelling and structures regulated by this code.

Piping systems requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation and maintenance. Requirements for gas utilization equipment and related accessories shall include installation, combustion and ventilation air and venting and connection to piping systems.

7. APPENDIX G, Section AG105.2 (item 9) shall be deleted in its entirety.

APPENDIX G Section AG105.2 (item 10) shall be amended to read as follows:

AG105.2 (10), **Pool structure as barrier**, Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 8 of this section.

C. Sections 101.4.1, 101.4.3, 101.4.4, 101.4.5, 101.4.6, 101.4.7 are amended to read as follows:

101.4.1 **Electrical** The provisions of Chapter 64, Article IV, of the Code of the City of Hagerstown shall apply to all electrical installations and modifications.

101.4.3 **Mechanical** The provisions of Chapter 64, Article VI, of the Code of the City of Hagerstown shall apply to all installations and modifications involving heating, air conditioning, and mechanical ventilation.

101.4.4 **Plumbing** . The provisions of Chapter 64, Article V, of the Code of the City of Hagerstown shall apply to all installations and modifications involving plumbing.

101.4.5 **Property maintenance** Any reference to the International Property Maintenance Code shall mean the Property Maintenance Code of the City of Hagerstown, Chapter 64, Article III of the Code of the City of Hagerstown.

101.4.6 **Fire prevention** Any reference to the International Fire Code shall mean the Maryland State Fire Prevention Code (COMAR 29.06.01), as may be amended or restated from time to time.

101.4.7 **Energy** Any reference to the International Energy Conservation Code shall refer to the requirements concerning energy conservation for buildings and structures which are set forth in Md. Code, Public Utility Companies Article, §§7-401 – 7-408, as amended.

D. Section 101.4.8 is added as follows:

101.4.8 **Handicapped Accessibility** All sections of this code relating to applicable requirements for handicapped accessibility issues shall refer to the Maryland Accessibility Code, (COMAR 05.02.02), as may be amended or restated from time to time.

E. Section 103.1 is amended to read as follows:

103.1 **Creation of enforcement agency.** This code shall be administered by the Department of Engineering & Code Administration. The executive official in charge thereof or his designee(s) shall be known as the “building official”.

F. Section 105.2 Work exempt from permit, **Building**: Item 1 is amended to read as follows:

1. One-story detached accessory structures used as tool and storage shed, playhouses and similar uses, provided the floor area does not exceed 100 square feet (9.29 m²).

G. Section 105.2.2 is amended to read as follows:

105.2.2 **Repairs** Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall 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 requirements, or the sandblasting of any wall nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage drain leader, gas, oil, waste, vent or similar piping, electrical wiring or mechanical or any other work affecting public health or general safety.

H. Sections 105.3.3, 105.3.4, 105.3.5 and 105.3.6 are added as follows:

105.3.3 **Residential Permits.** Building permits involving the installation of any electrical wiring or plumbing associated with the remodeling of or additions to, single-family, two family, or three-family residential buildings or associated accessory structures shall not be issued prior to the issuance of all associated plumbing and/or electrical permits.

105.3.4 **Sewer Permits.** Building permits involving the installation of new sanitary sewer services shall not be issued prior to the issuance of the associated sewer connection permits.

105.3.5 **Withholding of permits.** Wherever the building official shall find that any person, agent, firm or corporation, whether as owner, lessee or occupant, is in violation of the provisions of this code or of the rules and regulations of any other department or agency of The City of Hagerstown in connection with the erection, maintenance, use or repair of buildings, structures,

lands or equipment thereon or therein, he may refuse to grant any further permits or inspections until all violations have been corrected and approved.

105.3.6 Transfer of Permits Building permits are not transferable. In the event that a change in ownership of the referenced property and/or facility occurs prior to the completion of the permitted construction, renovations, or demolition, the subsequent owner must secure a replacement permit prior to starting or resuming work. Fees in effect at the time of the application for the replacement permit shall apply.

