

HOUSE BILL 1264

L1, E4

5lr2989
CF 5lr1783

By: **Delegates Ghrist, Arentz, Cassilly, Hornberger, and Otto**

Introduced and read first time: March 9, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Building Performance Standards – Fire Sprinkler System Exemptions**

3 FOR the purpose of authorizing the governing body of certain counties to adopt certain local
4 amendments to the Maryland Building Performance Standards that provide for
5 certain exemptions from certain provisions that pertain to automatic fire sprinkler
6 systems; and generally relating to local amendments to the Maryland Building
7 Performance Standards adopted by certain counties.

8 BY repealing and reenacting, with amendments,

9 Article – Public Safety

10 Section 12–504

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2014 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 12–504.

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

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

21 (ii) weaken energy conservation and efficiency provisions contained
22 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)] **PARAGRAPHS (3) AND (4)**
 2 of this subsection, weaken the automatic fire sprinkler systems provisions for townhouses
 3 and one- and two-family 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 **(4) (I) THIS PARAGRAPH APPLIES ONLY TO:**

27 **1. A CODE HOME RULE COUNTY IN THE EASTERN SHORE**
 28 **CLASS ESTABLISHED IN § 9-302 OF THIS ARTICLE; AND**

29 **2. CECIL COUNTY.**

1 **(II) THE GOVERNING BODY OF A COUNTY MAY ADOPT A LOCAL**
2 **AMENDMENT TO THE STANDARDS THAT PROVIDES FOR EXEMPTIONS FROM THE**
3 **AUTOMATIC FIRE SPRINKLER SYSTEMS PROVISIONS FOR SINGLE-FAMILY**
4 **DWELLINGS CONTAINED IN THE STANDARDS, IF THE DWELLINGS ARE NOT SERVED**
5 **BY PUBLIC WATER.**

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

8 (c) If a local amendment conflicts with the Standards, the local amendment
9 prevails in the local jurisdiction.

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

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

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

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

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