

First Reading 4.20.20

Second Reading 5-4-20

**ORDINANCE 2020 - 03**

**AN ORDINANCE TO AMEND CHAPTER 10,  
ENTITLED BUILDINGS AND BUILDING REGULATIONS OF  
THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE  
MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 10,  
ENTITLED BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF  
THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY  
AMENDED BY AMENDING SECTIONS 10-31, 10-51, 10-52, 10-71, 10-111, 10-141,  
10-151, 10-152, 10-162, 10-164, 10-165, 10-171, 10-172, 10-181, 10-197 AND 10-251;  
ADDING SECTIONS 10-1, 10-36 AND 10-112; CORRECTING THE STATE LAW  
REFERENCES IN SECTIONS 10-31, 10-192 AND 10-223; AND CORRECTING  
THE STATE LAW REFERENCES IN SEVERAL FOOTNOTES, AS FOLLOWS:**

***Footnotes:***

***--- (1) ---***

***...***

***State Law reference— Building regulations authorized, Ann. Code of Md. art. 23A, §  
2(a)(5) LOCAL GOVERNMENT ARTICLE §5-211***

***...***

**ARTICLE I. - IN GENERAL**

**SEC. 10-1. - DEFINITIONS.**

***BUILDING OFFICIAL.* THE CHIEF BUILDING OFFICIAL OF THE  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.**

***DEPARTMENT.* THE DEPARTMENT OF PLANNING AND COMMUNITY  
DEVELOPMENT OF OCEAN CITY.**

**Secs. 10-42—10-30. - Reserved.**

LAW OFFICES

AYRES, JENKINS,  
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SUITE 200  
6200 COASTAL HIGHWAY  
OCEAN CITY, MD 21842

## ARTICLE II. - BUILDING AND RELATED CODES<sup>[2]</sup>

### **Footnotes:**

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*State Law reference— Maryland building performance standards, ANN. CODE OF MD. PUBLIC SAFETY ARTICLE §12-503 AND BUILDING REGULATIONS AUTHORIZED UNDER Ann. Code of Md. ~~art. 83B, § 6-402.~~ LOCAL GOVERNMENT ARTICLE §5-211.*

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### **DIVISION 1. - GENERALLY**

#### **Sec. 10-31. - Violations and penalties.**

Any person or corporation who shall violate any of the provisions of this ~~article~~ CHAPTER or who shall fail to comply therewith or with any of the requirements thereof or who shall build or alter any building in violation hereof shall, upon conviction, be guilty of a ~~misdemeanor~~ MUNICIPAL INFRACTION. The owner or owners of any building or premises or part thereof where anything in violation of this ~~article~~ CHAPTER shall be placed or shall exist and any architect, engineer, building contractor, agent, person or corporation employed in connection therewith and who has assisted in the commission of such violation shall, upon conviction, be guilty of a separate offense ~~and shall be fined as hereinbefore provided.~~

(Code 1972, § 34-6)

*State Law reference— Penalties for ordinance violations, Ann. Code of Md. ~~art. 23A, § 3~~ LOCAL GOVERNMENT ARTICLE §6-101, ET SEQ.*

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#### **SEC. 10-36. - GENERAL AMENDMENTS.**

LOCAL AMENDMENTS ADOPTED UNDER THIS SECTION SHALL APPLY TO ALL BUILDING CODES AND REGULATIONS REFERENCED IN THIS CHAPTER.

- (1) ALL FIRE PROTECTION AND SEPARATION REQUIREMENTS SHALL BE IN ACCORDANCE WITH CHAPTER 34, OF THE CODE, EXCEPT AS FOLLOWS:
  - a. PROTECTION AND SEPARATION OF ALL STRUCTURAL MEMBERS IN A STRUCTURE SHALL BE IN ACCORDANCE WITH CHAPTER 7 OF THE INTERNATIONAL BUILDING CODE.

