

Introduced 10-4-2021
Public Hearing 10-18-2021
Council Action 11-1-2021
Executive Action 11-3-2021
Effective Date 1-3-2022

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 16

Bill No. 73 -2021

Introduced by: The Chairperson at the request of the County Executive

AN ACT adopting certain national codes as the Howard County Property Maintenance Code for Rental Housing; adopting local amendments; making certain technical corrections; and generally relating to the Howard County Property Maintenance Code for Rental Housing.

Introduced and read first time October 4, 2021. Ordered posted and hearing scheduled.
By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on October 18, 2021.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Nov 1, 2021 and Passed ☒, Passed with amendments _____, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 2 day of Nov, 2021 at 2021 4pm a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/vetoed by the County Executive November 3, 2021

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard County Code is amended as follows:

By repealing and reenacting:

Title 3. Buildings.

Subtitle 7. Property Maintenance Code for Rental Housing.

Section 3.700. Howard County Property Maintenance Code for Rental Housing.

By amending:

Title 14. Licenses, Inspections and Permits

Subtitle 9. Rental Housing Licenses

Section 14.900(h).

Title 3. Buildings.

Subtitle 7. Property Maintenance Code for Rental Housing.

SECTION 3.700. HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

(A) *ADOPTION OF NATIONAL CODE.* EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL IS HEREBY ADOPTED AS THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

(B) *LOCAL AMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY CERTAIN PROVISIONS OF THE ADOPTED CODE.

(1) *IN GENERAL.*

(I) AS USED IN THIS SUBTITLE, THE TERM “THIS CODE” SHALL MEAN THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

(II) AS USED IN THIS SECTION, THE TERM “CODE OFFICIAL” SHALL MEAN THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED DESIGNEE.

(III) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD COUNTY, MARYLAND".

(2) ***SUBSECTION 101.1 TITLE.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.1 TITLE. THESE REGULATIONS SHALL BE KNOWN AS THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING, HEREINAFTER REFERRED TO AS "THIS CODE".

(3) ***SUBSECTION 101.2 SCOPE.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.2 SCOPE.

(I) THE SCOPE OF THIS CODE IS LIMITED TO EXISTING STRUCTURES IN THE FOLLOWING OCCUPANCIES AS DEFINED IN THE HOWARD COUNTY BUILDING CODE:

A. INSTITUTIONAL, USE GROUP I-1; AND

B. RESIDENTIAL,

I. USE GROUPS R-1, R-2, R-4; AND

II. USE GROUPS R-3 THAT ARE NOT OWNER-OCCUPIED, OCCUPIED BY THE OWNER'S IMMEDIATE FAMILY, OR OWNER-OCCUPIED WITH 2 OR MORE ROOMERS OR BOARDERS.

(II) THIS CODE SHALL NOT APPLY TO THE FOLLOWING EXISTING OCCUPANCIES AS DEFINED IN THE HOWARD COUNTY BUILDING CODE:

A. ASSEMBLY, ALL USE GROUPS;

B. BUSINESS, USE GROUP B;

C. EDUCATIONAL, USE GROUP E;

D. FACTORY AND INDUSTRIAL USE GROUPS F-1 AND F-2;

E. HIGH HAZARD, ALL USE GROUPS;

F. INSTITUTIONAL, USE GROUPS I-2, I-3, AND I-4;

G. MERCANTILE, USE GROUP M; AND

H. RESIDENTIAL, USE GROUP R-3, IF THE DWELLING IS:

- I. OWNER OCCUPIED;
- II. OCCUPIED BY MEMBERS OF THE OWNER’S IMMEDIATE FAMILY; OR
- III. OWNER OCCUPIED HAVING NO MORE THAN ONE ROOMER OR BOARDER; AND
- I. STORAGE USE GROUPS S1 AND S2.

(4) ***SUBSECTION 101.3 PURPOSE.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.3 INTENT. THE PURPOSE OF ACTIONS TAKEN BY THE JURISDICTION PURSUANT TO THIS CODE IS PURELY GOVERNMENTAL IN NATURE AND ARE CONDUCTED SOLELY FOR THE PUBLIC BENEFIT. ACTIONS TAKEN PURSUANT TO THIS CODE ARE NOT TO BE CONSTRUED AS PROVIDING ANY WARRANTY OF CONDITION TO ANY PERSON.

(5) ***SUBSECTION 101.5 LICENSING.***

ADD NEW SUBSECTION 101.5 AFTER SUBSECTION 101.4 AS FOLLOWS:

101.5 LICENSING. A STRUCTURE WITHIN THE SCOPE OF THIS CODE SHALL NOT BE OCCUPIED UNLESS THE PROPERTY OWNER OBTAINS THE LICENSE REQUIRED BY TITLE 14, SUBTITLE 9 OF THE HOWARD COUNTY CODE. THE PROPERTY OWNER MAY BE SUBJECT TO PENALTIES AND FINES FOR ILLEGALLY OCCUPYING A PROPERTY WITHOUT A RENTAL LICENSE.

