

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2019-19**

BILL NO. 2019-19

Title of Bill: Amendment – Building Construction – Building Code

Synopsis: A Bill to amend certain provisions of the Cecil County Code, Chapter 157, Building Construction to update references to the Division of Permits and Inspections and Division Chief, the Department of Land Use and Development Services, and Maryland Department of Labor; to update to the 2018 edition of the International Building Code and International Residential Code to 2018.

Introduced by: Council President at the request of the County Executive

Introduced and order posted on: October 1, 2019

Public hearing scheduled on: November 5, 2019 at 7:00 p.m.

Consideration scheduled on: November 19, 2019

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by (Date) at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on (Date and Date), a public hearing was held on (Date) and concluded on (Date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

1 **WHEREAS**, pursuant to Section 402 of the Cecil County Charter (the “Charter”), the County
2 Executive (the “Executive”) shall see that the affairs of the executive branch are administered properly
3 and efficiently, and that employees of the executive branch faithfully perform their duties; and

4 **WHEREAS**, pursuant to Section 402 of the Charter, the duties and responsibilities of the Executive
5 include, but are not limited to: (a) Supervising and directing offices, agencies and divisions of the
6 executive branch and ensuring that County employees as well as County boards and commissions
7 faithfully perform their duties; and, (b) preparing and submitting to the Council the annual County
8 Budget; and

9 **WHEREAS**, pursuant to Chapter 157, of the Cecil County Code, there is Building Construction; and

10 **WHEREAS**, the Chief of Permits and Inspections Division, Cecil County Department of Land Use and
11 Development Services has recommended amendments, insertions, and deletions to Chapter 157 of the
12 Cecil County Code, as more fully set forth herein; and

13 **WHEREAS**, the County Executive has submitted the amendments set forth herein to the County
14 Council for consideration and approval.

15 **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
16 **MARYLAND**, that Chapter 157, Building Construction, is amended as follows:

17 Chapter 157

18 Building Construction

19 General References

20 Electrical standards — See Ch. 191.

21 Energy conservation standards — See Ch. 195.

22 Housing standards — See Ch. 225.

23 HVAC standards — See Ch. 229.

24 Plumbing — See Ch. 270.

25 § 157-1. Adoption of standards by reference.

26 [Amended 2-15-2005 by Ord. No. 2005-01; 9-18-2007 by Ord. No. 2007-05]

27 A. A certain document, copies of which are on file in the **DIVISION Department** of Permits and
28 Inspections, being marked and designated as the "**2018 2015** International Building Code (IBC)," is
29 hereby adopted as the Building Code of Cecil County, Maryland, for the control of buildings and
30 structures as herein provided; and each and all of the regulations, provisions, penalties, conditions
31 and terms of the **2018 2015** International Building Code (IBC) are hereby referred to, adopted and

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32 made a part hereof, as if fully set out in this chapter, with additions, insertions, deletions and
33 changes, if any, prescribed in § 157-2 of this chapter. [Amended 6-15-2010 by Ord. No. 2010-04; 7-
34 17-2012 by Ord. No. 2012-03; 8-18-2015 by Bill No. 2015-13]

35 B. Further, the document marked and designated as the "~~2018 2015~~ International Residential Code"
36 be and the same is hereby adopted as an addition to the Building Code of Cecil County, Maryland,
37 and each and all regulations and provisions and terms of the ~~2018 2015~~ International Residential
38 Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with
39 the additions, insertions, deletions and changes, if any, prescribed in § 157-2 of this chapter.
40 [Amended 6-15-2010 by Ord. No. 2010-04; 7-17-2012 by Ord. No. 2012-03; 8-18-2015 by Bill No.
41 2015-13]

42 C. In addition to the codes listed in Subsections A and B above, local jurisdictions are responsible for
43 the implementation and enforcement of the Maryland Building Performance Standards.

44 § 157-2. Amendments, additions and deletions.

45 [Amended 1-18-2011 by Ord. No. 2011-01; 5-3-2011 by Ord. No. 2011-05; 7-17-2012 by Ord. No. 2012-03; 8-18-
46 2015 by Bill No. 2015-13]

47 A. The following sections of the ~~2018 2015~~ International Building Code (IBC) are hereby revised and
48 amended as follows:

49 (1) Section 101.1 Title. Insert: "Cecil County" (Name of Jurisdiction).

50 (2) Add: "In addition to the International Building Code (IBC), local jurisdictions are responsible for implementation
51 and enforcement of the Maryland Building Performance Standards."

52 (3) Section 101.2 Scope. Delete exception in its entirety. Insert:

53 Exception #1: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more
54 than three stories above grade plane in height with a separate means of egress and their accessory structures shall
55 comply with the International Residential Code (IRC).

56 Exception #2: Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply
57 with the Maryland Building Rehabilitation Code set forth in COMAR 05.16.

58 (4) Section 101.2.1 Appendices. Delete entire section. Insert:

59 101.2.1 Appendices.

60 Provisions in Appendix C, Group U — Agricultural Buildings; Appendix F, Rodent Proofing; Appendix G, Flood
61 Resistant Construction; Appendix H, Signs; and Appendix I, Patio Covers, are adopted as part of the IBC. Provisions
62 in other appendices within the code do not apply unless specifically adopted by the authorities having jurisdiction.

63 ~~(5) Section 101.4.3 Plumbing. Insert the following: "In addition to and where applicable within the State of~~
64 ~~Maryland, the National Standard Plumbing Code is also enforced."~~