- b. PROTECTION, SEPARATION AND OPENING REQUIREMENTS FOR EXTERIOR WALLS IN A STRUCTURE SHALL BE IN ACCORDANCE WITH CHAPTER 7 OF THE INTERNATIONAL BUILDING CODE.
- c. WHENEVER A ONE FAMILY OR TWO FAMILY (DUPLEX) RESIDENTIAL STRUCTURE, OR A TOWNHOUSE (WITH NOT MORE THAN THREE STORIES ABOVE GRADE WITH SEPARATE MEANS OF EGRESS) IS BUILT ON A RAISED PLATFORM WITH PARKING OF VEHICLES BELOW AND UNDER SUCH PLATFORMS ALLOWED, THE AREA OF SUCH PARKING SHALL HAVE A ONE-HOUR APPROVED FIRE-RATED CEILING (UNDERSIDE OF PLATFORM), AND ALL STRUCTURAL SUPPORTS FOR SAID PLATFORM SHALL BE PROTECTED BY A ONE-HOUR APPROVED RATING.

(2) INFORMATION TO BE DISPLAYED ON EXTERIOR OF BUILDING.

- a. NO SINGLE-FAMILY, DUPLEX, TOWNHOUSE, MULTIFAMILY DWELLING, HOTEL, MOTEL OR OTHER BUSINESS OR COMMERCIAL BUILDING MAY BE CONSTRUCTED UNLESS ITS STREET ADDRESS NUMBER IS CONSPICUOUSLY DISPLAYED ON THE EXTERIOR OF THE BUILDING FACING THE STREET UPON WHICH IT IS FRONTED.
- b. NO SINGLE-FAMILY, DUPLEX, TOWNHOUSE, MULTIFAMILY DWELLING, HOTEL, MOTEL OR OTHER BUSINESS OR COMMERCIAL BUILDING THAT HAS A NAME, IN ADDITION TO ITS STREET ADDRESS, MAY BE CONSTRUCTED UNLESS ITS PROJECT NAME OR BUSINESS NAME IS CONSPICUOUSLY DISPLAYED ON THE EXTERIOR OF THE BUILDING FACING THE STREET UPON WHICH IT IS FRONTED.
- c. ANY EXISTING SINGLE-FAMILY, DUPLEX, TOWNHOUSE, MULTIFAMILY DWELLING, HOTEL, MOTEL OR OTHER BUSINESS OR COMMERCIAL BUILDING SHALL CONSPICUOUSLY DISPLAY ITS STREET ADDRESS NUMBER AND ITS PROJECT NAME OR BUSINESS NAME, IF IT HAS ONE, ON THE EXTERIOR OF THE BUILDING FACING THE STREET UPON WHICH IT IS FRONTED.

(3) STAIR REQUIREMENTS.

- a. STAIR REQUIREMENTS FOR ALL NEW SINGLE-FAMILY HOMES, DUPLEXES, AND TOWNHOUSES NOT MORE THAN THREE STORIES IN HEIGHT SHALL BE IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION.
- b. EXTERIOR STAIR REQUIREMENTS FOR COMMERCIAL AND MULTIFAMILY BUILDINGS SHALL BE IN ACCORDANCE WITH THE CODE CHAPTER 34.
- c. STAIRS LOCATED WITHIN DWELLING UNITS OF MULTI-FAMILY BUILDINGS SHALL BE IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE, 2018 EDITION.