(6) ***SUBSECTION 102.7 HISTORIC BUILDINGS.***

DELETE THIS SUBSECTION.

(7) ***SUBSECTION 102.8 REFERENCED CODES AND STANDARDS.***

(i) DELETE “CHAPTER 8” AND SUBSTITUTE “THE HOWARD COUNTY BUILDING CODE AS ADOPTED IN TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE, AS APPLICABLE,”.

(ii) AFTER SUBSECTION 102.8.2, INSERT THE FOLLOWING:

102.8.3 BUILDING. WHENEVER THE TERM “*INTERNATIONAL BUILDING CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE ADOPTED PURSUANT TO TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

102.8.4 ELECTRICAL. WHENEVER THE TERM “*ICC ELECTRICAL CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD COUNTY ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3, SUBTITLE 2 OF THE HOWARD COUNTY CODE.

102.8.5 FIRE PREVENTION. WHENEVER THE TERM “*INTERNATIONAL FIRE CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

102.8.6 PLUMBING AND GASFITTING. WHENEVER THE TERMS “*INTERNATIONAL PLUMBING CODE*” OR “*INTERNATIONAL FUEL GAS CODE*” ARE USED IN THIS CODE, THEY SHALL MEAN THE HOWARD COUNTY PLUMBING AND GASFITTING CODE ADOPTED PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY CODE.

102.8.7 MECHANICAL. WHENEVER THE TERM “*INTERNATIONAL MECHANICAL CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE MECHANICAL CODE OF HOWARD COUNTY ADOPTED PURSUANT TO TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

102.8.8 ZONING. WHENEVER THE TERM “*INTERNATIONAL ZONING CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD COUNTY ZONING REGULATIONS AS ADOPTED PURSUANT TO TITLE 16 OF THE HOWARD COUNTY CODE.

(8) ***SECTION 103 CODE COMPLIANCE AGENCY.***

DELETE THE NAME OF THIS SECTION AND SUBSTITUTE “DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS”.

(9) ***SUBSECTION 103.1 CREATION OF AGENCY.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

103.1 GENERAL. THE CODE OFFICIAL IS THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED DESIGNEE.

(10) ***SUBSECTION 103.2 APPOINTMENT.***

DELETE THIS SUBSECTION.

1 (11) ***SUBSECTION 103.3 DEPUTIES.***

2 DELETE THIS SUBSECTION.

3 (12) ***SECTION 104 FEES.***

4 DELETE THIS SECTION.

5 (13) ***SUBSECTION 105.3 RIGHT OF ENTRY.***

6 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

7 ***105.3 RIGHT OF ENTRY.*** SUBJECT TO TITLE 14, SUBTITLE 9 AND TITLE 17,
8 SUBTITLE 10 OF THE HOWARD COUNTY CODE, THE CODE OFFICIAL IS
9 AUTHORIZED TO ENTER A DWELLING UNIT, PROPERTY, OR PREMISES AT
10 REASONABLE TIMES SOLELY FOR THE PURPOSE OF INSPECTING FOR
11 COMPLIANCE WITH THIS CODE. IF ENTRY IS REFUSED, THE CODE OFFICIAL
12 MAY SEEK A COURT ORDER TO PERMIT ENTRY AND FREE ACCESS TO THE
13 DWELLING UNIT, PROPERTY, OR PREMISES.

14 (14) ***SUBSECTION 105.3.1 OCCUPANT OR TENANT TO GIVE ACCESS.***

15 ADD NEW SUBSECTION 105.3.1 AFTER SUBSECTION 105.3 AS FOLLOWS:

16 ***105.3.1 OCCUPANT OR TENANT TO GIVE ACCESS.*** SUBJECT TO TITLE 14,
17 SUBTITLE 9 AND TITLE 17, SUBTITLE 10 OF THE HOWARD COUNTY CODE,
18 AN OCCUPANT OR TENANT OF A DWELLING UNIT, PROPERTY, OR PREMISES
19 SHALL GIVE ACCESS TO ANY PART OF THE DWELLING UNIT, PROPERTY, OR
20 PREMISES FOR THE PURPOSE OF MAKING INSPECTIONS, MAINTENANCE,
21 REPAIRS, OR ALTERATIONS AS ARE NECESSARY TO COMPLY WITH THIS CODE.
22 ACCESS MUST BE PROVIDED DURING NORMAL BUSINESS HOURS OR AT A
23 TIME THAT HAS BEEN MUTUALLY AGREED UPON BY BOTH THE LANDLORD
24 AND THE TENANT.

25 (15) ***SUBSECTION 105.3.2 PROPERTY OWNER RIGHT OF ENTRY.***

26 ADD NEW SUBSECTION 105.3.2 AFTER NEW SUBSECTION 105.3.2 AS
27 FOLLOWS:

28 ***105.3.2 PROPERTY OWNER RIGHT OF ENTRY.*** SUBJECT TO TITLE 14,
29 SUBTITLE 9 AND TITLE 17, SUBTITLE 10 OF THE HOWARD COUNTY CODE,
30 THE PROPERTY OWNER SHALL GIVE THE TENANT OR OCCUPANT AT LEAST

1 24-HOURS WRITTEN OR VERBAL NOTICE PRIOR TO ENTRY FOR REPAIRS.