- 65 (5) Section 104.10.1 Flood hazard areas. Delete entire section.
- 66 (6) Section 105.2 Work exempt from permit.
- 67 (a) Delete 1: "One story detached accessory structures used as tool and storage sheds, playhouses and similar uses,
68 provided the floor area does not exceed 120 square feet (11 m2)."
- 69 (b) Add (14): "Replacement or repair of roofing shingles, membranes and flashings is exempt only where the work
70 does not include any alteration or replacement of structural members or components."
- 71 (c) Add (15): "Replacement or repair of windows and doors is exempt only where the new windows or doors have
72 the same dimensions as the original windows or doors and the work does not include any alteration or replacement
73 of structural members. In the case where other more restrictive codes have been adopted by state or federal
74 agencies, permits may be required."
- 75 (7) Section 105.5 Expiration. Add:
- 76 105.5.1
- 77 Any permit issued shall be valid for a period of one year from date of issue, provided work is ongoing. An applicant
78 may apply for two six-month extensions as described above as long as the work is progressing. At the expiration of
79 the second six-month extension, the owner/applicant shall apply for a renewal permit.
- 80 (8) Section 110.3.3 Lowest floor elevation.
- 81 (a) Delete "building official."
- 82 (b) Insert "Zoning Administrator or applicable approving agency."
- 83 (9) Section 111.3 Temporary occupancy. Delete entire section. Insert: "The **DIVISION Department** of Permits and
84 Inspections is authorized to issue a temporary certificate of use and occupancy before the completion of the entire
85 work covered by the permit, provided that such portion or portions shall be occupied safely. The temporary
86 certificate of occupancy will only be issued upon receipt of conditional approval of the Department of Public Works,
87 approval of the Division of Development Plans Review approval of the Electrical Department/Inspector, the Fire
88 Marshal, if necessary, ~~and notification of the status of the water test by the~~ and approval of the Health
89 Department. Town approval is also required if the property is located within any of the town limits of any
90 incorporated town within the County in which the Cecil County **DIVISION Department** of Permits and Inspections
91 issues permits. The certificate shall have a specific time limit and will not be valid for more than 180 days maximum
92 unless extended by the **CHIEF Director** of Permits and Inspections in writing. Fees may be established and assessed
93 by the **DIVISION Department** for the issuance of the temporary certificate."
- 94 (10) Chapter 2 - Definitions, Section 202.
- 95 (a) Delete "agricultural building." Insert: AGRICULTURAL BUILDING. A structure designed and constructed to house
96 farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of
97 human habitation.

- 98 (b) Add: AGRITOURISM. Tourism of agricultural farms and buildings by members of the general public for
99 recreational, entertainment or educational purposes for which tourists may or may not pay fees. Agritourism
100 includes the following activities when performed by a tourist:
- 101 [1] Viewing rural activities, farming, ranching and wine making;
 - 102 [2] Viewing natural, historical, and cultural resources; and
 - 103 [3] Harvesting agricultural products.
- 104 (c) Add: CODES ADMINISTRATION. The Maryland Codes Administration.
- 105 (d) Add: DEPARTMENT. The Department of ~~LABOR Housing and Community Development~~ of Maryland.
- 106 (e) Add: MBPS. The Maryland Building Performance Standards.
- 107 (f) Add: SLEEPING (BEDROOM) ROOM. Any room 70 square feet (6.5 m²) or larger with direct access to a closet
108 other than a kitchen, bathroom, hallway, foyer or utility room. Every sleeping room/bedroom occupied by more
109 than one person shall contain a minimum of 50 square feet (4.6 m²) of floor area for each occupant thereof.
- 110 (g) Add: HIGH PERFORMANCE HOME. Has the meaning stated in Public Safety Article § 12-509(a), Annotated Code
111 of Maryland.
- 112 (h) Add: HOTEL. Means an establishment that offers sleeping accommodations for compensation. "Hotel" does not
113 include a bed-and-breakfast establishment.
- 114 (11) Chapter 9 - Fire Protection Systems. 901.1 Scope. Add: "Fire protection system requirements of Chapter 9 may
115 be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§ 6-101 through 6-602, Annotated
116 Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or
117 authorized fire official."
- 118 (12) Chapter 10 - Means of Egress, 1001.1 General. Add: "Means of egress requirements of Chapter 10 may be
119 concurrently covered in the State Fire Prevention Code, Public Safety Article, §§ 6-101 through 6-602, Annotated
120 Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or
121 authorized fire official."
- 122 (13) Chapter 11 - Accessibility. Delete entire chapter. Insert: Maryland Accessibility Code as set forth in COMAR
123 05.02.02.
- 124 (14) Section 1612.1 General. Delete "Within flood hazard as established in Section 1612.3." Insert: "Within flood
125 hazard areas as established by Article XI, Part III, Floodplain District, of the Cecil County Zoning Ordinance as
126 amended and adopted by the County Council of Cecil County May 4, 2015, or any construction occurring within the
127 incorporated boundaries of the eight municipalities within Cecil County shall comply with the Floodplain
128 Regulations as adopted by the County or such municipalities."
- 129 (15) Section 1612.3 Establishment of flood hazard areas.
- 130 (a) Insert: Cecil County.

- 131 (b) Insert: May 4, 2015.
- 132 (16) Section 1612.3.1 Design flood elevations.
- 133 (a) Delete: "building official."
- 134 (b) Insert: "Zoning Administrator or applicable approving agency."
- 135 (17) Section 1612.5 Flood hazard documentation.
- 136 (a) Delete: "building official."
- 137 (b) Insert: "Zoning Administrator or applicable approving agency."
- 138 (18) Chapter 24 - Glass and Glazing. Add: "The requirements for safety glazing set forth in Public Safety Article, Title
- 139 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section 2406, of the IBC related to safety
- 140 glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the
- 141 requirements of the Annotated Code of Maryland shall prevail."
- 142 (19) Chapter 27 - Electrical, Section 2701.1 Scope. Add: "The subject matter of this chapter is not within the scope
- 143 of the Maryland Building Performance Standards. For the applicable electrical requirements, refer to the local
- 144 electrical code and the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire
- 145 officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code
- 146 of Maryland."
- 147 (20) Chapter 28 - Mechanical Systems, Section 2801.1 Scope. Add: "The subject matter of this chapter is not within
- 148 the scope of the Maryland Building Performance Standards. For the applicable requirements concerning mechanical
- 149 systems, refer to the local mechanical code and the mechanical code adopted pursuant to the provisions of
- 150 Business Regulation Article, § 9A-205, Annotated Code of Maryland."
- 151 (21) Chapter 29 - Plumbing Systems, Section 2901.1 Scope. Add: "The subject matter of this chapter is not within
- 152 the scope of the Maryland Building Performance Standards. For the applicable requirements concerning plumbing
- 153 systems, refer to the local plumbing code and the plumbing code adopted pursuant to the provisions of Business
- 154 Occupations and Professions Article, Title 12, Annotated Code of Maryland."
- 155 (22) Chapter 30 - Elevators and Conveying Systems, Section 3001.1 Scope. Add: "The provisions of Chapter 30 of the
- 156 IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth
- 157 in Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC
- 158 and the Annotated Code of Maryland, the provisions of the
- 159 (23) Chapter 31 - Special Construction.
- 160 (a) Delete Section 3103.1.1 Permit required.
- 161 (b) Insert:
- 162 3103.1.1 Permit required.

