

THE BOARD OF GARRETT COUNTY COMMISSIONERS

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BUILDING CODE ORDINANCE

Adoption of the 2021 International Building Code, the 2021 International Residential Code,
and the 2021 International Energy Conservation Code.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND, A BODY POLITIC AND CORPORATE AND A POLITICAL SUBDIVISION OF THE STATE OF MARYLAND, PURSUANT TO THE PROVISIONS OF PUBLIC SAFETY ARTICLE 12 SUB-SECTIONS 501-507 OF THE ANNOTATED CODE OF MARYLAND (THE "STATE CODE") REPEALING AND ADOPTING THE 'GARRETT COUNTY BUILDING CODE' (THE "CODE") PURSUANT TO THE PROVISIONS OF THE GARRETT COUNTY CODE, THE SAME BEING ARTICLE 12, OF THE CODE OF PUBLIC LOCAL LAWS OF THE STATE OF MARYLAND, REGULATING AND PROVIDING FOR MINIMUM STANDARDS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL AND USE OF CERTAIN BUILDINGS AND STRUCTURES; REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR AND USE OF ONE AND TWO FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES; AND PROVIDING FOR THE ISSUANCE OF BUILDING PERMITS, REVIEW OF CONSTRUCTION DRAWINGS, INSPECTIONS OF THE WORK, ISSUANCE OF CERTIFICATES OF USE AND OCCUPANCY PERMITS AS REQUIRED, AND THE COLLECTION OF PERMIT AND ASSOCIATED FEES; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

EXPLANATION

WHEREAS, Pursuant to Public Safety Article Subtitle 12, Chapter 51, the State of Maryland has adopted a uniform building code known as the Maryland Building Performance Standards and directed that local jurisdictions are responsible for the implementation and enforcement of the Maryland Building Performance Standards within their jurisdiction; and

WHEREAS, the Maryland Building Performance Standards specifies that the building codes in the State of Maryland shall be the International Building Code 2021 (IBC-21), the International Residential Code 2021 (IRC-21) and the International Energy Conservation Code 2021 (IECC-21) (the "2021 Building Codes"); and

WHEREAS, the Board of County Commissioners of Garrett County, Maryland (the "County") has determined that the adoption and implementation of these Building Codes is necessary to promote the health, safety and welfare of the citizens of Garrett County; and

WHEREAS, the County has determined what local amendments to the Maryland Building Performance Standards are necessary or desirable for Garrett County and have reviewed the comments on these amendments received in writing and at public hearing.

NOW, THEREFORE, be it enacted and ordained by the Board of County Commissioners of Garrett County, Maryland, a body politic and Corporate and a political subdivision of the State of Maryland that the Building Code Ordinance effective July 1, 2015 and adopted by the Board of County Commissioners and incorporated within the County Code of Ordinance Title XV, Chapter 150, Section 150.02, 150.03, and 150.04, is hereby repealed in its entirety; and the 2021 Building Codes, subject to the local amendments be and are hereby adopted as follows;

NOW THEREFORE, be it enacted and ordained that the Board of County Commissioners do hereby enact the following ordinance with amendments to be included within the County Code of Ordinance, Title XV, Chapter 150, Sections 150.02, 150.03 and 150.04.

ARTICLE I. ADOPTION OF THE INTERNATIONAL BUILDING CODE BY REFERENCE

The International Building Code **2021** (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examination, and inspection in the offices of the Garrett County Department of Community Development Permits & Inspections Division.