2 EXCEPTION: EMERGENCY SITUATIONS.

3 (16) ***SUBSECTION 109.1 UNLAWFUL ACTS.***

4 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

5 *109.1 UNLAWFUL ACTS.* AN OWNER, OCCUPANT, OR TENANT SHALL NOT
6 ERECT, CONSTRUCT, ALTER, EXTEND, REPAIR, REMOVE, DEMOLISH,
7 MAINTAIN, FAIL TO MAINTAIN, PROVIDE, FAIL TO PROVIDE, OCCUPY, PERMIT
8 ANOTHER PERSON TO OCCUPY ANY PREMISES, PROPERTY, DWELLING UNIT,
9 OR EQUIPMENT REGULATED BY THIS CODE, OR CAUSE THE SAME TO BE DONE
10 IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE; FAIL TO OBEY A
11 LAWFUL ORDER OF THE CODE OFFICIAL; OR REMOVE OR DEFACE A PLACARD
12 OR NOTICE POSTED UNDER A PROVISION OF THIS CODE.

13 (17) ***SUBSECTION 109.3 PROSECUTION OF VIOLATION.***

14 DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:

15 *106.3 ENFORCEMENT AND PENALTIES.* A PERSON WHO VIOLATES A
16 PROVISION OF THIS CODE IS GUILTY OF A MISDEMEANOR AND, UPON
17 CONVICTION, IS SUBJECT TO A FINE, NOT EXCEEDING \$1,000, OR
18 IMPRISONMENT, NOT EXCEEDING 30 DAYS, OR BOTH. ALTERNATIVELY, AND
19 IN ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES AT LAW OR
20 AT EQUITY, THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
21 MAY ENFORCE THIS CODE WITH CIVIL PENALTIES AS PROVIDED IN TITLE 24
22 "CIVIL PENALTIES" OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS
23 SUBTITLE IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION CONTINUES
24 IS A SEPARATE OFFENSE.

25 (18) ***SUBSECTION 109.4 VIOLATION PENALTIES.***

26 DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:

27 *109.4 REVOCATION.* THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
28 LICENSES AND PERMITS MAY SUSPEND, REVOKE, OR REFUSE TO RENEW A
29 RENTAL HOUSING LICENSE IF THE CODE OFFICIAL FINDS THAT AN OWNER OF
30 A PROPERTY HAS VIOLATED A PROVISION OF THIS CODE, THIS TITLE, OR
31 REGULATIONS THAT IMPLEMENT THIS TITLE IN CONNECTION WITH THE

1 CONSTRUCTION, MAINTENANCE, ALTERATION, OR REPAIR OF A PREMISES,
2 PROPERTY, DWELLING UNIT, EQUIPMENT, OR LAND WITHIN HOWARD
3 COUNTY. THE DIRECTOR MAY REVOKE A RENTAL HOUSING LICENSE IF IT IS
4 DISCOVERED THAT THE OWNER OR APPLICANT MISREPRESENTED
5 THEMSELVES OR FALSIFIED RECORDS RELATING TO THE LICENSE.

6 (19) ***SUBSECTION 109.5 ABATEMENT OF VIOLATION.***

7 DELETE THIS SUBSECTION.

8 (20) ***SUBSECTION 111.1.5 UNSAFE STRUCTURE AND EQUIPMENT.***

9 DELETE ITEM 11.

10 (21) ***SUBSECTION 111.2 CLOSING OF VACANT STRUCTURES.***

11 (I) IN THE TITLE DELETE “CLOSING OF” AND SUBSTITUTE “SECURING”.

12 (II) IN THE FIRST AND SECOND SENTENCE, DELETE “CLOSE UP” AND
13 SUBSTITUTE “SECURE AGAINST CASUAL ENTRY”.

14 (III) IN THE SECOND SENTENCE, DELETE “CLOSED AND”.

15 (IV) IN THE SECOND SENTENCE, AFTER “PRIVATE PERSONS”, INSERT A
16 PERIOD AND DELETE THE REMAINDER OF THIS SECTION;

17 (V) AFTER “PERSONS.” INSERT “THE OWNER IS RESPONSIBLE FOR
18 REIMBURSING THE COUNTY FOR THE COST OF NECESSARY REPAIRS.
19 THE DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR THE COST
20 OF THE WORK. THE OWNER SHALL PAY THE BILL FOR THE WORK
21 WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE BILL
22 WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
23 REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST
24 OF REPAIRS.”

25 (22) ***SUBSECTION 111.4.1 FORM.***

26 (I) ITEM 4, AFTER “DWELLING UNIT OR” DELETE “STRUCTURE” AND
27 SUBSTITUTE “PREMISES”.

28 (II) DELETE ITEMS 5 AND 6.