163 Temporary structures that cover an area in excess of 360 square feet, including connecting areas or spaces with a
164 common means of egress or entrance which are used or intended to be used for the gathering of 50 or more
165 persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the Code
166 Official.

167 (24) Chapter 34 - Existing Structures, Section 3401.1 Scope. Add: "Exception: Any rehabilitation work undertaken in
168 an existing building as defined in COMAR 05.16 shall comply with the requirements of the Maryland Building
169 Rehabilitation Code as set forth in COMAR 05.16."

170 B. The following sections of the ~~2018 2015~~ International Residential Code (IRC) are hereby revised as follows:

171 (1) Section R101.1 Title. Insert: Cecil County (Name of Jurisdiction); add: "In addition to the International Residential
172 Code (IRC), local jurisdictions are responsible for implementation and enforcement of the Maryland Building
173 Performance Standards."

174 (2) Section R102.5 Appendices. Delete entire section. Insert:
175 R102.5 Appendices.

176 Provisions in Appendix A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of Venting Systems Serving
177 Appliances Equipped with Draft Hoods, Category I Appliances Listed for Use with Type B Vents; Appendix C, Exit
178 Terminals of Mechanical Draft and Direct-Vent Venting Systems; Appendix D, Recommended Procedure for Safety
179 Inspection of an Existing Appliance Installation; Appendix G, Piping Standards for Various Applications; Appendix H,
180 Patio Covers; Appendix K, Sound Transmission; Appendix M, Home Day Care R-3 Occupancy; Appendix N, Venting
181 Methods; Appendix O, Automatic Vehicular Gates; Appendix P, Sizing of Water Piping Systems; Appendix R, Light
182 Straw-Clay Construction; Appendix 5, Straw Bale Construction; and Appendix T, Recommended Procedure for Worst
183 Case Testing of Atmospheric Venting Systems under N1102.4 and N1105 conditions, are adopted as part of the IRC.

184 (3) Section R102.7 Existing structures. Add:
185 R102.7.2.

186 Any rehabilitation work undertaken in an existing building shall comply with the requirements of the Maryland
187 Building Rehabilitation Code as set forth in COMAR 05.16.

188 (4) Section R104.10.1 Flood hazard areas. Delete entire section.

189 (5) Section R105.2 Work exempt from permit. Under "Building":

190 (a) Delete 1: "One story detached accessory structures used as tool and storage sheds, playhouses and similar uses,
191 provided the floor area does not exceed 200 square feet (18.58 m2)."

192 (b) Delete 10: "Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm)
193 above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section
194 R311.4."

- 195 (c) Add 12: "Replacement or repair of roofing shingles, membranes and flashings is exempt only where the work
196 does not include any alteration or replacement of structural members or components."
- 197 (d) Add 13: "Replacement or repair of windows and doors is exempt only where the new windows or doors have
198 the same dimensions as the original windows or doors and the work does not include any alteration or replacement
199 of structural members. In the case where more restrictive codes have been adopted by state or federal agencies,
200 permits may be required."
- 201 (6) Section R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood
202 hazard areas. Delete entire section. Insert: "For applications for reconstruction, rehabilitation, addition or other
203 improvements of existing buildings or structures located within the flood hazard areas as established by Article XI,
204 Part III, Floodplain District, of the Cecil County Zoning Ordinance or within flood hazard areas as established by the
205 adoption of floodplain regulations by the eight municipalities within Cecil County, any such reconstruction,
206 rehabilitation, addition or other improvements shall be subject to such regulations."
- 207 (7) Section R105.5 Expiration. Add:
208 R105.5.1
209 Any permit issued shall be valid for a period of one year from date of issue, provided work is ongoing. An applicant
210 may apply for two six-month extensions as described above as long as the work is progressing. At the expiration of
211 the second six-month extension, the owner/applicant shall apply for a renewal permit.
- 212 (8) Section R106.1.4 Information for construction in flood hazard areas.
213 (a) In 4, delete "building official."
214 (b) In 4, insert "approving agency."
- 215 (9) Section R107.3 Temporary power. Delete entire section.
- 216 (10) Section R109.1.3 Floodplain inspections.
217 (a) Delete: "building official."
218 (b) Insert: "approving agency."
- 219 (11) Section R109.1.6.1 Elevation documentation.
220 (a) Delete: "building official."
221 (b) Insert: "approving agency."
- 222 (12) Section R110.2 Change in use. Add: "Any rehabilitation work undertaken in an existing building as defined in
223 COMAR 05.16 shall comply with the requirements of the Maryland Building Rehabilitation Code as set forth in
224 COMAR 05.16."
- 225 (13) Section R110.4 Temporary occupancy. Delete entire section. Insert: "The ~~DIVISION Department~~ of Permits and
226 Inspections is authorized to issue a temporary certificate of use and occupancy before the completion of the entire
227 work covered by the permit, provided that such portion or portions shall be occupied safely. The temporary

228 certificate of occupancy will only be issued upon receipt of conditional approval of the Department of Public Works,
229 approval from the Division of Development Plans Review approval of the Electrical Department/Inspector, the Fire
230 Marshal, if necessary, and ~~notification of the status of the water test by the~~ approval from Health Department.
231 Town approval is also required if the property is located within any of the town limits of any incorporated town
232 within the County in which the Cecil County ~~DIVISION Department~~ of Permits and Inspections issues permits. The
233 certificate shall have a specific time limit and will not be valid for more than 180 days maximum unless extended by
234 the ~~CHIEF Director~~ of Permits and Inspections in writing. Fees may be established and assessed by the **DIVISION**
235 ~~Department~~ for the issuance of the temporary occupancy."

