

HOUSE BILL 1039

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C8

1999 Regular Session
(9lr2351)

ENROLLED BILL

-- *Economic Matters/Economic and Environmental Affairs* --

Introduced by **Delegates Bozman, Conway, McClenahan, Eckardt, and Cane**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Building Performance Standards - Time Limits**

3 FOR the purpose of altering the time ~~limit~~ period in which the Department of
4 Housing and Community Development has to incorporate subsequent versions
5 of the BOCA National Building Code into the Maryland Building Performance
6 Standards; and altering the date on which the Maryland Building Performance
7 Standards shall apply to counties or municipalities that have adopted the
8 standard building code issued by the Southern Building Code Congress
9 International, Inc.

10 BY repealing and reenacting, without amendments,
11 Article 83B - Department of Housing and Community Development
12 Section 6-401 and 6-402(a) and (c)(1) and (2)
13 Annotated Code of Maryland
14 (1998 Replacement Volume)

15 BY repealing and reenacting, with amendments,

1 Article 83B - Department of Housing and Community Development
2 Section 6-402(b) and (c)(3)
3 Annotated Code of Maryland
4 (1998 Replacement Volume)

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

7 **Article 83B - Department of Housing and Community Development**

8 6-401.

9 (a) In this subtitle the following words have the meanings indicated.

10 (b) "BOCA" means the organization known as the Building Officials and Code
11 Administrators International, Inc.

12 (c) (1) "BOCA National Building Code" means the first printing of the most
13 recent edition of the National Building Code periodically issued by BOCA.

14 (2) "BOCA National Building Code" does not include interim
15 amendments or subsequent printings of the most recent edition.

16 (d) "Building" has the meaning and interpretation set forth in the BOCA
17 National Building Code.

18 (e) "County" means any of the 23 counties of the State and the Mayor and City
19 Council of Baltimore.

20 (f) "Local jurisdiction" means the county or municipality responsible for
21 implementation and enforcement of the Maryland Building Performance Standards
22 as more specifically provided in § 6-402(f) of this subtitle.

23 (g) "Maryland Building Performance Standards" or "Standards" means the
24 BOCA National Building Code adopted by the Department under § 6-402 of this
25 subtitle.

26 (h) "Municipality" means a municipal corporation subject to the provisions of
27 Article XI-E of the State Constitution.

28 (i) "Standard Building Code" means the standard building code issued by the
29 Southern Building Code Congress International, Inc.

30 (j) "State Fire Prevention Code" means the fire prevention regulations
31 promulgated by the State Fire Prevention Commission in accordance with Article
32 38A, § 3 of the Code.

33 (k) "Structure" has the meaning and interpretation set forth in the BOCA
34 National Building Code.

1 6-402.

2 (a) The Department shall adopt by regulation, as the Maryland Building
3 Performance Standards, the BOCA National Building Code with the modifications
4 incorporated by the Department under § 6-403 of this subtitle.

5 (b) (1) The Department shall adopt the initial version of the Maryland
6 Building Performance Standards on or before August 1, 1994.

7 (2) The Department shall adopt all subsequent versions of the Standards
8 within [9] 24 months of the date BOCA issues the BOCA National Building Code.

9 (c) (1) Except as otherwise provided in this subsection, the Maryland
10 Building Performance Standards shall apply to all buildings and structures within
11 the State for which a building permit application is received by a local jurisdiction on
12 or after August 1, 1995.

13 (2) In counties or municipalities that have not adopted a building code as
14 of October 1, 1992, the Standards shall apply to all buildings and structures for which
15 a building permit application is received by the local jurisdiction on or after August 1,
16 1997.

17 (3) In counties or municipalities that have adopted the standard building
18 code as of October 1, 1993, the Standards shall apply to all buildings and structures
19 for which a building permit application is received by the local jurisdiction on or after
20 August 1, [1999] 2001.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 1999.