- d. EXCEPT AS PROVIDED IN CODE SEC. 10-35(3)(A-C), MEANS OF EGRESS REQUIREMENTS SHALL BE IN ACCORDANCE WITH CODE CHAPTER 34 AND NFPA 101 LIFE SAFETY CODE.
- (4) IBC SECTION 105.5 AND IRC SECTION R105.5- EXPIRATION OF PERMITS. EVERY PERMIT ISSUED, UNDER THIS CHAPTER, SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 120 DAYS AFTER ITS ISSUANCE, OR IF THE WORK AUTHORIZED ON THE SITE BY SUCH PERMIT IS SUSPENDED OR ABANDONED FOR A PERIOD OF 120 DAYS AFTER THE TIME THE WORK IS COMMENCED. WORK SHALL BE CONSIDERED SUSPENDED OR ABANDONED IF NO REQUIRED BUILDING, FIRE, PLUMBING OR MECHANICAL INSPECTIONS HAVE BEEN PERFORMED FOR A PERIOD OF 120 DAYS OR IF THE FINAL BUILDING INSPECTION IS NOT COMPLETED WITHIN THREE YEARS AFTER PERMIT ISSUANCE. THE BUILDING OFFICIAL IS AUTHORIZED TO GRANT, IN WRITING, A MAXIMUM OF TWO EXTENSIONS OF TIME, FOR PERIODS NOT MORE THAN 120 DAYS EACH. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED. ADDITIONAL TIME EXTENSIONS MAY BE GRANTED BY THE MAYOR AND CITY COUNCIL. NO EXTENSION WILL BE GRANTED UNLESS THE SITE IS IN A SAFE AND SECURE CONDITION AS DETERMINED BY THE BUILDING OFFICIAL AND ALL CONSTRUCTION EQUIPMENT SHALL BE REMOVED FROM THE SITE UNTIL WORK RESUMES.
- (5) IBC SECTION 1015.4 – OPENING LIMITATIONS. GUARDS SHALL COMPLY WITH SECTION 1015 OF THE INTERNATIONAL BUILDING CODE EXCEPT THAT GUARDS SHALL NOT HAVE OPENINGS THAT ALLOW PASSAGE OF A SPHERE 2 INCHES IN DIAMETER FROM THE WALKING SURFACE TO THE REQUIRED GUARD HEIGHT.
- (6) FLOOD HAZARDS MAPS. THE FOLLOWING ORDINANCE AND MAPS APPLY TO CHAPTER 10:
- a. TOWN CODE, CHAPTER 38, FLOODS, ADOPTED JULY 16, 2015.
  - b. CURRENT FLOOD HAZARD MAP FIRM, JULY 16, 2015.
    - I. PANEL# MAP INDEX 24047CINDOA JULY 16, 2015.
    - II. PANEL# 0054H, 24047C0054H JULY 16, 2015.
    - III. PANEL# 0058H MAP# 24047C0058H JULY 16, 2015.
    - IV. PANEL# 0062H MAP# 24047C0062H JULY 16, 2015.
    - V. PANEL# 0064H MAP# 24047C0064H JULY 16, 2015.
    - VI. PANEL # 0066H MAP# 24047C0066H JULY 16, 2015.
    - VII. PANEL # 0068H MAP# 24047C0068H JULY 16, 2015.

VIII. PANEL# 0177H MAP# 24047C0177H JULY 16, 2015.

IX. PANEL # 0179H MAP# 24047C0179H JULY 16, 2015.

- (7) PROTECTION OF ADJOINING PROPERTY. ADJOINING PUBLIC AND PRIVATE PROPERTY SHALL BE PROTECTED IN ACCORDANCE WITH SECTION 3307.1 OF THE INTERNATIONAL BUILDING CODE AND PROVISIONS SHALL BE MADE TO CONTROL AIRBORNE DEBRIS INCLUDING EXPANDED POLYSTYRENE (EPS A.K.A. "STYROFOAM") PARTICLES IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES ESTABLISHED BY THE DEPARTMENT AND MODIFIED FROM TIME TO TIME. THE PERMIT HOLDER SHALL REMOVE ANY DEBRIS ESCAPING THE CONSTRUCTION SITE AND CLEAN UP THE ADJOINING PROPERTY IMMEDIATELY AND COMPLETELY.

Secs. 10-367 —10-50. - Reserved.

## **DIVISION 2. – INTERNATIONAL BUILDING CODE <sup>[3]</sup>**

### **Sec. 10-51. - Adopted.**

Those certain documents, copies of which are on file in the office of the City Clerk, being marked and designated as the International Building Code, 2015-2018 Edition, ~~except for section 105.2, Appendix G, Appendix H section H 101.2, and chapter thereof, be and it~~ EXCLUDING ALL APPENDICES, is hereby adopted as the building code of Ocean City, County of Worcester, State of Maryland, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, save and except such portions as may herein be deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of Ocean City.

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### **Sec. 10-52. - Amendments.**

SEE SEC. 10-35.

~~All fire protection and separation requirements shall be in accordance with chapter 34, fire prevention and protection, of the Code of the Town of Ocean City, Maryland, except as follows:~~

- ~~(1) Protection and separation of all structural members in a structure shall be in accordance with chapter 7 of the International Building Code.~~

~~(2) Protection, separation and opening requirements for exterior walls in a structure shall be in accordance with chapter 7 of the International Building Code.~~

~~(3) Whenever a detached single family or double family (duplex) residential structure is built on a raised platform with parking of vehicles below and under such platforms allowed, the area of such parking shall have a one-hour approved fire-rated ceiling (underside of platform), and all structural supports for said platform shall be protected by a one-hour approved rating.~~

~~(4) Information to be displayed on exterior of building.~~

~~a. No single family, duplex or multifamily dwelling, hotel, motel or other business or commercial building may be constructed unless its street address number is conspicuously displayed on the exterior of the building facing the street upon which it is fronted.~~