236 (14) (Reserved)

237 (15) (Reserved)

238 (16) Add:

239 SECTION R115 UNSAFE STRUCTURES OR EQUIPMENT

240 R115.1 General.

241 When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for
242 human occupancy, or is found unlawful, such structure shall be posted as "Unsafe" or "Condemned" pursuant to
243 this code as the code official deems necessary.

244 R115.2 Unsafe structure.

245 An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the
246 occupants of the structure by not providing minimum means of egress facilities, sanitation, light, ventilation, fire
247 protection, or which contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of
248 such faulty construction or unstable foundation that partial or complete collapse is possible.

249 R115.3 Unsafe equipment.

250 Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device,
251 flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair
252 or condition that such equipment is a hazard to life, health, property or safety to the public or occupant of the
253 premises or structure.

254 R115.4 Unlawful structure.

255 An unlawful structure is one found to be erected, altered or occupied contrary to the provisions of this code or
256 those adopted by the governing agency responsible for enforcement of the code.

257 R115.5 Notice.

258 If it is determined that a property or equipment is unsafe or condemned, the code official shall serve on the owner,
259 agent or person in control of the structure, equipment or premises a written notice that describes the condition
260 deemed unsafe or condemned and specifies the required repairs, improvements or other action necessary to abate

261 the unsafe condition or that requires the unsafe or condemned building to be demolished within a stipulated time.
262 Such notice shall require the person thus notified to declare within seven days of receipt of the notice acceptance
263 or rejection to the code official.

264 R115.6 Method of service.

265 Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; (b) sent by
266 certified or registered mail addressed to the owner at the last known address with return receipt requested; or (c)
267 delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing
268 that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure
269 affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person
270 responsible for the structure shall constitute service of notice upon the owner.

271 (17) Sections R202 Definitions.

272 (a) Add: AGRICULTURAL BUILDING. A structure designed and constructed to house farm implements, hay, grain,
273 poultry, livestock, or other horticultural products. An agricultural building does not include a place of human
274 residence.

275 (b) Add: AGRITOURISM. Tourism of agricultural farms and buildings by members of the general public for
276 recreational, entertainment or educational purposes for which tourists may or may not pay fees. Agritourism
277 includes the following activities when performed by a tourist:

278 [1] Viewing rural activities, farming, ranching and wine making;

279 [2] Viewing natural, historical, and cultural resources; and

280 [3] Harvesting agricultural products.

281 (c) Add: CODES ADMINISTRATION. The Maryland Codes Administration.

282 (d) Add: DEPARTMENT. The Department of ~~LABOR Housing and Community Development~~.

283 (e) Add: MBPS. The Maryland Building Performance Standards.

284 (f) Add: SLEEPING (BEDROOM) ROOM. Any room 70 square feet (6.5 m²) or larger with direct access to a closet
285 other than a kitchen, bathroom, hallway, foyer or utility room. Every sleeping room/bedroom occupied by more
286 than one person shall contain a minimum of 50 square feet (4.6 m²) of floor area for each occupant thereof.

287 (18) Table R301.2(1) Climatic and Geographic Design Criteria. Insert:

288 Ground Snow Load – 30 pounds psf

289 Wind speed – 90 mph

290 Seismic design category — B

291 Weathering damage — Severe

292 Frost line depth — 32 inches

293 Termite damage — moderate to heavy

294 Winter design temperature — 13°

295 Ice barrier underlayment required — Yes

296 Flood hazards — Cecil County Planning and Zoning or local municipality

297 **(19) SECTION 4 302.7 ADD EXCEPTION. UNLESS UNDER-STAIR AREA IS SEVERED BY AN OPERATIONAL SPRINKLE**
298 **HEAD.**

299 **(20) SECTION 310.1 EXCEPTION 2 DELETE IN ITS ENTIRETY.**

300 (21) Section R312.1 Guards; 312.1.3 Opening limitations. Delete entire section. Insert: "Required guards shall not
301 have openings from the walking surface to the required guard height which allow for the passage of a sphere four
302 inches (102 mm) in diameter. Required guards shall not be constructed with horizontal rails or other ornamental
303 patterns that result in a ladder effect. Alternative guards such as glass, cable, plastic, vinyl, or other materials may
304 be used, provided they are approved at the time of application of the permit by the Code Official."

305 (22) Section R313.2 One- and two-family dwellings automatic fire systems. Delete entire section. Insert:
306 R313.2 One- and two-family dwellings automatic fire sprinkler systems.

307 An automatic fire sprinkler system shall be installed in one- and two-family dwellings.

308 Exceptions:

309 1. An automatic residential fire sprinkler system shall not be required for any additions or
310 alterations to existing buildings that are not already provided with an automatic fire
311 sprinkler system.

312 R313.2.A (Reserved)

313 R313.2.B (Reserved)

314 R313.2.C Mandatory automatic sprinkler systems may be required for all new single- and two-family dwellings,
315 additions or renovations constructed within the boundaries of the incorporated municipalities (towns) of Cecil
316 County. Should such municipality (town) have regulations governing residential sprinkler systems, those regulations
317 shall apply.

318 R313.2.D Dwelling units that are manufactured under Federal Housing Administration (FHA) regulations (HUD Code)
319 that are placed within the County outside of incorporated municipalities (towns) regulated by the County may be
320 exempt from this section unless so required by the FHA and/or the HUD Code.

321 R313.2.E Any regulation imposed by a federal or state governing body or agency which requires or exempts
322 residential automatic sprinkler systems in manufactured housing shall apply.

323 R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in
324 accordance with NFPA 13D.

325 R313.2.2 The requirements of this section (R313.2) shall not apply to the following:

326 1) A property not connected to an electrical utility.