29 (23) ***SUBSECTION 111.7- PLACARDING.***

30 IN THE FIRST SENTENCE, DELETE “BEARING” THROUGH THE END OF THE
31 SENTENCE AND SUBSTITUTE THE FOLLOWING:

BEARING THE PHRASE “UNLICENSED PREMISES, UNLAWFUL TO OCCUPY ANY
CURRENTLY VACANT DWELLING UNIT IN THESE PREMISES OR ANY DWELLING
UNIT BECOMING VACANT UNTIL A RENTAL HOUSING LICENSE HAS BEEN
OBTAINED.”.

(24) ***SUBSECTION 112.4 EMERGENCY REPAIRS.***

ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR THE COST
OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE SHALL BILL THE
OWNER FOR THE COST OF THE WORK. THE OWNER SHALL PAY THE BILL FOR
THE WORK WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE
BILL WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST OF
REPAIRS.

(25) ***SUBSECTION 112.5 COSTS OF EMERGENCY REPAIRS.***

DELETE THIS SUBSECTION.

(26) ***SUBSECTION 112.6 HEARING.***

DELETE THE SECOND SENTENCE AND SUBSTITUTE THE FOLLOWING:

A PERSON MAY APPEAL AN ORDER TO TAKE EMERGENCY MEASURES TO A
HEARING EXAMINER OF THE HOWARD COUNTY BOARD OF APPEALS IN
ACCORDANCE WITH THE RULES OF PROCEDURE SET FORTH IN TITLE 16,
SUBTITLE 3 OF THE HOWARD COUNTY CODE.

(27) ***SUBSECTION 113.3 FAILURE TO COMPLY.***

(I) AFTER “PRIVATE PERSONS”:

A. DELETE THE COMMA AND INSERT A PERIOD; AND

B. DELETE THE REMAINDER OF THE SECTION AFTER “PERSONS.”

(II) AFTER “PERSONS.” INSERT THE FOLLOWING:

“THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR
THE COST OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE
SHALL BILL THE OWNER FOR THE COST OF THE WORK. THE OWNER
SHALL PAY THE BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF
THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS, THE CODE

1 OFFICIAL MAY SEEK A COURT ORDER REQUIRING THE OWNER TO
2 REIMBURSE THE COUNTY FOR THE COST OF REPAIRS.”

3 (28) ***SECTION 107 MEANS OF APPEAL.***

4 DELETE THIS SECTION IN ITS ENTIRETY.

5 (29) ***SECTION 110 STOP WORK ORDER.***

6 DELETE THIS SECTION IN ITS ENTIRETY.

7 (30) ***SECTION 202 GENERAL DEFINITIONS.***

- 8 (I) DELETE THE DEFINITION FOR “DWELLING UNIT” AND SUBSTITUTE
9 THE FOLLOWING:

10 **[A] DWELLING UNIT.** A BUILDING, STRUCTURE, OR ANY PORTION OF
11 A BUILDING OR STRUCTURE THAT CONTAINS A SINGLE UNIT
12 PROVIDING INDEPENDENT LIVING FACILITIES FOR ONE OR MORE
13 PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, EATING,
14 COOKING, SANITATION OR SLEEPING. A DWELLING UNIT SHALL
15 INCLUDE, WITHOUT LIMITATION, A MULTI-FAMILY HOUSE, SINGLE-
16 FAMILY HOUSE, APARTMENT, APARTMENT HOUSE, BOARDING HOUSE,
17 ROOMING HOUSE, DORMITORY, ROOMING UNIT, EFFICIENCY UNIT,
18 HOTEL, MOTEL, OR A MULTI-FAMILY DWELLING OWNED BY A SINGLE
19 OWNER.

- 20 (II) DELETE THE DEFINITION FOR “OWNER” AND SUBSTITUTE THE
21 FOLLOWING:

22 **[A] OWNER.** A PERSON, AGENT, OPERATOR, FIRM, OR CORPORATION
23 HAVING A LEGAL OR EQUITABLE INTEREST IN THE DWELLING UNIT;
24 HOLDING RECORDED TITLE IN THE OFFICIAL RECORDS OF THE STATE,
25 COUNTY, OR MUNICIPALITY; OR JOINTLY OR SEVERALLY HAVING
26 CONTROL OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, AN
27 EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR
28 OTHER REPRESENTATIVE APPOINTED ACCORDING TO LAW, AND THE
29 SENIOR OFFICER, DIRECTOR, OR TRUSTEE OF THE ASSOCIATION OF
30 UNIT OWNERS OF A CONDOMINIUM.

