

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	12/04/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 1/22/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

05 16 01 .03 and .04

3. Name of Promulgating Authority

Department of Housing and Community Development

4. Name of Regulations Coordinator

Mark S Petrauskas

Telephone Number

301-429-7487

Mailing Address

7800 Harkins Road

City State Zip Code

Lanham MD 20706

Email

mark.petrauskas@maryland.gov

5. Name of Person to Call About this Document

Mark Petrauskas

Telephone No.

301-429-7489

Email Address

mark.petrauskas@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: November 1, 2015.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Mark Petrauskas, Assistant Attorney General, (telephone #301-429-7489) on November 16, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Kenneth C. Holt

Title

Secretary

Telephone No.

301-429-7452

Date

December 1, 2015

Title 05
DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT

Subtitle 16 MARYLAND BUILDING REHABILITATION CODE

05.16.01 Maryland Building Rehabilitation Code Regulations

Authority: Public Safety Article, §§12-1004 and 12-1007, Annotated Code of Maryland

Notice of Proposed Action

[]

The Secretary of Housing and Community Development proposes to amend Regulations .03 and .04 under COMAR 05.16.01 Maryland Building Rehabilitation Code Regulations.

Statement of Purpose

The purpose of this action is to update the Maryland Building Rehabilitation Code as required by Public Safety Article §12-1004, Annotated Code of Maryland by adopting the 2015 edition of the International Existing Building Code (IEBC), as modified by the Department as the Maryland Building Rehabilitation Code and removing defined terms and requirements that are contained in the IEBC.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Ed Landon, Codes Administration, Division of Credit Assurance, Department of Housing and Community Development, 7800 Harkins Road, Lanham, Maryland 20706, or call 301-429-7650, or email to ed.landon@maryland.gov,

or fax to . Comments will be accepted through February 22, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:
Special Funds – DHCD – Division of Credit Assurance – Codes Programs

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:
The proposal essentially is an updating of the current standards as required by §12-1007 of the Public Safety Article.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The proposal essentially is an updating of the current standards as required by §12-1007 of the Public Safety Article.

G. Small Business Worksheet:

Attached Document:

Title 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subtitle 16 MARYLAND BUILDING REHABILITATION CODE

Chapter 01 Maryland Building Rehabilitation Code Regulations

Authority: Public Safety Article, §§12-1004 and 12-1007, Annotated Code of Maryland

.01 - .02 (text unchanged)

.03 Incorporation by Reference.

A. The [2012] 2015 International Existing Building Code (International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, DC 20001), as described in this chapter, is incorporated by reference.

B. The [2012] 2015 International Existing Building Code, as described in this chapter, shall constitute the Maryland Building Rehabilitation Code.

C. Modifications to the [2012] 2015 International Existing Building Code.

(1) – (8) (text unchanged)

(9) Chapter 4. Delete Section [410.8.9] 410.8.8 Type B dwelling or sleeping units.

.04 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) – (4) (text unchanged)

(5) "International Existing Building Code (IEBC)" means the [2012] 2015 International Existing Building Code, as incorporated by reference under Regulation .03 of this chapter.

(6) – (8) (text unchanged)

.05 - .08 (text unchanged)

Incorporation by Reference
APPROVAL FORM

Date: August 5, 2014
COMAR: 05.02.01, 05.02.03, 05.02.07, 05.16.01

Norman C. Wang, R.A.
100 Community Place
Crownsville, MD 21032

Dear Mr. Wang:

The following documents are approved for incorporation by reference:

- (1) 2015 International Building Code;
- (2) 2015 International Residential Code for One- and Two-Family Dwellings;
- (3) 2015 International Energy Conservation Code;
- (4) 2015 International Mechanical Code;
- (5) 2015 International Plumbing Code;
- (6) 2015 International Existing Building Code; and
- (7) 2015 International Property Maintenance Code.

Please note the following special instructions: None.

Attach a copy of this approval form when submitting an emergency or proposed regulation to the AELR Committee and when submitting a proposed regulation to DSD for publication in the Maryland Register. If submitting through ELF, include as part of the attachment.

Any future changes to the incorporated documents do not automatically become part of the regulation. If there are subsequent changes to the incorporated documents, and the agency wishes those changes to become a part of its regulations, the agency must amend the regulation incorporating the documents.

Please call us if you have any questions.

Sincerely,
Gail S. Klakring
Senior Editor