- 327 2) Until January 1, 2016, standards governing issuance of a building permit for one- and two-family dwellings
328 constructed on:
- 329 a) A lot subject to a valid unexpired public works agreement that was executed before March 1, 2011; or
 - 330 b) A lot served by an existing water service line from a water main to the property line that:
 - 331 1) Is less than a nominal one-inch size;
 - 332 2) Is approved and owned by the public or private water system that owns the mains;
 - 333 3) Was installed before March 1, 2011; and
 - 334 4) Is fully operational from the public or private main to a curb stop or meter pit located at the property line.
- 335 (23) Section R322 Flood-Resistant Construction, R322.1 General. Delete entire section. Insert: "Buildings and
336 structures constructed in whole or in part in flood hazard areas as established by Article X, Part III, Floodplain
337 District, of the Cecil County Zoning Ordinance or as required by the statutes of the jurisdiction in which the project
338 is to be constructed or repaired shall comply with the regulations of this section as well as all regulations or
339 ordinances within the specific jurisdiction."
- 340 (24) Section 322.1.4.1 Determination of design flood elevations.
- 341 (a) Delete: "building official."
 - 342 (b) Insert: "Zoning Administrator or approving agency."
- 343 (25) Section R322.3.1, Location and site preparation, Subsection 2.
- 344 (a) Delete: "building official."
 - 345 (b) Insert: "approving authority."
- 346 (26) Section R403.1.4.1 Frost protection. Exception 1:
- 347 (a) Delete: 600 square feet (56m²).
 - 348 (b) Insert: 400 square feet (37m²).
- 349 (27) Section R405.1 Concrete or masonry foundations. Delete entire section. Insert: "Subsoil drains shall be
350 required for all buildings having basements, cellars, crawl spaces or floors below grade. Subsoil drains shall be
351 located inside the foundation and shall be installed at or below the area to be protected. Drains shall discharge by
352 gravity or mechanical means. Where drains do not discharge by gravity, the drains shall discharge into an accessible
353 sump pit with an automatic electrical pump. Drains shall be perforated or open joint approved drain tile not less
354 than four inches in diameter and be placed in washed stone or gravel at least one sieve size larger than the tile joint
355 opening or perforations with a minimum of four inches surrounding the drain tile or pipe on all sides. Where
356 provided, exterior subsoil drains shall have an approved filter material placed on top of the required washed stone
357 or gravel."
- 358 (28) Section R506.2.3 Vapor retarder.
- 359 (a) Delete: Exception 1.

360 (b) Insert: Exception 1. From detached garages, utility buildings, and other unheated accessory structures.

361 (29) Section R807.1 Attic access.

362 (a) Delete: "See Section M1305.1.3 for access requirements where mechanical equipment is located in attics."

363 (b) Insert: "Attics containing appliances shall be provided with a permanent or pull-down stairway in all new

364 construction."

365 (30) Part V, Mechanical, Chapter 12, Mechanical Administration, (Part VI, Fuel Gas, Chapter 24, Fuel Gas,) Section

366 M1201.1 Scope. Add: "The subject matter of Chapters 12 through 24 is not within the scope of the Maryland

367 Building Performance Standards. For the applicable requirements concerning mechanical systems, refer to the local

368 mechanical code and the mechanical code adopted pursuant to the provisions of Business Regulation Article, § 9A-

369 205, Annotated Code of Maryland."

370 (31) Part VII, Plumbing, Chapter 25, Plumbing Administration, Section P2501.1 Scope. Add: "The subject matter of

371 Chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards. For the applicable

372 requirements concerning plumbing systems, refer to the local plumbing code and the plumbing code adopted

373 pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland."

374 (32) Part VIII, Electrical, Chapter 34, General Requirements, Section E3401.1 Applicability. Add: "The subject matter

375 of Chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards. For the

376 applicable electrical requirements, refer to the local electrical code and the National Electrical Code as adopted and

377 enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public

378 Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland."

379 ~~(33) Section R 324.3 Photovoltaic systems.~~

380 ~~(a) Delete: "324.7.1."~~

381 ~~(b) Insert: "324.6.1."~~

382 ~~(34) Section R 324.7 Access and pathways.~~

383 ~~Delete entire section.~~

384 (33) Section R326 Swimming pools, spas and hot tubs.

385 (a) Delete entire section.

386 (b) Insert: "Swimming pools, spas and hot tubs shall comply with the requirements of Section 3109 of the

387 ~~2018 2015~~ International Building Code."

388 § 157-3. Adoption of amendments.

389 [Amended 7-17-201 by Ord. No. 2012-03]

390 The International Code Council issues an amended Building Code approximately every three years. Amendments

391 incorporated into subsequent International Building Codes and International Residential

392 Codes are hereby adopted prospectively. The date that such amendments shall be effective in Cecil County shall be
393 the date when the **CHIEF Director** of Permits and Inspections shall have received copies of said future editions and
394 shall have presented to and received adoption by resolution from the Cecil County Council as the new official
395 Building Code of Cecil County. The insertions of amendments and penalties and other matters as set forth
396 hereinbefore in § 157-2 shall be the same in meaning and context as those adopted herein, regardless of number
397 designation or page number in the newly adopted code or codes.

398 § 157-4. Fees.

399 [Amended 6-15-2010 by Ord. No. 2010-04]

400 All fees shall be established by resolution by the Cecil County Council as provided for by law. Copies of the fee
401 schedule will be available in the office of the Cecil County Council and the **DIVISION Department** of Permits and
402 Inspections.

403 § 157-5. Saving clause.

404 Nothing in this chapter or in the Building Code hereby adopted shall be construed to affect any suit or proceeding
405 pending in any court or any rights acquitted or liability incurred or any cause or causes of action acquired or existing
406 under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost,
407 impaired or affected by this chapter.

408 [1] Editor's Note: Former § 200-6, Emergency shelters, was repealed 6-15-2010 by Ord. No. 2010-04

409 § 157-6. Address numbers of improved properties.

410 A. In this section, the following words have the meanings indicated:

411 COUNTY REPRESENTATIVE — Any member or employee of:

412 (1) The Cecil County Sheriff's Department;

413 (2) The Cecil County Permits and Inspections Office;

414 (3) The Cecil County Department of **LAND USE AND DEVELOPMENT SERVICES Planning and**
415 **Zoning;**

416 [Amended 11-13-2012 by Ord. No. 2012-12]

417 (4) The Cecil County Department of Public Works; or

418 (5) The Department of Emergency Services.

419 [Amended 11-13-2012 by Ord. No. 2012-12]

420 OWNER — The individual, partnership, firm, association, corporation or other entity whose name appears on the
421 tax records of the County for any property subject to the provisions of this section.

