
By: **Delegates Bozman, Conway, McClenahan, Eckardt, and Cane**

Introduced and read first time: February 17, 1999

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, February 22, 1999

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 1999

CHAPTER _____

1 AN ACT concerning

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

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

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

14 BY repealing and reenacting, with amendments,
15 Article 83B - Department of Housing and Community Development
16 Section 6-402(b) and (c)(3)
17 Annotated Code of Maryland
18 (1998 Replacement Volume)

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

Article 83B - Department of Housing and Community Development

2 6-401.

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

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

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

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

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

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

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

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

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

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

24 (j) "State Fire Prevention Code" means the fire prevention regulations
25 promulgated by the State Fire Prevention Commission in accordance with Article
26 38A, § 3 of the Code.

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

29 6-402.

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

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

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

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

7 (2) In counties or municipalities that have not adopted a building code as
8 of October 1, 1992, the Standards shall apply to all buildings and structures for which
9 a building permit application is received by the local jurisdiction on or after August 1,
10 1997.

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

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