I. Section 105.5 is amended to read as follows:

105.5 Expiration Every permit issued by the Department of Engineering & Code Administration under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Work shall be considered abandoned if no valid request for inspection is received by the Department of Engineering & Code Administration for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year.

105.5.1 Extensions Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The Department of Engineering & Code Administration shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, not to exceed \$500.00, minimum fee is \$55.00.

J. Section 106.2.1, is added and shall read as follows:

106.2.1 Site Plan Approval. Application for building permits shall not be accepted prior to approval of the site plan, unless otherwise authorized by the building official.

INTENTIONALLY BLANK

K. Sections 108.2 and 108.4 are amended to read as follows:

108.2 **Schedule of permit fees.** A fee for each building permit and demolition permit shall be paid prior to the issuance of said permits in accordance with the schedule listed below:

Permit Fees

Cost/Value of all Materials and Labor	Fee
Application fee for all permits	\$20.00
Commercial permits and permits for new dwellings	
\$0 to \$10,000	\$20.00, plus \$8.50 per thousand (or fraction thereof) of cost/value
\$10,001 and above	\$105.00, plus \$5.00 per thousand (or fraction thereof) of cost/value over \$10,000
All other residential permits	
\$0 to \$10,000	\$20.00, plus \$8.50 per thousand (or fraction thereof) of cost/value
\$10,001 and above	\$105.00, plus \$3.50 per thousand (or fraction thereof) of cost/value over \$10,000
Additional fee for zoning certificate when required	As adopted by the Mayor and Council
Additional fee for fire marshal review when required	As specified in City Code, Chapter 98, Fire Protection
Re-instatement of expired permit	The fee for an extension shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, not to exceed \$500.00, minimum fee is \$55.00.

In addition to the calculated permit fee required herein, payment of a fifteen dollar (\$15) technology fee will be required in connection with the issuance of the all permits.

108.4 **Work commencing before permit issuance.** The building/demolition permit fee shall be double the amount calculated above when the work to be permitted has begun prior to the issuance of the permit. The maximum additional amount to be charged for this occurrence shall be \$100.

L. Section 109.3.1 is amended to add the following:

All required foundation damp proofing and/or waterproofing materials must be in place.

M. Section 109.3.10 is amended to read as follows:

109.3.10 **Final inspection** The final inspection shall be made after all work required by the building permit is completed. Final approval shall be issued only after the following conditions, if applicable, are met:

- a. final electrical approval
- b. final plumbing approval
- c. final mechanical approval
- d. fire department approval
- e. completion of all site work
- f. compliance with any special conditions of permit approval

N. Section 109.5 is amended to read as follows:

109.5 **Inspection requests** It shall be the duty of the permit holder or their duly authorized agent to notify the Code Administration Division when work is ready for inspection. Inspection requests must be made at least twenty-four hours in advance. In the event that the premises are not ready for the requested inspection or the premises are not safely accessible, The Code Administration Division may impose a re-inspection fee of \$50.00 for each additional visit for the same inspection.

O. Section 112.1 General and 112.2 Limitations on Authority are amended to read as follows:

112.1 **Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

112.2 **Board of Appeals** Any reference to a board of appeals in this code shall be construed to mean the City of Hagerstown Board of Technical Appeals as established by Code of the City of Hagerstown, Chapter 10, Article XIV.

P. Section 112.3 is deleted.

Q. Section 113.5 is added and shall read as follows:

113.5 Municipal infraction violation penalties. Any person who violates any of the following provisions of this code shall be guilty of a municipal infraction and subject to the following fines. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

1.	Section 105.1, (Permit) required	\$200.00
2.	Section 105.7, Placement of permit	\$ 50.00
3.	Section 109.6, Approval required	\$100.00
4.	Section 110.1 Use and occupancy	\$200.00
5.	Section 113.1, Unlawful acts	\$500.00
6.	Section 114.3, Unlawful continuance	\$500.00
7.	Section 115.1, (Unsafe) Conditions	\$500.00

R. CHAPTER 3 – USE AND OCCUPANCY CLASSIFICATION, the following sections are amended to read as follows:

305.2 Day care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than eight (8) children older than 2½ years of age, shall be classified as a Group E occupancy.