422 B. Duty of property owners. It shall be the duty of every owner of improved real property to display
423 and maintain street numbers indicating the address assigned to the property. The number shall be
424 displayed in accordance with the provisions of Subsection C.

- 425 C. Display guidelines.
- 426 (1) The number shall be displayed in a location clearly visible from the road upon which the
- 427 address number is assigned.
- 428 (2) Numbers shall be placed on both sides of the mailbox. However, if any of the conditions listed
- 429 below exist, then the number must also be displayed as described in Subsection C(3) and/or (4)
- 430 of this subsection:
- 431 (a) There is no mailbox.
- 432 (b) The mailbox is on the opposite side of the road from the home.
- 433 (c) There are multiple mailboxes at the location or the home which goes with the mailbox is not clearly identifiable.
- 434 (3) Numbers may be placed on the dwelling or principal structure only if they are clearly visible from the road off of
- 435 which it is addressed and the view of the number is not obstructed by trees, shrubs, porches, etc.
- 436 (4) Numbers may be placed on a private sign, post or large rock at the entrance of the driveway as long as the
- 437 numbers are clearly visible from the road.
- 438 (5) Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of four inches
- 439 (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). [Amended 6-15-2010 by Ord. No. 2010-04]
- 440 (6) Numbers shall be plain block numbers, not script or written numbers.
- 441 (7) Numbers shall be set on a background of contrasting color.
- 442 (8) Wherever practicable, said number shall be placed near a light or some source of illumination so that it may be
- 443 readily seen at night.
- 444 (9) Numbers shall not be placed on utility poles or County/state road sign posts.
- 445 D. Display of other numbers prohibited. The display of any address number other than the number authorized
- 446 or assigned by the Department of Planning and Zoning is expressly prohibited. [Amended 11-13-2012 by Ord. No.
- 447 2012-12]
- 448 E. Noncompliance and violations.
- 449 [Amended 11-13-2012 by Ord. No. 2012-12]
- 450 (1) Any dwelling or principal structure erected, repaired, altered or modified after the effective
- 451 date of this chapter shall have the certificate of occupancy withheld until the assigned address
- 452 number is displayed in accordance with this section.
- 453 (2) A County representative who observes a violation of this section shall notify the Department of
- 454 **LAND USE AND DEVELOPMENT SERVICES ~~Planning and Zoning~~** via a standard form developed
- 455 by said Department.
- 456 (3) The Department of **LAND USE AND DEVELOPMENT SERVICES ~~Planning and Zoning~~** shall issue a
- 457 warning by certified mail, which shall notify the owner:

458 (a) That he/she is in violation of this section.

459 (b) Of the requirements of this section.

460 (c) How to comply with the requirements.

461 (4) The warning shall be on a standard form developed by the Department of **LAND USE AND DEVELOPMENT**
462 **SERVICES Planning and Zoning.**

463 § 157-7. Suspension, withholding, or revocation of permits.

464 [Amended 7-17-2012 by Ord. No. 2012-03]

465 A. Definitions. As used in this section, the following terms shall have the meanings indicated:

466 BUILDER/CONTRACTOR — The party to whom the building permit for the building not in compliance was issued and
467 shall also include any party actually performing the work of construction upon said building. The builder shall also
468 include any officer of any corporation, any partner of any partnership or any related corporation, partnership,
469 limited-liability company or limited-liability partnership owned in whole or in part by any aforementioned party.

470 CODE — The building, plumbing, mechanical or electrical codes or other construction-related codes as adopted by
471 Cecil County and enforced by the **DIVISION Department** of Permits and Inspections.

472 CODE OFFICIAL — The official designated by the County Executive or his designee who is charged with the
473 enforcement of the building, plumbing, mechanical and electrical codes or other construction related codes as
474 adopted by Cecil County.

475 PENALTY — An amount imposed by either the legal authority having jurisdiction or by the **DIVISION Department**
476 of Permits and Inspections as has been established on the fee schedule as adopted by the Cecil County Council.

477 PERSON; OWNER — Any person, corporation, association, partnership, firm, syndicate, joint venture, limited-
478 liability corporation, or organization of any kind holding title to any land or lot in the County; lessees, tenants and
479 principal occupants of any land or lot in the County or agent of persons holding title to such lands or lots, having
480 care, custody, control or management of the land or lot; and fiduciaries holding title to, having care, custody,
481 control or management of land or lots in the County for others.

482 VIOLATION — Any person or authorized agent who constructs, enlarges, alters, repairs, moves, demolishes, or
483 changes the occupancy of a building or structure or erects, installs, enlarges, repairs, removes, converts or replaces
484 any gas, mechanical, plumbing or electrical system, the installation of which is regulated by the codes enforced by
485 the **DIVISION Department** of Permits and Inspections, or to cause such work to be done without obtaining the
486 proper permits or which are found to be in noncompliance with the applicable codes.

487 B. Suspension. Whenever the **DIVISION Department** of Permits and Inspections or any designated
488 Code Official of the County determines that an owner or contractor as defined in this section, is in
489 violation of the provisions of this code or the rules and regulations of any other Department or
490 agency of Cecil County in connection with the erection, alteration or demolition of buildings,

491 structures, lands, or equipment thereon or therein, the ~~CHIEF Director~~ of Permits and Inspections
492 or his designee may suspend all active permits and inspections necessary which the individual has
493 acquired or may need until such time as any and all violations have been corrected.

494 C. Withholding. Whenever the ~~DIVISION Department~~ of Permits and Inspections or any designated
495 Code Official of the County shall find that any contractor or owner, as defined in this section, is in
496 violation of this code or of the rules and regulations of any other department or agency of Cecil
497 County in connection with the erection, alteration or demolition of buildings, structures, land or
498 equipment thereon or therein, the ~~CHIEF Director~~ of the ~~DIVISION Department~~ of Permits and
499 Inspections or his designee may refuse to grant any additional permits to the contractor or owner
500 until all such violations have been corrected.

501 D. Revocation. The ~~DIVISION Department~~ of Permits and Inspections or any designated Code Official
502 of the County may revoke a permit or approval issued under the provisions of this code when it is
503 determined that any owner or contractor, as defined in this section, is in violation of this code in
504 the case of any false statement or misrepresentation of fact in the application or on the plans on
505 which the permit or approval was based. If any permit is issued in violation of the provisions of this
506 code or other laws, resolutions and regulations of Cecil County, or laws of the State of Maryland, or
507 without proper authority, it may be voided as if it had never been issued.

