

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1255 (Delegates Smigiel and Sossi)
Environmental Matters

Building Permits - Notice - Required Sign

This bill requires a person who obtains a building permit to post notice of the permit on the property for which it has been issued. The bill provides for the size, display layout, and placement of the notice.

Fiscal Summary

State Effect: None.

Local Effect: None. Any enforcement of the building permit notice requirement and costs associated with the size and display layout of the building permit notice could be handled with existing local resources and personnel.

Small Business Effect: Minimal.

Analysis

Current Law: The Department of Housing and Community Development must adopt by regulation, the International Building Code as the Maryland Building Performance Standards (MBPS). The standards apply to each building or structure in the State for which a building permit application is received by a local jurisdiction.

With specified exceptions, the International Building Code (IBC) provides that any owner or authorized agent intending to: (1) construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure; or (2) to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system regulated by the code must first apply to a building official and obtain a

required permit. The IBC provides that a building permit or copy of the permit must be kept on the worksite until the completion of the project.

Each local jurisdiction is required to implement and enforce MBPS and any local amendments to it. At a minimum, local jurisdictions must ensure that implementation and enforcement includes: (1) review and acceptance of appropriate plans; (2) issuance of building permits; (3) inspection of the work authorized by the building permits; and (4) issuance of appropriate use and occupancy certificates. Each local jurisdiction must determine the manner in which the minimum implementation and enforcement activities are carried out. Local jurisdictions are authorized to charge fees that are necessary to cover the cost of implementation and enforcement of MBPS and any local amendments.

Local Fiscal Effect: Any enforcement of the building permit notice requirement and costs associated with the size and display layout of the building permit notice could be handled with existing local resources and personnel. Talbot County advises that it would spend approximately \$200 to upgrade its existing permit notices to meet the bill's requirements. Baltimore City advises that altering the color of paper used for its permit notices would not materially impact city finances and that existing personnel would be used for any enforcement activity. Prince George's County advises that this bill would not impact county finances.

However, Montgomery County advises that it would have to hire three additional building inspectors at a cost of approximately \$300,000 in order to ensure that the sign is posted correctly on the property. These costs include three new vehicles, computers, office equipment, and additional office space. Legislative Services disagrees with this assessment and advises that Montgomery County could handle any additional enforcement activity with existing resources. As stated above, both Baltimore City and Prince George's County will be able to handle any additional enforcement activity with existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Montgomery County, Prince George's County, Talbot County, Department of Legislative Services

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nas/hlb

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