308.3.1 Child care facility. A child care facility that provides care on a 24-hour basis to more than eight (8) children 2½ years of age or less shall be classed as Group I-2.

308.5.2 Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than eight (8) children 2½ years of age or less shall be classified as Group I-4.

Exception: A child day care facility that provides care for more than eight (8) but no more than 100 children, 2½ years or less of age, when the rooms where such children are cared for are located on the level of exist discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

S. CHAPTER 5 – GENERAL BUILDING HEIGHTS AND AREAS, the following section is amended as follows:

504.2 Automatic sprinkler system increase. For buildings protected throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm), and the maximum number of stories is increased by one story. These increases are permitted in addition to an area increase in accordance with Section 506.2 and 506.3. When the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2 for Groups R-1, R-2, and R-4, and in accordance with Section 903.3.1.3 for Group R-3, the building height limitations specified in Table 503 are increased one story and 20 feet (6096 mm) but may not exceed a height of four stories and 60 feet (18288 mm) above the grade plane. These increases are permitted in addition to the area increase.

Table 508.3.3 is amended as follows:

**TABLE 508.3.3
REQUIRED SEPARATION OF OCCUPANCIES (HOURS)**

OCCUPANCY	Ae, E		I		Rd		F-2, S-2c,d, Ud		Bb, F-1, Mb, S-1		H-1		H-2			H-3, H-4, H-5
	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS
Ae, Ee	1	2	1	2	1	2	1	1	1	2	NP	NP	3	4	2	3a
I	—	—	1	2	1	NP	1	2	1	2	NP	NP	3	NP	2	NP
Rd	—	—	—	—	1	1	1	2	1	2	NP	NP	3	NP	2	NP
F-2, S-2c,d, Ud	—	—	—	—	—	—	1	2	1	2	NP	NP	3	4	2	3a
Bb, F-1, Mb, S-1	—	—	—	—	—	—	—	—	1	2	NP	NP	2	3	1	2a
H-1	—	—	—	—	—	—	—	—	—	—	N	NP	NP	NP	NP	NP
H-2	—	—	—	—	—	—	—	—	—	—	—	—	N	NP	1	NP
H-3, H-4, H-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	N	NP

For SI: 1 square foot = 0.0929 m².

S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

NS = Buildings not equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

N = Not separation requirement.

NP = No permitted.

a. For Group H-5 occupancies, see Section 903.2.4.2.

b. Occupancy separation need not be provided for storage areas within Groups B and M if they:

1. Area is less than 10 percent of the floor area;
2. Area is equipped with an automatic fire-extinguishing system and is less than 3,000 square feet; or
3. Area is less than 1,000 square feet.

c. Areas used only for public or pleasure vehicles shall be allowed to reduce separation by 1 hour.

d. See Section 406.1.4.

e. Commercial kitchens need not be separated from the restaurant seating areas that they serve.

f. Identical use groups are not required to be separated.

T. CHAPTER 7 – FIRE-RESISTANCE-RATED CONSTRUCTION, the following section is amended as follows:

705.6 Vertical continuity. The following is added to the list of exceptions:

6. In Groups R-2 and R-3 as applicable in Section 101.2, walls are permitted to terminate at the roof sheathing or deck in Types III, IV, and V construction, if:

6.1 The roof sheathing or deck is construction of approved noncombustible materials or of fire-retardant-treated wood for a distance of 4 feet (1220 mm) on both sides of the wall, or

6.2 The building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 for Group R-2, and 903.3.1.1, 903.3.1.2, or 903.3.1.3 for Group R-3, or

6.3 All of the following:

- 1) The roof is protected with 5/8 inch (15.9 mm) Type X gypsum board directly beneath the underside of the roof sheathing or deck, supported by a minimum of 2-inch (51 mm) ledgers attached to the side of the roof framing members, for a minimum distance of 4 feet (1220 mm) on both sides of the fire wall, and
- 2) Openings in the roof are not located within 4 feet (1220 mm) of the firewall, and
- 3) The roof is covered with a minimum Class C roof covering.