508 E. Notice. Once it has been determined by the designated Code Official that a violation of the
509 provisions of this Code or any other construction related code of the County has occurred, notice
510 shall be sent to the owner or contractor, as defined in this section, who is responsible for said
511 violation, advising said owner or contractor. Said notice shall be presumed received upon being
512 mailed to the address of said owner or contractor that is provided on the building permit issued to
513 said owner or contractor for said building three days after mailing. If no permit exists, said notice
514 shall be presumed received upon being mailed to the address for the individuals responsible based
515 on tax assessments or any other information available three days after mailing. Until said violation
516 has been corrected, the ~~DIVISION Department~~ of Permits and Inspections and/or any appropriate
517 Code Official of the County shall have the power to withhold any further permits requested by said
518 owner or contractor.

519 § 157-8. Condemnation of unsafe structures and equipment.

520 [Added 2-3-2009 by Ord. No. 2009-01]

521 A. Definitions. As used in this section, the following terms shall have the meanings indicated:

522 CODE — The building, plumbing and mechanical codes as adopted by the Cecil County Council and enforced by the
523 ~~DIVISION Department~~ of Permits and Inspections.

524 CODE OFFICIAL — The official designated by the County Executive, or his designee, who is charged with the
525 enforcement of this section.

526 CONDEMN — To adjudge unfit for use or occupancy.

527 PERSON; OWNER — Any person, corporation, association, partnership, firm, syndicate, joint venture, limited-
528 liability corporation, or organization of any kind holding title to any land or lot in the County; lessees, tenants and
529 principal occupants of any land or lot in the County or agent of persons holding title to and having care, custody,
530 control or management of land or lots in the County for others.

531 UNFIT STRUCTURE — One that is unsafe or, because of the degree to which it lacks maintenance or is in disrepair, is
532 unsanitary, vermin or rat-infested or contains filth and contaminants or, because of the chosen location, constitutes
533 a hazard to its occupants or to the public, as determined by the Code Official.

534 UNSAFE EQUIPMENT — Includes any boiler, heating equipment, plumbing fixtures or equipment, electrical wiring
535 or device, flammable liquid containers or other equipment or machinery on the premises or within the structure
536 which is in disrepair or a condition that is found to be a hazard to life, health, property or safety of the public or
537 occupants of the premises or structure. Unsafe equipment may contribute to finding that the structure is unsafe or
538 unfit for human occupancy or use.

539 UNSAFE STRUCTURE — One in which all or any part thereof is found to be dangerous to life, health or the safety of
540 the public or the occupants of the premises or structure or, because it is so damaged, decayed, dilapidated,
541 structurally unsafe or of such faulty construction or unstable foundation, it is likely to partially or completely
542 collapse.

543 B. Condemnation procedures.

544 (1) General procedures. When a structure or part thereof is found by the Code Official to be unsafe
545 or unfit for human occupancy or use, it may be condemned pursuant to this section and the
546 applicable adopted building code. If the Code Official makes such determination, the Official
547 shall serve the owner with a compliance order pursuant to this section. No condemned
548 residential structure shall be used for human habitation without approval of the Code Official.
549 In addition, the Code Official may also determine that equipment located in a residential
550 structure is unsafe and issue a compliance order.

551 (2) Closing of vacant structures. If the structure or part thereof is vacant and unfit for human
552 habitation, occupancy or use and is not in danger of structural collapse but is a potential hazard
553 to health and safety, the Code Official shall serve the owner with a compliance order pursuant
554 to this section. The owner shall secure the structure from entry by boarding or any other
555 method(s) necessary as approved by the Code Official. Upon failure of the owner to close the
556 premises within the time specified in the compliance order, the Code Official shall cause it to be

557 closed through any available agency or by contract arrangement with private persons, and the
558 cost thereof shall be charged against the real estate upon which the structure is located and
559 shall be a lien upon the real estate.

560 (3) Placarding of structures. Upon inspection of the structure, the Code Official may post on the
561 premises a placard bearing the words "Condemned" as dangerous and unsafe or "Danger"
562 unsafe for human occupancy or use or other words to that effect and a statement of penalties
563 provided for any occupancy or use and for removing the placard.

564 (4) Occupancy of placarded premises prohibited. Any person who shall occupy a placarded
565 premises or structure or part thereof or any person responsible for the premises who lets
566 anyone occupy a placarded premises shall be liable for penalties as provided for within this
567 section.

568 (5) Removal of placard. The Code Official shall remove the condemnation placard whenever the
569 defect or defects upon which the condemnation or danger placard action were based have
570 been eliminated. Any person who defaces or removes a condemnation or danger placard
571 without the approval of the Code Official shall be subject to penalties as provided for within
572 this section.

573 C. Notice of violation.

574 (1) Notification. The Code Official shall give notice of the existing violation to the owner of the
575 affected structure and to its occupants.

576 (2) Notice. The notice shall be in writing and include information sufficient for identification of the
577 real estate involved, include a statement of the reason or reasons why the notice is being
578 issued and any building code citation described. The notice shall include the owner's right to
579 appeal the decision of the Code Official and shall include the penalties for failure to correct said
580 violation.

581 (3) Service. Notice shall be considered served when the notice is delivered to the owner personally
582 and/or sent by certified or registered mail, addressed to the owner at the last known address,
583 with return receipt requested. Notice shall also be posted in a conspicuous place on or about
584 the affected structure.

585 (4) Publication of notice. In case the structure is to be razed and demolished, the County shall
586 publish a notice indicating the same, which shall include all information relative to the
587 property. The notice shall be advertised once a week for two successive weeks in a newspaper
588 authorized to provide service by publication.