Section 1. Modifications to the International Building Code

1. **Chapter 1, Section 101.1 Title** is hereby amended by inserting "GARRETT COUNTY" as the "[NAME OF JURISDICTION]".
2. **Chapter 1, Section 103.1 Creation of enforcement agency** shall be amended to read as follows: "The Garrett County Department of Community Development, Permits & Inspections Division shall be responsible for administration and enforcement of this code. The *building official* shall be the staff person(s) designated within the Permits & Inspections Division responsible for enforcing the provisions of the code.
3. **Chapter 1, Section 104.10.1 Flood hazard areas** is deleted and replaced with the following: "**Flood hazard areas**. Modifications to any provisions required in flood hazard areas shall only be granted in compliance with Appendix G of this chapter."
4. **Chapter 1**, Add a new Section to read as follows: "**104.12 Withholding of Permits**: Whenever 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 Garrett County in connection with the erection, or repair of buildings, structures, lands, or equipment then or therein, they may refuse to grant any further permits or inspections until all violations have been corrected and approved."
5. **Chapter 1, Section 105.2 Work exempt from permit exemption 1.** is hereby amended by deleting "120 square feet" and inserting "240 square feet".
6. **Chapter 1, Section 105.2 Work exempt from permit** is amended by adding the following exemption: "14. Agricultural structures: The provisions of this Code shall not apply to the construction, maintenance or alternation of buildings or structures on farms which are zoned or assessed agricultural and used only for agricultural pursuits if such buildings and/or structures are not intended for, nor used for, human occupancy."
7. **Chapter 1, Section 105.3 Application for permit** is hereby amended by deleting the words "file an application therefor in writing on a form furnished by the department of building safety for that purpose" and inserting "make application to the Permits & Inspections Division".
8. **Chapter 1, Section 105.5 Expiration** is hereby amended by deleting "180 days" and inserting "one year" in all instances.
9. **Chapter 1, Section 107.1 General** is hereby amended by deleting "a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed" in the second sentence and inserting "a Maryland licensed architect and/or structural engineer".
10. **Chapter 1, Section 107.1 General** is amended by adding the following "**Exception 2**. The building official is authorized to waive the requirement that construction documents be submitted by a Maryland licensed architect and/or structural engineer if the submitted construction documents are found to sufficiently

illustrate compliance with all pertinent code requirements. Documents should include a detailed floor plan and show footings and foundations; means of egress; framing and structural elements; and insulation values as applicable to the project.

11. **Chapter 1, Section 107.2.2 Fire protection system shop drawings** is amended by inserting “to the Maryland State Fire Marshal” after the word “submitted”.
12. **Chapter 1, Section 107.2.6 Site Plan** is hereby amended by deleting the first word "The" and inserting the following phrase in lieu thereof "In those instances when a proposed building project is commercial, industrial, multi family, and/or located within an area of the County or municipality where zoning regulations require a site plan,".
13. **Chapter 1, Section 109.2 Schedule of permit fees** is amended by deleting “the applicable governing authority” and inserting “resolution of the Board of County Commissioners.”
14. **Chapter 1, Section 109.6 Refunds** is deleted, and the following is inserted in lieu thereof: "109.6 Refunds: Where no work has been done under a permit issued under this chapter, the holder of the permit may deliver the permit to the Permits & Inspections Division, and upon cancellation thereof shall be refunded 50% of the fee paid therefore provided that the application for the refund is made within 12 months of permit issuance. When a permit is disapproved or withdrawn, the applicant shall be refunded 50% of the fee paid. In either case, no refund shall be made until all plan examination fees, permit processing fees, and all penalties which may have been imposed on the permit holder under the requirements of this Code shall first be collected."
15. **Chapter 1, SECTION 111 CERTIFICATE OF OCCUPANCY** Add a new Section 111.3.1 to read as follows "**111.3.1 Partial occupancy.** Upon request of the holder of a permit, the building official shall issue a partial occupancy permit for a part of the building or structure before the entire work covered by the permit shall have been completed if that part of the building may be occupied safely prior to full completion of the building or structure without endangering life or public welfare. Partial occupancy permits shall be reviewed by the building official every twelve months from date of issue to ascertain the status of the full completion of the building or structure. If no substantial work is accomplished on the building or structure within 12 months after the partial occupancy permit date of issue, the original building permit will be invalid and to complete the building or structure another building permit must be obtained. This section is not intended to displace persons residing within the structure pending the completion of the structure approved under the original permit."
16. **Chapter 1, Section 113.3 Qualifications** is deleted and the following inserted in lieu thereof: "**113.3 Qualifications.** The Board of Appeals shall consist of five individuals, one from each of the following professions or disciplines:
 1. Registered design professional who is an architect or engineer.
 2. Home builder with at least five years of experience.
 3. General contractor for commercial/industrial construction with at least five years of experience.
 4. Electrical contractor duly certified by the appropriate jurisdiction with at least five years of experience.
 5. Plumbing contractor duly certified by the appropriate jurisdiction with at least five years of experience.
17. **Chapter 1, Section 114 Violation penalties** is amended by adding “**Section 114.4.1 Construction without a building permit.** Any person who shall attempt to erect, construct, alter, repair, or move a structure, make a change in occupancy, or install or alter any equipment which is regulated by this code without a valid permit issued by the building official shall be guilty of a misdemeanor punishable by a fine of \$250 for the first offense, \$500 for the second offense and \$1000 for the third offense and each succeeding offense. Each day that construction continues after due notice has been served the party in violation shall be subject to the fine for the applicable offense.
18. **Chapter 1, Section Violation penalties** is amended by adding **Section 114.4.2 Other code violations:** Any person who shall violate a provision of this code other than the violation defined in 114.4.1 above or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of \$250 for the first offense, \$500