~~b. No single family, duplex or multifamily dwelling, hotel, motel or other business or commercial building that has a name, in addition to its street address, may be constructed unless its project name or business name is conspicuously displayed on the exterior of the building facing the street upon which it is fronted.~~

~~c. Any existing single family, duplex or multifamily dwelling, hotel, motel or other business or commercial building shall conspicuously display its street address number and its project name or business name, if it has one, on the exterior of the building facing the street upon which it is fronted.~~

~~(5) Window requirements for all structures shall be in accordance with the International Building Code, except all windows and doors shall have design pressure rating both positive and negative of at least 35 in buildings with a mean roof height equal to or less than 29 feet in height. Any building with a mean roof height of more than 29 feet in height shall be required to have a minimum design pressure rating of at least 45. In addition, all emergency egress or rescue windows from sleeping rooms when applicable must comply with Section 1030 of the IBC 2015 Code and IRC 2015 Code Section R310.~~

~~(6) Stair requirements.~~

~~a. Stair requirements for all new single family homes, duplex, and townhouses not more than three stories in height shall be in accordance with the International Residential Code, 2015 Edition.~~

~~b. Exterior stair requirements for commercial and multi-family buildings requirements shall be in accordance with the Town of Ocean City Code Chapter 34.~~

~~c. Stairs located within dwelling units of multi-family buildings shall be in accordance with the International Building Code, 2015 Edition.~~

~~d. Means of egress requirements shall be in accordance with Chapter 34 and NFPA 101 Life Safety Code.~~

(7) ~~Expiration of permits. 105.5 Every permit issued, under this chapter, shall become invalid unless the work on the site authorized by such permit is commenced within 120 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 120 days after the time the work is commenced. Work shall be considered suspended or abandoned if no required building, fire, plumbing or mechanical inspections have been performed for a period of 120 days or if the final building inspection is not completed within three years after permit issuance. The building official is authorized to grant, in writing, a maximum of two extensions of time, for periods not more than 120 days each. The extension shall be requested in writing and justifiable cause demonstrated. Additional time extensions may be granted by the mayor and city council. No extension will be granted unless the site is in a safe and secure condition as determined by the building official and all construction equipment shall be removed from the site until work resumes.~~

(8) ~~1015. Guards.~~ Guards shall comply with section 1015 of the International Building Code except that the bottom of any guard shall be constructed to prevent the passage of a 2" inch sphere.

(9) ~~Flood Hazards Maps.~~

1. ~~Adoption of flood ordinance, July 16, 2015.~~

2. ~~Current flood hazard map FIRM, July 16, 2015.~~

A. ~~Panel# Map Index 24047CINDOA July 16, 2015.~~

B. ~~Panel# 0054H, 24047C0054H July 16, 2015.~~

C. ~~Panel# 0058H Map# 24047C0058H July 16, 2015.~~

D. ~~Panel# 0062H Map# 24047C0062H July 16, 2015.~~

E. ~~Panel# 0064H Map# 24047C0064H July 16, 2015.~~

F. ~~Panel # 0066H Map# 24047C0066H July 16, 2015.~~

G. ~~Panel # 0068H Map# 24047C0068H July 16, 2015.~~

H. ~~Panel# 0177H Map# 24047C0177H July 16, 2015.~~

I. ~~Panel # 0179H Map# 24047C0179H July 16, 2015.~~

(10) ~~Protection of adjoining property.~~ Adjoining public and private property shall be protected in accordance with Section 3307.1 of the International Building Code and provisions shall be made to control airborne debris including expanded polystyrene (EPS a.k.a. "Styrofoam") particles in accordance with best management practices established by the department and modified from time to time. Remove any debris escaping the construction site and clean up the adjoining property immediately and completely.