U. CHAPTER 9 – FIRE PROTECTION SYSTEMS, SECTION 907.2.10.5, Alterations, repairs and additions, is added to read as follows:

907.2.10.5 Alterations, repairs and additions. When interior alterations, repairs or additions requiring a building permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be equipped with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hardwired.

Exception:

Inter connection and hard wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.

V. CHAPTER 10 – MEANS OF EGRESS, the following sections are amended as follows:

1009.3 **Stair treads and risers**, is amended by deleting Exceptions 5 and 6 and substituting the following in their place:

Exceptions:

5. In occupancies in Group R-3, as applicable in Section 101.2, within dwelling units in occupancies in Group R-2, as applicable in Section 101.2, and in occupancies in Group U, which are necessary to an occupancy in Group R-3, as applicable in Section 101.2, the maximum riser height shall be 8.25 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm), the minimum winder tread depth at the walk line shall be 9 inches (229 mm), and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

6. See the Maryland Building Rehabilitation Code (COMAR 05.16.01-.08) for the replacement of existing stairways.

W. 1009.11.3 **Handrail graspability**, is amended by adding the following new exception:

Exception: For occupancies in Group R-3 as applicable in Section 101.2 and within dwelling units in occupancies Group R-2 as applicable in Section 101.2, the grip portion of handrails shall have a circular cross section of 1.25 inches (32 mm) minimum to 2.625 inches (66.7) maximum. Other shapes that provide an equivalent grasping surface are permissible. Edges shall have a minimum radius of 0.125 inches (3.2 mm).

X. CHAPTER 11 - ACCESSIBILITY, is hereby deleted in its entirety.

Y. CHAPTER 13 - ENERGY EFFICIENCY, Section 1301.1.1 is amended to read as follows:

1301.1.1 **Criteria.** Buildings and structures shall be designed and constructed in accordance with Md. Code, Public Utility Companies Article, §§7-401 – 7-408, Energy Conservation Building Standards. In the event of a conflict between Md. Code, Public Utility Companies Article, §§7-401-7-408 and this chapter, the requirements set forth in Md. Code, Public Utility Companies Article, §§7-401 – 7-408 shall prevail.

Z. CHAPTER 18 – SOILS AND FOUNDATIONS, Section 1805.2.1 is amended to read as follows:

1805.2.1 **Frost protection**, Except where erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures shall extend no less than 30” below finished grade.

Exception: Storage buildings and other structures within Use Group U, 170 square feet or less in area and ten feet or less in eave height.

AA CHAPTER 24 - GLASS AND GLAZING, SECTION 2406.1 is amended by adding section 2406.1.6, to read as follows:

2406.1 Human impact loads.

2406.1.6 **Code Conflict.** In the event of conflict between this chapter and the requirements for safety glazing set forth in Md. Code, Article 83B, §§6-301- 6-306, the requirements set forth in Md. Code, Article 83B, §§6-301 – 6-306 shall prevail.

BB CHAPTER 27, ELECTRICAL, is hereby deleted in its entirety.

CC CHAPTER 29, PLUMBING SYSTEMS, is hereby deleted in its entirety.

DD. CHAPTER 30, ELEVATORS AND CONVEYING SYSTEMS, Section 3001, GENERAL, is amended as follows:

3001.1 **Scope.** This chapter governs the design, construction, installation, alteration and repair of elevators and conveying systems and their components. The provisions of this chapter relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Article 89, §49B of the Annotated Code of Maryland. In the event of a conflict between this code and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland shall prevail.