for the second offense and \$1000 for the third offense and each succeeding offense, or by imprisonment not exceeding thirty 30 days or both such fine and imprisonment and regardless of the penalty duly adjudged shall be required to correct the violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

19. **Chapter 1, SECTION 114 VIOLATIONS** is amended by adding "**Section 114.5 Enforcement, suspension, or revocation of permits, inspections, and use and occupancy permits.**
- A. Enforcement procedure.
1. When the building official, or his representative, determines that a violation of the Building Code, standard construction controls, or the provisions of this chapter has occurred, the on-site general contractor or building permittee shall be notified in writing of the violation and of the required corrective action and the time period in which to have the violation corrected.
 2. If the violation persists after the date specified for corrective action in the notice of violation, the Permits & Inspections Division shall stop work on the site by the issuance of a stop work order pursuant to Section 115 of this chapter.
 3. If reasonable efforts to correct the violation are not undertaken in a timely manner, the Permits & Inspections Division may refer the violation for legal action.
 4. The Permits & Inspections Division may deny or recommend denial of the issuance of any permit to an applicant when it determines that the applicant is not in compliance with the Building Code, standard construction controls, or the provisions of this Chapter on any site.
 5. Any step in this enforcement process may be taken at any time, depending upon the severity of the violation.
- B. Suspension or revocation of permits, inspections and use and occupancy certificates by the building official after notice.
1. Uncorrected violations of the Building Code, standard construction controls, or the provisions of this Chapter or any other applicable law, ordinance, rule or regulation relating to the work involving any Permits & Inspections Division or agency of Garrett County may result in the suspension or revocation of permits, inspections or licenses.
 2. Existence of any condition or the doing of any act constituting or creating a nuisance, hazard, or endangerment of human life or property of others may result in the suspension or revocation of permits, inspections or licenses.
- C. If conditions warrant, no notice of violation is necessary and the Permits & Inspections Division, may proceed directly with
1. a stop work order,
 2. legal action; or
 3. suspension or revocation of permits, inspections and/or use and occupancy certificates.
20. **Chapter 1, Section 115.4 Failure to comply** is hereby amended by deleting "subject to fines established by the authority having jurisdiction" and inserting "subject to a fine of \$250 for the first offense, \$500 for the second offense and \$1000 for the third offense and each succeeding offense."
21. **Chapter 3, Section 305.2 Group E, day care facilities** is amended by deleting "five children" and inserting "eight children".
22. **Chapter 3, Section 308.5 Institutional Group I-4, day care facilities** is amended by deleting "five persons" and inserting "eight persons".
23. **Chapter 3, Section 308.5.1 Classification as Group E** is amended by adding the following: "Exception: A childcare facility may be classified as I-4 when the facility is classified as a day care occupancy under the State Fire Prevention Code."
24. **Chapter 3, Section 310.4.1 Care facilities within a dwelling** is amended by deleting "five or fewer persons" and inserting "eight or fewer persons".