~~(Code 1972, § 34-1.1; Ord. No. 2001-13, 7-16-2001; Ord. No. 2008-23, 1-5-2009; Ord. No. 2010-34, 12-20-2010; Ord. No. 2011-27, 9-19-2011; Ord. No. 2012-27, 11-1-2012; Ord. No. 2016-07, 4-18-2016; Ord. No. 2017-12, 9-5-2017)~~

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### **DIVISION 3. – ENERGY CONSERVATION STANDARDS [4]**

#### ***Footnotes:***

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*State Law reference—Energy conservation building standards, Ann. Code of Md., Public Utilities Company Article, § 7-401, et seq.*

#### **Sec. 10-71. - Model Energy Code adopted.**

The Model Energy Code, being particularly the International Energy Conservation Code, 2015 2018 Edition, save and except such portions as may herein be amended, of which not less than one copy has been and is now filed in the office of the City Clerk of Ocean City, is hereby adopted and incorporated as fully as if set forth at length herein, and from the date on which this division shall take effect, the provisions therein shall be controlling in establishing energy conservation in new building construction.

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### **DIVISION 5. – EXISTING BUILDING CODE [6]**

#### ***Footnotes:***

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*State Law reference—Minimum livability code, Ann. Code of Md., PUBLIC SAFETY ARTICLE §12-203art. 83B, § 6-103.*

#### **Sec. 10-111. - Adopted.**

The International Existing Building Code, 2015 2018 Edition, ~~except section 105.2,~~ as the same may from time to time be amended by the Mayor and City Council of Ocean City, of which one copy thereof has been and is now filed in the office of the City Clerk of Ocean City, is hereby adopted and incorporated as fully as if set forth at length herein; and from the date on which this section shall take effect, the provisions therein shall be controlling in establishing standards for required renovation and rehabilitation of existing buildings.

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#### **SEC. 10-112.- AMENDMENTS.**



1. CHAPTER 2 DEFINITIONS, SECTION 202 GENERAL DEFINITIONS. DEFINITION OF "WORK AREA" IS DELETED AND REPLACED WITH THE FOLLOWING:

WORK AREA. THE PORTION OR PORTIONS OF A BUILDING CONSISTING OF ALL RECONFIGURED SPACES AS INDICATED ON THE CONSTRUCTION DOCUMENTS. WORK AREA EXCLUDES OTHER PORTIONS OF THE BUILDING WHERE INCIDENTAL WORK ENTAILED BY THE INTENDED WORK MUST BE PERFORMED AND PORTIONS OF THE BUILDING WHERE WORK NOT INITIALLY INTENDED BY THE OWNER IS SPECIFICALLY REQUIRED BY THIS CODE. WORK AREA MAY ALSO BE DEFINED AS THE CONSTRUCTION VALUATION WHICH EXCEEDS 50% OF THE VALUE OF THE EXISTING STRUCTURE.

**Secs. 10-1123—10-130. - Reserved.**

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#### **DIVISION 7. – PROPERTY MAINTENANCE CODE**

**Sec. 10-141. - Adopted; amendments.**

A certain document one copy of which is on file in the office of the Chief Building Official of the Mayor and City Council of Ocean City, being marked and designated as "The International Property Maintenance Code, 2015 2018 Edition," as published by the International Code Council is hereby adopted as the property maintenance code of the Mayor and City Council of Ocean City, in the State of Maryland; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, as hereinafter set forth:

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#### **DIVISION 8. – INTERNATIONAL RESIDENTIAL CODE**

**Sec. 10-151. - Adopted.**

Those certain documents, copies of which are on file in the office of the City Clerk, being marked and designated as International Residential Code, 2015 2018 Edition, ~~except section R301.2.4, Chapters 24 through 32, appendices N, P~~ EXCLUDING ALL APPENDICES AND DELETING FOOTNOTE B FROM TABLE

R507.2.3, as published by the International Code Council is hereby adopted as the building code of Ocean City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in Ocean City, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2015 2018 Edition, published by the International Code Council on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this division; provided however, that all references to the International Fuel Code are amended by interlineations of National Fuel Gas Code (NFPA 54) and the Liquefied Petroleum Gas Code (NFPA 58).

**Sec. 10-152. - Revisions, climatic and geographic design criteria.**

- (a) Roof snow load—20 pounds per square foot.
- (b) Wind Ultimate Design Wind Speeds Vult—128 miles per hour.
- (c) Seismic design category ~~Site Class D~~ explanation A.
- (d) Weathering—Severe.
- (e) Frost line depth—18 inches.
- (f) Termite—Moderate to heavy.
- (g) Decay—Slight to moderate.
- (h) Winter design temperature 20 degrees.
- (i) Flood hazards AS ADOPTED IN CHAPTER 38 AND ASSOCIATED FLOOD HAZARD MAPS.

