

HOUSE BILL 323

E4
SB 1053/14 – FIN

5lr1344
CF SB 262

By: **Delegate Impallaria**

Introduced and read first time: February 5, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Building Performance Standards – Energy Codes – Local Authority**

3 FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the
4 Maryland Building Performance Standards that are equivalent to the requirements
5 of certain international energy conservation and energy efficiency codes; and
6 generally relating to building performance standards.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 12–504
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2014 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Public Safety**

15 12–504.

16 (a) (1) A local jurisdiction may adopt local amendments to the Standards if the
17 local amendments do not:

18 (i) prohibit the minimum implementation and enforcement
19 activities set forth in § 12–505 of this subtitle;

20 (ii) weaken energy conservation and efficiency provisions contained
21 in the Standards;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) except as provided in paragraph (3) of this subsection, weaken
2 the automatic fire sprinkler systems provisions for townhouses and one- and two-family
3 dwellings contained in the Standards; or

4 (iv) weaken wind design and wind-borne debris provisions contained
5 in the Standards.

6 (2) (i) Regardless of whether the International Green Construction
7 Code is adopted by the Department under § 12-503(d) of this subtitle, a local jurisdiction
8 may adopt the International Green Construction Code.

9 (ii) A local jurisdiction may make local amendments to the
10 International Green Construction Code.

11 (3) Paragraph (1)(iii) of this subsection does not apply to:

12 (i) standards governing issuance of a building permit for a property
13 not connected to an electrical utility; or

14 (ii) until January 1, 2016, standards governing issuance of a
15 building permit for a new one- or two-family dwelling constructed on:

16 1. a lot subject to a valid unexpired public works utility
17 agreement that was executed before March 1, 2011; or

18 2. a lot served by an existing water service line from a water
19 main to the property line that:

20 A. is less than a nominal 1-inch size;

21 B. is approved and owned by the public or private water
22 system that owns the mains;

23 C. was installed before March 1, 2011; and

24 D. is fully operational from the public or private main to a
25 curb stop or meter pit located at the property line.

26 (b) If a local jurisdiction adopts a local amendment to the Standards, the
27 Standards as amended by the local jurisdiction apply in the local jurisdiction.

28 (c) (1) If a local amendment conflicts with the Standards, the local amendment
29 prevails in the local jurisdiction.

30 (2) **A LOCAL JURISDICTION MAY ADOPT LOCAL AMENDMENTS TO THE**
31 **STANDARDS THAT ARE EQUIVALENT TO THE REQUIREMENTS OF:**

1 **(I) THE INTERNATIONAL ENERGY CONSERVATION CODE;**

2 **(II) CHAPTER 13, “ENERGY EFFICIENCY”, OF THE**
3 **INTERNATIONAL BUILDING CODE; OR**

4 **(III) CHAPTER 11, “ENERGY EFFICIENCY”, OF THE**
5 **INTERNATIONAL RESIDENTIAL CODE.**

6 (d) A local jurisdiction that adopts a local amendment to the Standards shall
7 ensure that the local amendment is adopted in accordance with applicable local law.

8 (e) To keep the database established under this subtitle current, a local
9 jurisdiction that adopts a local amendment to the Standards shall provide a copy of the
10 local amendment to the Department:

11 (1) at least 15 days before the effective date of the amendment; or

12 (2) within 5 days after the adoption of an emergency local amendment.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2015.