25. **Chapter 4, Section 401.1 Detailed occupancy and use requirements**, is amended by adding the following: “The construction, location, anchorage and tie down of mobile units will be governed by Appendix AE of the International Residential Code.”
26. **Chapter 4, Section 406.2.7 Electric vehicle charging stations and systems**, is amended by deleting the final sentence “Accessibility to electric vehicle charging stations shall be provided in accordance with Section 1107”.
27. **Chapter 4, Section 411.5 Puzzle room exiting** is amended by deleting item 3 and replacing it with “3. All exits and exit access doors from each puzzle room shall be open and readily available upon activation by the automatic fire alarm system, automatic sprinkler system, a manual control at a constantly attended location and shall have a readily accessible control located inside each puzzle room.”
28. **Chapter 5, Section 510.2 Horizontal building separation allowance** is amended by deleting condition 4. Condition 7 is amended by replacing “grade plane” with “lowest level of fire department vehicle access”.
29. **Chapter 9, Section 901.1 Scope** is amended by adding the following: “Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article Title 6 and Title 9, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official.”
30. **Chapter 9, Section 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more** is amended by replacing “1,000” with “300”
31. **Chapter 10, Section 1001.1 General** is amended by adding the following: “Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, Title 6, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official.”
32. **Section 1004.8 Concentrated business use areas** is amended by adding “nail salons,” after “call centers,” and before “trading floors”.
33. **Chapter 11 Accessibility** is hereby replaced with the Maryland Accessibility Code, as set forth in COMAR 09.12.53.
34. **Chapter 16, Section 1608.2 Ground snow loads** is amended by adding the following sentence to the end of the section: “The minimum ground snow load for Garrett County shall be 40 lbs. per sq. ft.”
35. **Chapter 16, Section 1612 Flood Loads** is deleted, and the following is inserted in lieu thereof: “1612 All buildings and structures erected in areas prone to flooding shall be regulated by Appendix G of this chapter.
36. **Chapter 17, Section 1705.1.1, Special Cases** is hereby amended by adding a new example: “#4: In damaged structures, reuse of fire damaged wood is acceptable if the damage does not significantly reduce its load bearing capacity. A special inspection shall be required to identify and verify all remaining wood members to be used in reconstruction. All remaining charred or smoked wood members, whether structural or not, shall be thoroughly cleaned and sealed to prevent deterioration and control odor.”
37. **Chapter 18, Section 1805.1 General** is deleted, and the following is inserted in lieu thereof: “**1805.1 Where required.** Walls or portions thereof that retain earth shall be waterproofed and damp-proofed in accordance with this section. Ventilation for crawlspaces shall comply with Section 1202.4.”
38. **Chapter 18, Section 1809.5 Frost protection method #1** is hereby amended by adding “which shall be thirty-six (36) inches for Garrett County, Maryland” after the word “locality”.
39. **Chapter 24 GLASS AND GLAZING, Section 2401.1 Scope** is amended by adding the following: “The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4 of the Annotated Code of Maryland, are in addition to Chapter 24, Section 2406 of the IBC related to safety glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail.”

40. **Chapter 27 ELECTRICAL, Section 2701.1 Scope** is amended by adding the following: “For the applicable electrical requirements, refer to the Garrett County Electrical Code Ordinance and the National Electrical Code as adopted and enforced by the State Fire Marshal pursuant to the provisions of the Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.”
41. **Chapter 28 MECHANICAL SYSTEMS, Section 2801.1 Scope** is amended by adding the following: “For the applicable requirements concerning mechanical systems, refer to the Garrett County Mechanical Code and the mechanical code adopted pursuant to the Business Regulation Article, 9A-205, Annotated Code of Maryland.”
42. **Chapter 29 PLUMBING SYSTEMS, Section 9801.1 Scope** is amended by adding the following: “For the applicable requirements concerning plumbing systems, refer to the Garrett County Plumbing Code Ordinance and the plumbing code adopted pursuant to the Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.”
43. **Chapter 30, ELEVATORS AND CONVEYING SYSTEMS, Section 3001.1 Scope** is amended by adding the following: “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 the Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland prevail.”
44. **Chapter 31, Section 3103.1.2 Permit Required** is deleted and the following inserted in lieu thereof: "**3103.1.2 Permit required:** All temporary structures that cover an area in excess of 750 sq. ft. shall not be erected, operated, or maintained for any purpose without obtaining a permit from the Code Official. Exception: Tents used exclusively for recreational camping purposes shall be exempt from the above requirements.
45. **Chapter 31, Section 3109.1 General** is amended by adding the following after the words Spa Code: “as adopted & amended by the State of Maryland in COMAR 09.12.56”
46. **Appendix G, FLOOD RESISTANT CONSTRUCTION**, is hereby deleted and the Garrett County Floodplain Management Ordinance is inserted in lieu thereof and incorporated into this Ordinance.
47. **Appendix H SIGNS** is hereby incorporated into this Ordinance.