~~1. Adoption of flood ordinance, July 16, 2015.~~

~~2. Current flood hazard map FIRM, July 16, 2015.~~

~~A. Panel # Map Index 24047CIND0A July 16, 2015.~~

~~B. Panel # 0054H, 24047C0054H July 16, 2015.~~

~~C. Panel # 0058H, 24047C0058H July 16, 2015.~~

~~D. Panel # 0062H 24047C0062H July 16, 2015.~~

~~E. Panel # 0064H 24047C0064H July 16, 2015.~~

~~F. Panel # 0066H 24047C0066H July 16, 2015.~~

~~G. Panel # 0068H 24047C0068H July 16, 2015.~~

~~H. Panel # 0177H 24047C0177H July 16, 2015.~~

~~I. Panel # 0179H 24047C0179H July 16, 2015~~

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**ARTICLE III. - BUILDING AND COMPONENTS CODES**

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**DIVISION 1. - ELECTRICAL CODE**

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**Sec. 10-162. - National Electrical Code adopted.**

Except as may be provided otherwise in this article, the requirements of the National Electrical Code, 2014 2017 Edition, and NFPA 70 being the regulations of the National Fire Protection Association for electrical wiring and apparatus, shall be deemed to be the requirements imposed by this article, said National Electrical Code being hereby adopted by reference as the electrical code of Ocean City and being herein incorporated in its entirety by reference.

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**Sec. 10-164. - ELECTRICAL INSPECTORS AND Inspections.**

- (a) ALL ELECTRICAL INSPECTORS SHALL BE LICENSED BY THE STATE OF MARYLAND. ~~The Middle Department Inspection Agency, Maryland Electrical Inspections, First State Inspection Agency, American Inspection Agency and any other~~ ELECTRICAL inspectors from time to time designated by ~~the Mayor and City Council~~ shall, SHALL, during installation of an electrical wiring system, make or cause inspections to be made to assure compliance with the National Electrical Code.
- (b) ~~The Middle Department Inspection Agency, Maryland Electrical Inspections, First State Inspection Agency, American Inspection Agency, or other~~ ELECTRICAL inspectors shall, within a reasonable time after notice of the completion of electrical wiring, make or cause to be made an inspection of such work and such tests as may be necessary to determine that it conforms to the provisions of the National Electrical Code, and shall make or cause to be made a reinspection of an electrical wiring installation whenever it deems it necessary in the interest of public safety.
- (c) For the purpose of making any inspection, test or report necessary for the proper administration and enforcement of this article, the building official or, at his written direction, ~~the Middle Department Inspection Agency, Maryland Electrical Inspections, First State Inspection Agency, American Inspection Agency, or other~~ LICENSED ELECTRICAL inspectors shall have the authority during reasonable hours to enter in and upon any building or premises, and no person, firm or corporation shall prevent, obstruct or interfere with the performance of any inspection or test made pursuant hereto.
- (d) The building official shall have the power to stop any electrical work when he is notified by the ~~Middle Department Inspection Agency, Maryland Electrical Inspections, First State Inspection Agency, American Inspection Agency, or other~~ ELECTRICAL inspectors that such work being installed does not conform to the National Electrical Code.

- (e) If any existing electrical wiring system upon inspection is found to be defective and unsafe, upon notification by the building official, the licensee or holder of the permit shall disconnect such system from service until it has been corrected, made to conform to the requirements of the National Electrical Code, Electrical Inspections, or other inspectors, provided that, for safety reasons in making any such disconnection, any wiring on the line side of the service-disconnect mains is to be handled by utility company personnel only.

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**Sec. 10-165. – ELECTRICIAN Licensing requirements.**

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- (c) ~~The following applies to licenses under this section:~~

~~(1) To qualify for a state license, an applicant shall be an individual who meets the requirements of the Division of Occupational and Professional Licensing, License Requirements—Maryland Board of Master Electricians. In order to qualify to take the examination for a master electrician's license, the applicant must have been engaged or employed regularly and principally in providing electrical services for all types of electrical equipment and apparatus for at least seven years under the direction and supervision of:~~

~~a. A master electrician; or~~

~~b. A similarly qualified employee of a governmental unit.~~

~~(2) The state board may allow an applicant up to three years of credit towards the required experience with proof that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience.~~

~~(3) Except as otherwise provided by law, the applicant shall pass an electrical examination given by the state.~~

~~(4) THE TOWN OF Ocean City may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section AND IS AUTHORIZED TO PERFORM ELECTRICAL WORK IN THE TOWN.~~

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**DIVISION 2. – MECHANICAL CODE**

**Sec. 10-171. - Adopted.**

Except as may be provided otherwise in this division, the requirements of the International Mechanical Code, 2015 2018 Edition, as amended, being the requirements of the International Code Council for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems shall be deemed to be the requirements imposed by this division, said International Mechanical Code, 2015 2018 Edition, as amended, being hereby adopted by reference as the mechanical code of

Ocean City and being herein incorporated in its entirety by reference, with additions, insertions, deletions and changes as set forth in section 10-172 hereof.