- 31 (III) ADD THE FOLLOWING ALPHABETICALLY WITHIN THIS SECTION:

- 1 A. **NORMAL BUSINESS HOURS.** 9:00 A.M. TO 5:00 P.M.
- 2 B. **SANITARY CONDITION.** PROMOTING HEALTH AND
- 3 HEALTHFUL LIVING CONDITIONS BY THE ELIMINATION OF
- 4 DIRT, FECES, URINE, GARBAGE AND RUBBISH.
- 5 (31) ***SUBSECTION 302.4 WEEDS.***
- 6 INSERT “12 INCHES” WHERE INDICATED.
- 7 (32) ***SUBSECTION 302.4.1 BUSHES AND SHRUBS.***
- 8 ADD NEW SUBSECTION 302.4.1 AFTER SUBSECTION 302.4 AS FOLLOWS:
- 9 302.4.1 BUSHES AND SHRUBS. BUSHES AND/OR SHRUBS SHALL NOT BLOCK
- 10 OR INTERFERE WITH INGRESS OR EGRESS.
- 11 (33) ***SUBSECTION 302.4.2 TREES AND BRANCHES.***
- 12 ADD NEW SUBSECTION 302.4.2 AFTER NEW SUBSECTION 302.4.1 AS
- 13 FOLLOWS:
- 14 302.4.2 TREES AND BRANCHES. IF, IN THE OPINION OF THE CODE OFFICIAL,
- 15 DEAD OR DISEASED TREES AND BRANCHES PRESENT A HAZARD TO PERSONS
- 16 OR PROPERTY, THOSE TREES AND/OR BRANCHES SHALL BE REMOVED.
- 17 (34) ***SUBSECTION 302.5 RODENT HARBORAGE.***
- 18 IN THE SECOND SENTENCE, DELETE “EXTERMINATED” AND SUBSTITUTE
- 19 “ELIMINATED”.
- 20 (35) ***SUBSECTION 304.3.1 PREMISES IDENTIFICATION FOR APARTMENTS AND***
- 21 ***CONDO UNITS.***
- 22 ADD NEW SUBSECTION 304.3.1 AFTER SECTION 304.3 AS FOLLOWS:
- 23 304.3.1 PREMISES IDENTIFICATION FOR APARTMENTS AND CONDO UNITS.
- 24 CONDO AND APARTMENT UNITS SHALL HAVE UNIT NUMBERS POSTED ON
- 25 EXTERIOR DOORS TO UNIT.
- 26 (36) ***SUBSECTION 304.14 INSECT SCREENS.***
- 27 DELETE “DURING THE PERIOD FROM [DATE] TO [DATE],”.
- 28 (37) ***SUBSECTION 305.1.1 UNSAFE CONDITIONS.***
- 29 DELETE THIS SECTION IN ITS ENTIRETY.
- 30 (38) ***SUBSECTION 305.3.1 LEAD-BASED PAINT.***
- 31 ADD NEW SUBSECTION 305.3.1 AFTER SUBSECTION 305.3 AS FOLLOWS:

1 **305.3.1. LEAD-BASED PAINT.** THE OWNER OF A DWELLING UNIT SHALL
2 COMPLY WITH REQUIREMENTS OF THE MARYLAND DEPARTMENT OF THE
3 ENVIRONMENT FOR LEAD-BASED PAINT AND SHALL PROVIDE THE REQUIRED
4 DISCLOSURES IN ACCORDANCE WITH STATE LAW. A COPY OF THE MDE
5 LEAD CERTIFICATION MUST BE PROVIDED TO THE LOCAL JURISDICTION.

6 (39) ***SUBSECTION 307.1 GENERAL.***

7 IN THE FIRST SENTENCE, DELETE “MORE THAN FOUR RISERS” AND
8 SUBSTITUTE “FOUR OR MORE RISERS”.

9 (40) ***SUBSECTION 308.2.1 RUBBISH STORAGE FACILITIES.***

10 (i) DELETE THE TITLE OF THIS SECTION AND SUBSTITUTE “RUBBISH AND
11 RECYCLING STORAGE FACILITIES”.

12 (ii) AT THE END OF THIS SUBSECTION, AFTER “RUBBISH.” INSERT:
13 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
14 RESPONSIBLE FOR THE SAFE AND SANITARY STORAGE AND REMOVAL
15 OF ALL RUBBISH AND RECYCLABLES.

16 (41) ***SUBSECTION 308.3.1 GARBAGE FACILITIES.***

17 ADD THE FOLLOWING AT THE END OF THIS SUBSECTION:

18 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
19 RESPONSIBLE FOR THE SAFE AND SANITARY STORAGE AND REMOVAL OF ALL
20 GARBAGE.

21 (42) ***SUBSECTION 309.1 INFESTATION.***

22 (i) IN THE FIRST SENTENCE DELETE “INSECT” AND SUBSTITUTE “INSECT,
23 VERMIN,”.

24 (ii) IN THE SECOND SENTENCE:

25 A. DELETE “INSECTS” AND SUBSTITUTE “INSECTS, VERMIN,”;
26 AND

27 B. DELETE “EXTERMINATED BY APPROVED PROCESSES” AND
28 SUBSTITUTE “ELIMINATED BY A PROCESS APPROVED BY THE
29 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS”.