Section 2. Status of building permits applied for prior to the effective date of this Ordinance

"This Ordinance shall not apply to buildings for which a permit is applied for prior to the effective date of this Chapter."

ARTICLE II. ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE BY REFERENCE

The International Residential Code, **2021** (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examinations, and inspections in the offices of the Garrett County Department of Community Development - Permits & Inspections Division

Section 1. Modifications to International Residential Code:

1. **Chapter 1, Section R101.1 Title** is amended by inserting "GARRETT COUNTY" as the "[NAME OF JURISDICTION]".
2. **Chapter 1, Section R101.2 Scope, Exception 3, 4 and 5** are each amended by deleting “five or fewer persons” and inserting “eight or fewer persons”.

3. **SCOPE AND ADMINISTRATION** is hereby deleted and replaced with the following: “**SCOPE AND ADMINISTRATION.** Chapter 1 of the International Building Code as amended within this ordinance shall apply to the administration of the International Residential Code.”
4. **Chapter 3, Table R301.2 CLIMATE AND GEOGRAPHIC DESIGN CRITERIA** is to be completed by inserting the data listed below and keyed to the table headings.
 - a. Ground snow load: 40 psf
 - b. Wind speed: 115 (mph)
 - c. Topographic effects: No
 - d. Special wind region: No
 - e. Wind-borne debris zone: No
 - f. Seismic design category: A
 - g. Weathering: Severe
 - h. Frost line depth: 36 inches
 - i. Termite: Moderate to Heavy
 - j. Ice barrier underlayment required: Yes
 - k. Flood Hazards: 3/2/89 – 10/2/2013. FIRM Panel #'s available upon request
 - l. Air freezing index: 1309
 - m. Mean annual Temp: 47.6
 - n. Elevation: 1948
 - o. Altitude correction factor: 0.98
 - p. Coincident wet bulb: 70
 - q. Indoor winter design dry-bulb temperature: 70
 - r. Outdoor winter design dry-bulb temperature: 5
 - s. Heating temperature difference: 65
 - t. Latitude: 38 Degrees North
 - u. Daily Range: M
 - v. Indoor summer design relative humidity: 50%
 - w. Summer design gains: 26
 - x. Indoor summer design dry-bulb temperature: 75
 - y. Outdoor summer design dry-bulb temperature: 83
 - z. Cooling temperature difference: 8
5. **Chapter 3, Table R302.6 DWELLING GARAGE SEPARATION** is amended by deleting “½-inch gypsum board” in all applicable sections and inserting “5/8-inch Type X gypsum board” in lieu thereof.
6. **Chapter 3, Section R309.1 Floor surface** is amended by adding a new sentence at the end as follows: "No point on the finish garage floor of an attached garage shall be closer than four (4) inches to the finish floor level of the dwelling."
7. **Chapter 3, Section R310.1 Emergency escape and rescue opening required** is amended by deleting Exception 2.
8. **Chapter 3, Section R310.5 Replacement windows for emergency escape and rescue openings** is deleted in its entirety.
9. **Chapter 3, Section 310.6 Dwelling additions** Exception 3 is deleted in its entirety.
10. **Chapter 3, Section R310.7 Alterations or repairs of existing basement** Exception is deleted in its entirety.
11. **Chapter 3, Section R310.7.1 Existing emergency and escape rescue openings** is deleted in its entirety.
12. **Chapter 3, Section R313.2 One- and two-family dwelling automatic sprinkler systems** is amended by adding the following additional exception: “Exception 2. An automatic residential fire sprinkler system shall not be required in one- and two-family dwellings for a property not connected to an electrical utility.”