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**Sec. 10-172. - Exemptions and exceptions.**

- (a) Item 4 of the exemptions set forth in Section 106.2 of the Mechanical Code shall require a plumbing permit.
- (b) In the event that any terms or provisions of this article conflict with the terms or provisions of any other chapter of the Code of Ocean City, Maryland, or conflict with the provisions of any other ordinance now or hereafter in effect, then and in that event, the terms and provisions of the most stringent chapter or ordinance shall be controlling, except for those terms or provisions expressly set forth in chapter 34, ~~fire prevention and protection~~, OF THE CODE which shall prevail over this article.
- (c) All references to the ICC Electrical Code are amended by interlineation of National Electric Code 2014 2017 and (NFPA 70).
- (d) All references to the International Fire Code are amended by interlineation of Fire Code (NFPA 1).
- (e) All references to the International Fuel Code are amended by interlineation of National Fuel Gas Code (NFPA 54) and the Liquefied Petroleum Gas Code (NFPA 58).

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**ARTICLE IV. - PLUMBING CODE**

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**Sec. 10-181. - Adopted.**

Subject to the amendments set forth in section 10-172 hereof, the ~~National Standard Plumbing Code Illustrated, 2012~~ INTERNATIONAL PLUMBING CODE 2018 Edition, along with the 2013 Supplement is hereby adopted, with a full and complete copy thereof on file in the Department of Planning and Community Development.

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**ARTICLE V. - FOUNDATION REGULATIONS**

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**DIVISION 1. - GENERALLY**

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**Sec. 10-192. - Violations and penalties.**

Any person who shall construct or erect any structure without complying with the terms, requirements and provisions of this division, or who constructs or erects any structure not in compliance with plans presented pursuant to this division, shall be deemed to have committed a municipal infraction. In addition to the penalty herein created, the building official is hereby authorized to issue a stop work order or a nonoccupancy order and cause the same to be posted on any structure, project or building being erected in violation of this division. Any person thereafter working on or occupying the subject property, project, structure or building while said stop work order or nonoccupancy order is in effect shall be deemed to be in violation of this division and shall be deemed guilty of a municipal infraction and subject to the penalties imposed by this section. New and renewal national flood insurance may be denied for any structure either in violation or situated on property in violation of this division.

(Code 1972, § 55-7)

*State Law reference—Penalties for ordinance violations, Ann. Code of Md., LOCAL GOVERNMENT ARTICLE §6-101, et seq. art. 23A, § 3.*

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**Sec. 10-197. - Conflicting regulations.**

Where the provisions of this division are in conflict with any other provisions of the Code of Ocean City, Maryland, the provision containing the severest and most restrictive requirement shall apply. In no event shall this division be construed to allow any construction that does not meet any and all standards of the International Building Code; chapter 16, or SSTD 10-93, as it now is or may from time to time be amended.

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**DIVISION 2. – CRITICAL AREAS**

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**Sec. 10-223. - Violations.**

Any person who shall construct or erect any structure without complying with the terms, requirements and provisions of this division shall be deemed to have committed a municipal infraction. In addition to the penalty herein created, the building official is hereby authorized to issue a stop work order and cause the same to be posted on any project, structure or building section erected in violation of this division. Any person

thereafter working on the subject property while said stop work order is in effect shall be deemed to be in violation of this division and subject to the penalties imposed by this section. New and renewal national flood insurance may be denied for any structure remaining in violation of this division or situated on property in violation of this division.