EE. CHAPTER 31 – SPECIAL CONSTRUCTION, Section 3109.4.1.9 is amended to read as follows:

3109.4.1.9, **Pool structure as barrier,** Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 and 3109.4.1.8.

FF. CHAPTER 34, EXISTING STRUCTURES, SECTION 3401.1 **Scope** is amended to read as follows:

3401.1 **Scope.** The provisions of this chapter shall control the alteration, repair, addition and change of occupancy of existing structures.

Exceptions:

1. Existing bleachers, grandstands and folding and telescopic seating shall comply with ICC 300-02.
2. Any rehabilitation work undertaken in an existing building as defined in COMAR 05.16.01.03B(22) and (36) shall comply with the requirements of Maryland Building Rehabilitation Code set forth in COMAR 05.16.01-.08.

GG. APPENDIX H, Section H112.6 shall be added to read as follows:

H112.6 **Public right-of-way.** A person shall not erect, install, rehang or maintain over public property any sign, awning, canopy, or other overhanging device for which a permit is required under the provisions of this code until an insurance policy shall have been filed for public liability insurance in the amount of \$300,000 per accident and for property damage in the amount of \$100,000 as herein required.

Such insurance policy shall protect and save the jurisdiction of the City of Hagerstown harmless from any and all claims or demands for damages by any reason of defects in the construction or by any damage resulting from the collapse, failure, or combustion of the sign or parts thereof, and it shall be required that the City of Hagerstown be named as additional insured in the certificate of insurance, a copy of which shall be filed in office of Department of Engineering & Code Administration.

Licenses and working permits

- A. Licenses required. All carpenters and/or contractors who desire to engage or work in the business of real estate repair and/or construction within the City of Hagerstown are required to procure a license or working permit, and it shall be unlawful for any person, firm, association or corporation to do any carpentry or construction work relating to real estate in the City of Hagerstown unless first licensed to do so as hereinafter provided.
- B. Employment of unlicensed personnel prohibited. It shall be unlawful for any owner, lessee or agent or other person having any authority or duty in connection with any building or premises within the City of Hagerstown to employ any person, firm, association or corporation to do any construction or repair work in any such building or premises unless such person, firm, association or corporation is so licensed.
- C. Qualifications. The license required hereunder shall be granted by the Department of Engineering and Code Administration upon proof by an applicant of at least four years of practical experience at the trade and the payment of the license fee and the posting of a bond as hereinafter provided.
- D. License duration; fees. The license period shall be for a maximum period of two years and shall expire December 31 of each odd calendar year. The license fee shall be as adopted from time to time by Mayor And Council, in the annual budget.
- E. Technology fee. In addition to the annual license fee required herein, each licensee shall be required to pay a thirty dollar (\$30) technology fee in connection with the issuance of each license.
- F. Filing of bond required. Upon the issuance of a license and before engaging in business, every licensee shall file with the Department of Engineering and Code Administration a bond in a penalty of \$20,000 with approved security conditioned to keep and save the City of Hagerstown free and harmless from any damages or expense in connection with any work or act arising out of the license so issued by the Department of Engineering and Code Administration to such carpenters and/or contractors. These bonds shall be made in favor of the City of Hagerstown, Maryland, and filed with the Department of Engineering and Code Administration.
- G. Corporate licensing. A construction firm, association or corporation shall require only one license; provided, however, that all construction and/or repair work is done by employees of the licensed firm, association or corporation which shall be responsible for the work and acts of such employees.
- H. Licenses nontransferable. No carpenter, construction firm, association or corporation shall allow his or its name or license to be used by any other person, firm, association or corporation for doing construction and/or repair work or for any purpose whatsoever.

64-4

Title.

The 2006 International Building Code, including appendices G and H along with the Amendments included in § 64-2 shall be known as the “Building Code of the City of Hagerstown”.