13. **Chapter 3, Section R317.1 Location required** is amended by deleting from subsection 2 the words "and are less than 8 inches (203 mm) from exposed ground" and by deleting from subsection 3 the words "unless separated from such slab by an impervious moisture barrier."
14. **Section R322.1 General** is deleted and replaced with the following: "**General.** Buildings and structures constructed in whole or in part in flood hazard areas shall comply with the Garrett County Floodplain Management Ordinance". Sections R322.1.1 through R322.10 are deleted.
15. **Chapter 3, Section R327.1 General** is hereby amended by adding the following after the words Spa Code: "as adopted & amended by the State of Maryland in COMAR 09.12.56"
16. **Chapter 4, Section R401.3 Drainage** is amended by deleting the last sentence and inserting the following in lieu thereof: "The grade away from the foundation shall fall a minimum of 3 inches (77 mm) within the first 5 feet (1524 mm), a slope of 5 percent." The Exception which follows is amended by deleting the words, "6 inches (152 mm) of fall within 10 feet (3048 mm)" and inserting the following in lieu thereof. "3 inches (77 mm) of fall within 5 feet (1524 mm)."
17. **Chapter 4, Figure R403.1(2) PERMANENT WOOD FOUNDATION BASEMENT WALL SECTION** is amended by deleting the note "FINISH GRADE SLOPE ½" PER FOOT MIN. 6 FT. FROM WALL" and inserting the following note in lieu thereof "MINIMUM FINISH GRADE SLOPE 3" IN 5' FROM WALL"
18. **Chapter 4, Figure R403.1(3) PERMANENT WOOD FOUNDATION CRAWL SPACE SECTION** is amended by deleting the note, "FINISH GRADE SLOPE ½ IN. PER FOOT MIN. 6 FT. FROM WALL" and inserting the following note in lieu thereof "MINIMUM FINISH GRADE SLOPE 3" IN 5' FROM WALL."
19. **Chapter 4, Section R405.1 Concrete or masonry foundations** is amended by deleting the following from the first sentence: "and enclose habitable or usable spaces located below grade."
20. **Chapter 4, Section R406.1 Concrete and masonry foundation dampproofing** is amended by deleting "and enclose interior spaces and floors below grade" from the first sentence and by deleting the last sentence and inserting the following in lieu thereof "Concrete walls shall be dampproofed by applying any one of the above listed dampproofing materials, any one of the waterproofing materials listed in Section R406.2, or any other industry accepted product to the exterior of the wall."
21. **Chapter 4, Section R406.2 Concrete and masonry foundation waterproofing** is amended by adding a new sentence as follows, "Other industry accepted products which offer comparable waterproofing performance may also be used."
22. **Chapter 5, Section R502.1 General** is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or certificate of inspection showing species, grade, and moisture content."
23. **Chapter 5, Section R507.3 Footings** is amended by deleting Exception 2.
24. **Chapter 6, Section R602.1 General** is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or certificate of inspection showing species, grade, and moisture content"
25. **Chapter 8, Section R802.1 General** is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by stamp or certificate of inspection showing species, grade, and moisture content."
26. **Chapter 11, ENERGY EFFICIENCY** is prefaced by the following note: "This Chapter is subject to the amendments adopted in Public Safety Article Subtitle 12, Chapter 51, Maryland Building Performance Standards."