(Code 1972, § 54-7)

**State Law reference**—*Penalties for ordinance violations, Ann. Code of Md., LOCAL GOVERNMENT ARTICLE §6-101, et seq. art. 23A, § 3.*

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## **ARTICLE VI. - MANUFACTURED HOMES, STICK-BUILT HOMES, RECREATIONAL VEHICLES, AND INDUSTRIALIZED HOMES CONSTRUCTED OR INSTALLED IN MOBILE HOME PARKS**

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### **DIVISION 1. - GENERALLY**

#### **Sec. 10-251. - Separation requirements.**

In addition to Appendix "E" of the International Residential Code 2015 2018 and the Manufactured Home Construction and Safety Standards as promulgated by the HUD, all dwellings units constructed or installed in mobile home parks must meet the fire safety separation requirements as prescribed listed below. Dwelling units shall include but not be limited to manufactured homes (HUD approved), stick-built homes, recreational vehicles and industrialized homes.

Definition: Stick-built home.

A stick-built home is a wooden framed or metal framed house constructed entirely or largely on-site; that is, built on the site which it is intended to occupy upon its completion rather than in a factory or similar facility.

a) **Manufactured home accessory building or structure.**

A building or structure that is an addition to a manufactured home or that supplements the facilities provided in a manufactured home: it is not a self-contained, separate, habitable building or structure. Examples include awnings, cabanas, garage, porch, armadas, storage structure, carports, fences, or windbreaks.

b) **Fire safety separation requirements.**

No portion of a manufactured home (excluding the tongue), stick-built homes, industrialized home or recreational vehicle, shall be located closer than 10ft. (3m) side to side, 8ft. (2.4m) end to side, or 6ft. (1.8m) end to end horizontally from any other structure or community building unless the exposed composite walls

and roof of either structure are without openings and constructed of materials that will provide a 1-hour fire resistance rating or the structures are separated by a 1-hour rated barrier.

c) Space under structures fire safety requirements.

The space under manufactured homes, stick built homes, recreational vehicles, industrialized homes, and accessory buildings and structures shall not be used for the storage of combustible materials or for the storage or placement therein of flammable liquids, gases, or liquid or gas powered equipment.

d) Accessory building or structure fire safety requirements.

Set-back Requirement. Accessory building or structures shall be permitted to be located immediately adjacent to a site line when constructed entirely of materials that do not support combustion and provided that such building or structures are not less than 3ft. (0.9m) from an accessory building or structure on an adjacent site. An accessory building or structure constructed of combustible materials shall be located no closer than 5ft. (1.5m) from the site line of an adjoining site.

e) Exits.

Every habitable room in an accessory building or structure shall have access to at least one exterior opening suitable for exiting directly to the outside without passing through the manufactured home. Where a building or structure encloses two doors of the manufactured home or an emergency exit window, an additional exterior door shall be installed. This exterior door shall not be less than 32 inches in clear width and 6ft. 8 inches in height.

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**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE  
MAYOR AND CITY COUNCIL OF OCEAN CITY THAT THE MANDATORY  
EFFECTIVE DATE OF ORDINANCE 2020-\_\_\_ SHALL BE AUGUST 4, 2020.  
PLANS SUBMITTED ON OR AFTER AUGUST 4, 2020, SHALL COMPLY WITH  
ORDINANCE-\_\_\_.**

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on  
\_\_\_\_\_, 2020.

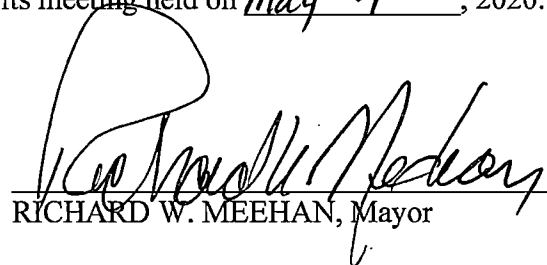


ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on May 4, 2020.

ATTEST:

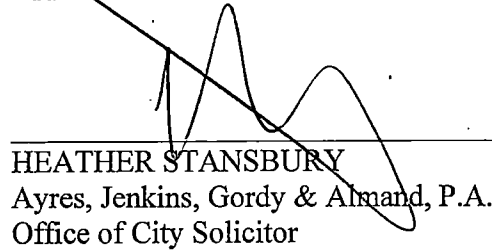


DIANA L. CHAVIS, Clerk



RICHARD W. MEEHAN, Mayor

Approved as to form:



HEATHER STANSBURY  
Ayres, Jenkins, Gordy & Almand, P.A.  
Office of City Solicitor



LLOYD MARTIN, President



MARY P. KNIGHT, Secretary