30 (43) ***SUBSECTION 309.1.1 WILDLIFE AND PROTECTED SPECIES.***

31 ADD NEW SUBSECTION 309.1.1 AFTER SUBSECTION 309.1 AS FOLLOWS:

SUBSECTION 309.1.1 WILDLIFE AND PROTECTED SPECIES. WILDLIFE SHALL
BE HANDLED IN ACCORDANCE WITH STATE AND FEDERAL GUIDELINES.

(44) ***SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY.***

ADD NEW SUBSECTION 309.1.2 AFTER NEW SUBSECTION 309.1.1 AS
FOLLOWS:

SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY. THE OCCUPANT SHALL
PREPARE THEIR DWELLING UNIT FOR PEST CONTROL TREATMENT AS
NECESSARY.

(45) ***SUBSECTION 309.2 OWNER.***

DELETE “PRIOR TO RENTING OR LEASING THE STRUCTURE”.

(46) ***SUBSECTION 309.3 SINGLE OCCUPANT.***

DELETE THIS SUBSECTION.

(47) ***SUBSECTION 309.4 MULTIPLE OCCUPANCY.***

DELETE THIS SUBSECTION.

(48) ***SUBSECTION 309.5 OCCUPANT.***

DELETE THIS SUBSECTION.

(49) ***SUBSECTION 403.5 CLOTHES DRYER EXHAUST.***

AT THE END OF THE PARAGRAPH, AFTER “INSTRUCTIONS” ADD “AND LOCAL
ADOPTED MECHANICAL CODES”.

(50) ***SUBSECTION 403.5.1 DRYER VENTING TRANSITION DUCTS.***

ADD NEW SUBSECTION 403.5.1 AFTER SUBSECTION 403.5 AS FOLLOWS:
403.5.1 DRYER VENTING TRANSITION DUCTS. TRANSITION DUCTS USED TO
CONNECT THE DRYER TO THE EXHAUST DUCT SYSTEM SHALL BE A SINGLE
LENGTH THAT IS LISTED AND LABELED IN ACCORDANCE WITH UL 2158A.
TRANSITION DUCTS SHALL BE A MAXIMUM OF 8 FEET (2438 MM) IN LENGTH
AND SHALL NOT BE CONCEALED WITHIN CONSTRUCTION.

(51) ***SUBSECTION 404.1 PRIVACY.***

AT THE BEGINNING OF THE SENTENCE, DELETE “DWELLING UNITS” AND
SUBSTITUTE “SLEEPING ROOMS WITHIN DWELLING UNITS”.

(52) ***SUBSECTION 404.8 LOCATION OF FOOD PREPARATION EQUIPMENT.***

ADD NEW SUBSECTION 404.8 AFTER SUBSECTION 404.7 AS FOLLOWS:

404.8 LOCATION OF FOOD PREPARATION EQUIPMENT. A PERSON SHALL NOT USE PORTABLE COOKING EQUIPMENT INCLUDING, BUT NOT LIMITED TO, A BARBEQUE, CHARCOAL OR PROPANE GRILL, OR STOVE INSIDE OR WITHIN 15 FEET OF A MULTIFAMILY DWELLING.

(53) ***SUBSECTION 503.4 FLOOR SURFACE.***

DELETE “IN OTHER THAN DWELLING UNITS, EVERY” AND SUBSTITUTE “EVERY”.

(54) ***SUBSECTION 505.2.1 WATER POTABILITY.***

ADD NEW SUBSECTION 505.2.1 AFTER SUBSECTION 505.2 AS FOLLOWS:

505.2.1 WATER POTABILITY: IN ORDER TO BECOME LICENSED OR RENEW A LICENSE, OWNERS OF PROPERTIES ON PRIVATE WATER SYSTEMS MUST PROVIDE THE CODE OFFICIAL WITH A LEGIBLE COPY OF A PASSING WELL POTABILITY TEST THAT IS NO MORE THAN 4 YEARS OLD. RESULTS MUST BE IN CONFORMANCE WITH EXISTING COMAR (CODE OF MARYLAND REGULATIONS) STANDARDS.

(55) ***SUBSECTION 505.3 SUPPLY.***

AT THE END OF THE SENTENCE, DELETE “DEFECTS AND LEAKS” AND SUBSTITUTE “CONTAMINATION, DEFECTS, AND LEAKS.”

(56) ***SUBSECTION 506.4 SEWAGE BACKUP.***

ADD NEW SUBSECTION 506.4 AFTER SUBSECTION 506.3 AS FOLLOWS:

506.4 SEWAGE BACKUP. IN THE EVENT OF A SEWAGE BACKUP, THE OWNER SHALL BE REQUIRED TO IMMEDIATELY RESTORE THE PREMISES TO A CLEAN AND SANITARY CONDITION BY A PROCESS APPROVED BY THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

(57) ***SUBSECTION 602.2 RESIDENTIAL OCCUPANCIES.***

DELETE THE SUBSECTION AND REPLACE WITH THE FOLLOWING:

