



# CITY OF LAUREL, MARYLAND

## ORDINANCE NO. 1984

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND, TO AMEND CHAPTER 18, "BUILDING AND BUILDING REGULATIONS", ARTICLE IX, "PROPERTY MAINTENANCE CODE", SECTION 18-148 "RENTAL PROPERTIES" OF THE LAUREL CITY CODE, ADDING SECTIONS AND PROVIDING AN EFFECTIVE DATE.**

*Sponsored by the President at the request of the Administration.*

**WHEREAS**, Maryland Local Government Code Annotated, §5-211 "Legislative Authority - Building Regulations" authorizes the City of Laurel to adopt building codes defining regulations and requirements regarding the installation and maintenance of heating and air conditioning (HVAC) systems; and

**WHEREAS**, the Mayor and City Council have identified that a need exists to provide relief from the rising environmental high temperatures to persons and occupants of rental properties within the City of Laurel; and

**WHEREAS**, the Mayor and City Council wish to establish interior temperature standards regarding air conditioning and/or Heating, Ventilation, Air Conditioner (HVAC) services provided by a landlord and require a landlord to provide and maintain air conditioning and/or HVAC services for rental housing located within the City of Laurel; and

**WHEREAS**, the Mayor and City Council wish to establish certain exceptions from the air conditioning and/or HVAC system requirement; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Mayor and City Council of Laurel, Maryland that: Chapter 18 "Buildings and Building Regulations," Article IX, "Property Maintenance Code", Section 18-148 "Rental Properties" of the Laurel City Code is hereby amended to read as follows:

### **Sec. 18-148. Rental Properties**

\* \* \*

7. IMPC-18, Chapter 4, Section 403.6 – The owner of each rental dwelling unit shall assure compliance with the following standards during human habitation:

Underlining indicates new language added.  
Strikethroughs indicate language deleted.

\* \* \* Asterisks indicate intervening language and section unchanged.



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- a. Temperature control – air conditioning in rental housing.
- i. For purposes of this subsection, rental housing has the meaning stated in Section 18-48, except that rental housing does not include:
    - 1) A dwelling unit located on a site listed in the National Register of Historic Places.
  - ii. Except as provided in paragraph iii, between May 1<sup>st</sup> and September 30<sup>th</sup>:
    - 1) Each owner of rental housing where cooling is not under control of the tenant shall maintain a temperature of no more than seventy-three degrees Fahrenheit (73°F.) in each habitable space at a distance of 3' feet above the floor level; and
    - 2) Each owner of rental housing where the cooling is under the control of the tenant shall provide an air conditioning system capable of maintaining a temperature of no more than seventy-three degrees Fahrenheit (73° F.) in each habitable space at a distance of 3' feet above floor level.
  - iii. A tenant may elect to have no air conditioning service installed and provided if;
    - 1) The air conditioning, if installed, would be provided by one or more individual air conditioning units controlled by the tenant; and
    - 2) An addendum to the lease:
      - a) Specifies any additional amount of rent that would be required if air conditioning were provided:
      - b) Acknowledges that the tenant has been offered, but has elected not to have air conditioning.
  - iv. A landlord may apply for, and the Director, Department of the Fire Marshal and Permit Services (FMPS) may grant, an extension of up to six (6) months to comply with the requirements of this Section if the Director, FMPS finds that:
    - 1) The landlord shall make electrical upgrades to the rental housing or unit(s) to comply with the requirements; and






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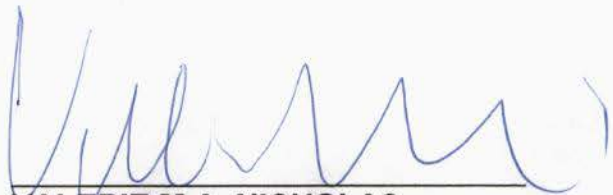
- 2) Making the upgrades would cause financial hardship to the landlord.
- v. This subsection shall not be construed to permit any violation of a fire safety requirement under Chapter 18, Article III.
8. Obligations of Landlords - Each landlord shall reasonably provide for the maintenance of the health, safety, and welfare of all tenants and all individuals properly on the premises of rental housing. As part of this general obligation, each landlord shall:
- a. Except when required for reasonable maintenance and repair, supply and maintain air conditioning service either through individual air conditioning units or a central air conditioning system in a safe and good working condition so that it provides an inside temperature no higher than seventy-three degrees Fahrenheit (73° F.) or less between May 1<sup>st</sup> and September 30<sup>th</sup>.
9. Transition Period – Any new rental unit development within the City of Laurel shall adhere to this requirement after the effective date of this Ordinance.
10. Impairment of Leases - This ordinance shall not be construed to invalidate or impair a lease in effect on the effective date of this Ordinance.

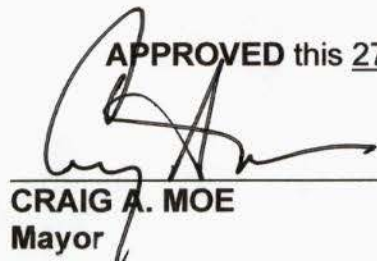
**AND, BE IT FURTHER ENACTED AND ORDAINED,** that this Ordinance shall take effect on April 1, 2022.

**PASSED** this 27<sup>th</sup> day of September, 2021.

**ATTEST:**

  
**KIMBERLEY A. RAU, MMC**  
Clerk to the City Council

  
**VALERIE M.A. NICHOLAS**  
President of the City Council

  
**CRAIG A. MOE**  
Mayor

**APPROVED** this 27<sup>th</sup> day of September, 2021.