589 D. Compliance and emergency orders.

- 590 (1) Compliance order. Any order issued pursuant to this section shall be in writing and shall specify
591 a deadline for compliance by the owner, which shall not be less than 20 days nor more than 45
592 days, and in the event that repairs are feasible, the order shall specify what repairs and
593 modifications are to be undertaken and completed by the owner in order to correct any
594 violations.
- 595 (2) Emergency order. Whenever the Code Official finds that an emergency exists on any premises
596 and time is of the essence to protect the public's health and safety or that of the occupants of a
597 structure, the Code Official may issue an emergency order reciting the existence of such an
598 emergency and require the vacating of the premises or such action as the Code Official deems
599 necessary to meet the emergency. The emergency order shall be effective immediately, and
600 the premises or equipment shall be placarded immediately upon service of the order.

601 E. Demolition orders; subsequent action.

- 602 (1) Raze and removal. At the time of service of a notice of violation to the owner, the Code Official
603 may order the owner of the premises or structure that is an unsafe structure to raze and
604 remove the structure and to stabilize the disturbed area by grading and seeding.
- 605 (2) Noncompliance. In the event the owner of a property fails to comply with an order of the Code
606 Official within the prescribed time of the order and upon exhaustion of any and all legal
607 remedies by the County, the Code Official, with the approval of the County, may enter the
608 building or premises affected by the order and cause the building or premises to be repaired or
609 demolished and the materials removed, or cause any dangerous condition to be remedied
610 through an available public agency or by arrangement with private persons, as the case may be,
611 at the expense of the owner of such property.
- 612 (3) Lien. If the owner fails to repay the County for expenses incurred under Subsection E(2) above
613 within 90 days after written demand has been mailed to his last known address, the Code
614 Official shall notify the Collector of Taxes for Cecil County and a tax lien in favor of the County
615 for the amount of expenses incurred under Subsection E(2) above shall attach to the property
616 and any other applicable fees which the County has expended will also be applied to the lien.

617 F. Violations and penalties.

- 618 (1) Civil penalties. Any person who shall violate any provision of this section shall, upon conviction
619 thereof, be subject to a civil penalty of not less than \$100 and not more than \$5,000, at the
620 discretion of the court. Each day a violation continues after notice of violation has been duly
621 served shall be deemed a separate offense.

622 (2) Prosecution. If an order is not complied with in the prescribed time, the Code Official may
623 request the County's legal representative to institute appropriate civil action. The Code Official
624 may ask for the legal representative to proceed by civil action against the person responsible
625 for the violation in order to:

626 (a) Correct or remove any violations.

627 (b) Prevent occupancy or use of the structure in violation of this section.

628 (c) Hold violators accountable for unauthorized removal of any posted placard.

629 (d) Order payment of the civil penalty authorized by this section.

630 G. Right to appeal.

631 (1) A person affected by a decision of the Code Official which has been made in connection with the enforcement of
632 this section, or of a regulation adopted pursuant to this section, may request and shall be granted a hearing in a
633 manner as prescribed by the applicable code.

634 (2) A person aggrieved by a decision of the Code Official in connection with an alleged violation of this section or
635 demolition order issued under the provisions of this section may appeal such decision or order to the Building
636 Boards of Appeals of the County within 10 days of receipt of such notice.

637 (3) Any decision of the Building Board of Appeals may be appealed to the Circuit Court of Maryland in accordance
638 with the Maryland Rules of Procedure.

639 § 157-9. Violations and penalties; stop-work orders.
640 [Added 8-18-2010 by Ord. No. 2009-05]

641 A. Definitions. As used in this section, the following terms shall have the meanings indicated:

642 CODE — The building, plumbing and mechanical codes as adopted by the Cecil County Council and enforced by the
643 **DIVISION Department** of Permits and Inspections.

644 CODE OFFICIAL — The official designated by the County Executive or his designee who is charged with the
645 enforcement of this section.

646 PERSON; OWNER — Any person, corporation, association, partnership, firm, syndicate, joint venture, limited-
647 liability corporation, or organization of any kind holding title to any land or lot in the County; lessees, tenants and
648 principal occupants of any land or lot in the County or agent of persons holding title to such lands or lots, having
649 care, custody, control or management of land or lot; and fiduciaries holding title to and having care, custody,
650 control or management of land or lots in the County for others.

651 STOP-WORK ORDER — A legal notice posted on a specific property by a Code Official, indicating that a violation(s)
652 of a code enforced by the **DIVISION Department** of Permits and Inspections has been found and all construction,
653 alterations or repairs on the specific premises be stopped until such time as the violation(s) has been remedied.

BILL NO. 2019-19
Amendment – Building Construction – Building Code

654 VIOLATION — Any person or authorized agent who constructs, enlarges, alters, repairs, moves, demolishes, or
655 changes the occupancy of a building or structure or erects, installs, enlarges, repairs, removes, converts or replaces
656 any gas, mechanical or plumbing system, the installation of which is regulated by the codes enforced by the
657 Department of Permits and Inspections, or to cause any such work to be done without obtaining the proper permits
658 or which are found to be in noncompliance with the applicable codes.

659 [1] Editor’s Note: The definition of “penalty,” which immediately followed this definition, was repealed 11-13-2012
660 by Ord. No. 2012-12.

661 B. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements
662 thereof or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or
663 directive of the Code Official or his designee or of a permit or certificate issued under the provisions of this code or
664 who shall fail to obtain a final use and occupancy certificate may be liable for a civil offense and, upon judicial
665 finding of said violation, may be liable for a fine of not more than \$1,000 or imprisonment for not more than 90
666 days and, in addition, shall pay all costs and expenses associated with the County's abatement of said violation, as
667 well as any and all fair and reasonable attorneys' fees incurred as a result of said abatement efforts. Each day that a
668 violation exists shall be deemed a separate offense. Nothing herein contained shall prevent the County from taking
669 such other lawful action as is necessary to prevent or remedy any violation.

670 C. Unlawful continuance. Any person who shall continue work in or about the structure after having been
671 served with a stop-work order, except such work as that person is directed to perform to remove a violation or
672 unsafe conditions, shall be liable for a fine of not less than \$250 and not more than \$1,000 and shall be liable for all
673 costs, expenses and reasonable attorneys' fees associated with the County's administrative actions and/or legal
674 proceedings taken to discontinue any such work after the service of said stop-work order. Each day that a violation
675 continues shall be deemed a separate offense.

676 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that this
677 Act shall take effect in 60 calendar days from the date it becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY Council Manager