602.2 RESIDENTIAL OCCUPANCIES. DWELLINGS SHALL BE PROVIDED WITH HEATING FACILITIES THAT ARE CONTINUOUSLY MAINTAINED, IN GOOD WORKING ORDER, AND CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF 68 DEGREES F (20 DEGREES C) IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS BASED ON THE WINTER OUTDOOR DESIGN TEMPERATURE

FOR THE LOCALITY. COOKING APPLIANCES SHALL NOT BE USED, NOR SHALL PORTABLE UNVENTED FUEL-BURNING SPACE HEATERS USED, AS A MEANS TO PROVIDE HEATING TO MEET THE REQUIREMENTS OF THE SECTION. EXCEPTION: IN AREAS WHERE THE AVERAGE MONTHLY TEMPERATURE IS ABOVE 30 DEGREES F (-1 C), A MINIMUM TEMPERATURE OF 65 DEGREES F (18 DEGREES C) SHALL BE MAINTAINED.

(58) ***SUBSECTION 602.3 HEAT SUPPLY.***

(I) IN THE FIRST SENTENCE, DELETE “[DATE] TO [DATE]” AND SUBSTITUTE “OCTOBER 1 TO MAY 1”; AND

(II) IN EXCEPTION #1, DELETE THE SECOND SENTENCE.

(59) ***SUBSECTION 602.4 OCCUPIABLE WORK SPACES.***

DELETE “[DATE] TO [DATE]” AND SUBSTITUTE “OCTOBER 1 TO MAY 1”.

(60) ***SUBSECTION 603.2 REMOVAL OF COMBUSTION PRODUCTS.***

ADD THE FOLLOWING AS THE SECOND EXCEPTION TO THIS SUBSECTION:
EXCEPTION NUMBER 2: PORTABLE UNVENTED KEROSENE HEATERS ARE NOT PERMITTED.

(61) ***SUBSECTION 604.4 ELECTRICAL PANEL CLEARANCES.***

ADD NEW SUBSECTION 604.4 AFTER SUBSECTION 604.3.2.1 AS FOLLOWS:
604.4 ELECTRICAL PANEL CLEARANCES. MATERIALS SHALL NOT BE STORED IN A MANNER THAT OBSTRUCTS THE ELECTRICAL PANEL OR OTHERWISE CREATES A HAZARD. A CLEAR UNOBSTRUCTED PATH TO THE ELECTRICAL PANEL MUST BE MAINTAINED.

(62) ***SUBSECTION 605.2.1 PAINTED RECEPTACLES.***

ADD NEW SUBSECTION 605.2.1 AFTER SUBSECTION 605.2 AS FOLLOWS:
605.2.1 PAINTED RECEPTACLES. PAINTED ELECTRICAL RECEPTACLES (OUTLETS) CANNOT BE CLEANED AND MUST BE REPLACED.

(63) ***SUBSECTION 605.3 LUMINAIRES.***

AFTER “EVERY” INSERT “EXTERIOR EXIT,”.

(64) ***SUBSECTION 607.1 GENERAL.***

AFTER “MAINTAINED”, INSERT “IN GOOD CONDITION”.

(65) ***SUBSECTION 701.3 TESTING AND MAINTENANCE.***

1 ADD NEW SUBSECTION 701.3 AFTER SUBSECTION 701.2 AS FOLLOWS:
2 701.3 TESTING AND MAINTENANCE. SPRINKLER SYSTEMS SHALL BE
3 INSPECTED AT LEAST ANNUALLY BY A MARYLAND STATE LICENSED
4 SPRINKLER CONTRACTOR. FIRE ALARM SYSTEMS SHALL BE INSPECTED AT
5 LEAST ANNUALLY BY AN APPROVED COMPANY OR INDIVIDUAL. INSPECTION
6 REPORTS AND DEFICIENCY CORRECTION REPORTS MUST BE PROVIDED
7 ANNUALLY TO THE CODE OFFICIAL.

8 (66) ***SUBSECTION 702.1.1 EMERGENCY PLANNING.***

9 ADD NEW SUBSECTION 702.1.1 AFTER SUBSECTION 702.1 AS FOLLOWS:
10 702.1.1 EMERGENCY PLANNING. THE ADMINISTRATION OF EVERY
11 RESIDENTIAL CARE FACILITY OR ASSISTED LIVING FACILITY SHALL HAVE A
12 PLAN IN EFFECT TO PROTECT INDIVIDUALS IN THE EVENT OF A FIRE. THE
13 PLAN SHALL BE IN WRITING AND SHALL BE AVAILABLE TO ALL SUPERVISORY
14 PERSONNEL. THE PLAN SHALL BE AMENDED TO ENSURE THE SAFETY OF ALL
15 RESIDENTS AND SHALL BE AMENDED OR REVISED AS THE RESIDENTS OR
16 THEIR NEEDS CHANGE. STAFF SHALL BE INSTRUCTED OF THEIR DUTIES AND
17 RESPONSIBILITIES UNDER THE PLAN AND A RECORD OF SUCH INSTRUCTIONS
18 SHALL BE MAINTAINED. A COPY OF THE PLAN SHALL BE READILY
19 AVAILABLE AT ALL TIMES WITHIN THE FACILITY.