27. **Part V-Mechanical, Chapters 12-23** are hereby prefaced by the following statement: "For the applicable requirements concerning mechanical systems, refer to the Garrett County Mechanical Code and the mechanical code adopted pursuant to the Business Regulation Article, 9A-205, Annotated Code of Maryland."
28. **Chapter 24 Fuel Gas** is hereby prefaced by the following statement: "For the applicable requirements concerning fuel gas, also refer to the Garrett County Plumbing Code Ordinance and the plumbing code adopted pursuant to the Business Occupations and Professions Article, Title 12, Annotated Code of Maryland."
29. **Chapter 24, Section G2420.3.2 (409.3.2) Individual buildings** is deleted and replaced with the following: "**Individual buildings.** A shutoff valve shall be installed outdoors, above ground and within 10 feet of each building, including at each building in a common system serving more than one building. Such shutoff valves shall be readily accessible and visible to emergency personnel."
30. **Part VII Plumbing, Chapters 25 through 33** are hereby prefaced by the following statement: "For the applicable requirements concerning plumbing systems, refer to the Garrett County Plumbing Code Ordinance and the plumbing code adopted pursuant to the Business Occupations and Professions Article, Title 12, Annotated Code of Maryland."
31. **Part VIII-Electrical, Chapters 34-43** are hereby prefaced by the following statement: "For the applicable electrical requirements, refer to the Garrett County Electrical Code Ordinance and the National Electrical Code as adopted and enforced by the State Fire Marshal pursuant to the provisions of the Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland."
32. **Chapter 35 SERVICES, Section E3601.1 Scope** Add a new as follows: "**Section E3601.1.1 Additional references:** The installation of electrical services shall also be subject to the regulations of the power company serving the area in which the service is to be installed".
33. **APPENDIX AC EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS** is hereby incorporated into this Ordinance.
34. **APPENDIX AE MANUFACTURED HOUSING USED AS DWELLINGS** is hereby incorporated into this Ordinance.
35. **APPENDIX AE, Section AE101.1 General** is amended by deleting "(non-rental)" and inserting the words "or rental" in lieu thereof.
36. **APPENDIX AE, Section AE103 DEFINITIONS** is amended by adding a new definition as follows: "RENTAL LOT. A parcel of real estate inside a manufactured home rental community or other privately owned land where the land and the manufactured home to be installed are not held in common ownership."
37. **APPENDIX AQ TINY HOUSES** is hereby incorporated into this Ordinance.

Section 2. Status of building permits applied for prior to the effective date of this Ordinance

"This Ordinance shall not apply to buildings for which a permit is applied for prior to the effective date of this Chapter."

ARTICLE III. ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE BY REFERENCE

The International Energy Conservation Code, 2021 (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examinations, and inspections in the offices of the Garrett County Department of Community Development Permits & Inspections Division.

Section 1. Modifications to the International Energy Conservation Code

1. The Code is prefaced by the following note: "This Code is subject to the amendments adopted in Public Safety Article Subtitle 12, Chapter 51, Maryland Building Performance Standards."
2. **Chapter 1 [CE], Section C101.1 Title** is amended is amended by inserting "GARRETT COUNTY" as the "[NAME OF JURISDICTION]".
3. **Chapter 1 [CE], PART 2 - ADMINISTRATION AND ENFORCEMENT** is hereby deleted. (Refer to the provisions within Chapter 1, International Building Code, as amended within this ordinance, for administration of the International Energy Conservation Code).
4. **Chapter 1 [RE], Section R101.1 Title** is amended is amended by inserting "GARRETT COUNTY" as the "[NAME OF JURISDICTION]".
5. **Chapter 1 [RE], PART 2 - ADMINISTRATION AND ENFORCEMENT** is hereby deleted. (Refer to the provisions within Chapter 1, International Building Code, as amended within this ordinance, for administration of the International Energy Conservation Code).

Section 2. Status of building permits applied for prior to the effective date of this Ordinance

"This Ordinance shall not apply to buildings for which a permit is applied for prior to the effective date of this Chapter."

ARTICLE IV. SAVING CLAUSE

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceedings impending in any Court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or effected by this ordinance.

NOW, THEREFORE, be it further enacted that this act shall become effective on the 1st day of November 2024.

WITNESS the corporate name of the **BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND**, by Paul C. Edwards, its Chairman, attested to by Kevin G. Null, its County Administrator, this 7th day of October, 2024.


BOARD OF COMMISSIONERS OF
GARRETT COUNTY, MARYLAND



PAUL C. EDWARDS, Chairman




RYAN S. SAVAGE, County Commissioner



S. LARRY TICHNELL, County Commissioner

(SEAL)

ATTEST:



KEVIN G. NULL
County Administrator