20 (67) ***SUBSECTION 702.5 ARRANGEMENT.***

21 ADD NEW SUBSECTION 702.5 AFTER SUBSECTION 702.4 AS FOLLOWS:
22 702.5 ARRANGEMENT. THE REQUIRED PATH OR TRAVEL FROM ANY ROOM
23 SHALL NOT BE THROUGH ANOTHER ROOM THAT IS NOT UNDER THE
24 IMMEDIATE CONTROL OF THE OCCUPANT OF THE FIRST ROOM OR THROUGH A
25 BATHROOM OR OTHER SPACE SUBJECT TO LOCKING.

26 (68) ***SUBSECTION 704.2.3. TAMPERING.***

27 ADD NEW SUBSECTION 704.2.3 AFTER SUBSECTION 704.2.2 AS FOLLOWS:
28 704.2.3. TAMPERING. ANY TENANT OR OCCUPANT TAMPERING OR
29 INTERFERING WITH THE EFFECTIVENESS OF A SMOKE DETECTOR IS IN
30 VIOLATION OF THIS CODE.

31 (69) ***SUBSECTION 704.6.1 WHERE REQUIRED.***

DELETE EXCEPTION #2 AND RENUMBER EXCEPTION #3 TO BE EXCEPTION #2.

(70) ***SUBSECTION 704.8 SPRINKLERS.***

ADD NEW SUBSECTION 704.8 AFTER SUBSECTION 704.7 AS FOLLOWS:

704.7 SPRINKLERS. SPRINKLERS SHALL BE CLEAN AND FREE FROM CORROSION, PAINT, AND DAMAGE. KITCHEN SUPPLIES OR STORAGE STOCK SHALL BE AT LEAST 18 INCHES BELOW SPRINKLER DEFLECTORS.

(71) ***SECTION 706 STORAGE OF HAZARDOUS MATERIALS.***

ADD NEW SECTION 706 AFTER SECTION 705 AS FOLLOWS:

706 STORAGE OF HAZARDOUS MATERIALS.

706.1 HAZARDOUS MATERIALS. UNLESS STORAGE COMPLIES WITH THE APPLICABLE REQUIREMENTS OF THE HOWARD COUNTY BUILDING CODE AND THE HOWARD COUNTY FIRE PREVENTION CODE, A PERSON SHALL NOT STORE OR ACCUMULATE:

(i) COMBUSTIBLE, FLAMMABLE, EXPLOSIVE, OR OTHER HAZARDOUS MATERIALS, SUCH AS PAINTS, VOLATILE OILS, OR CLEANING FLUIDS;
OR

(ii) COMBUSTIBLE RUBBISH, SUCH AS WASTEPAPER, BOXES AND RAGS.

706.2 STORAGE OF VEHICLES THAT CONTAIN HAZARDOUS MATERIALS. IN A COMMON AREA OF A MULTI-FAMILY DWELLING OWNED BY ONE PERSON, PATIO, BALCONY, HALLWAY, OR STAIRWELL OF A STRUCTURE OR PREMISES, A PERSON SHALL NOT STORE OR ACCUMULATE A MOTORCYCLE, MOPED, GASOLINE-POWERED LAWNMOWER, OR OTHER SIMILAR EQUIPMENT THAT MAY CONTAIN A HAZARDOUS MATERIAL INCLUDING, WITHOUT LIMITATION, GASOLINE.

706.3 STORAGE OF ITEMS AND EQUIPMENT IN MULTI-FAMILY DWELLINGS, HOTELS/MOTELS. ALL AREAS OF EGRESS, COMMON TRAVEL AND REFUGE SHALL BE FREE OF STORAGE, FURNISHINGS, DECORATIONS AND/OR OBSTRUCTIONS.

706.4 STORAGE IN SPRINKLER EQUIPMENT ROOMS. SPRINKLER EQUIPMENT ROOMS MAY NOT BE USED AS STORAGE ROOMS.

1 **706.5 STORAGE AND USE OF OPEN FLAME/FUEL FIRED EQUIPMENT. A**

2 PERSON SHALL NOT USE OR STORE OPEN FLAME/FUEL FIRED EQUIPMENT

3 INSIDE OR WITHIN 15 FEET OF A MULTI-FAMILY DWELLING.

4 (72) DELETE APPENDIX A, BOARDING STANDARD, IN ITS ENTIRETY.

5
6 **Title 14. Licenses, inspections and permits.**

7 **Subtitle 9. Rental housing license.**

8
9 **Section 14.900. Definitions.**

10 In this subtitle the following terms have the meanings indicated.

11 (h) “*Howard County Property Maintenance Code for Rental Housing*” means the
12 International Property Maintenance Code, [[2018]] 2021 Edition, as adopted in Title 3,
13 Subtitle 7 of the Howard County Code.

14
15 ***Section 2. And Be It Further Enacted by the County Council of Howard County,***
16 ***Maryland, that this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 3, 2021.

Michelle Harrod
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council