

ORDINANCE

Filed and recorded July 27, 2010.

**Adoption of the 2010 International Building Code,
the International Residential Code, the International Energy
Conservation Code and establish the Garrett County
Office of Building Permits and Inspections**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND, A BODY POLITIC AND CORPORATE AND A POLITICAL SUBDIVISION OF THE STATE OF MARYLAND, PURSUANT TO THE PROVISIONS OF PUBLIC SAFETY ARTICLE 12 SUB-SECTION 501-507, AND FORMERLY ARTICLE 83B, SECTIONS 6-401, ET SEQ. OF THE ANNOTATED CODE OF MARYLAND (THE "STATE CODE") CREATING THE GARRETT COUNTY BUILDING CODE (THE "CODE") TO THE PROVISIONS OF THE GARRETT COUNTY CODE, THE SAME BEING ARTICLE 12, OF THE CODE OF PUBLIC LOCAL LAWS OF THE STATE OF MARYLAND, REGULATING AND PROVIDING FOR MINIMUM STANDARDS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL AND USE OF CERTAIN BUILDINGS AND STRUCTURES; REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR AND USE OF ONE AND TWO FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES; AND PROVIDING FOR THE ISSUANCE OF BUILDING PERMITS, REVIEW OF CONSTRUCTION DRAWINGS, INSPECTIONS OF THE WORK, ISSUANCE OF CERTIFICATES OF USE AND OCCUPANCY PERMITS ARE REQUIRED, AND THE COLLECTION OF PERMIT AND ASSOCIATED FEES; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

EXPLANATION

WHEREAS, the Board of County Commissioners of Garrett County, Maryland (the "County") is granted authority by the provisions of Public Safety Article 12 Sub-Sections 501-507 of the State Code to adopt a building code, and Code of Maryland Regulations - COMAR 05.02.07, the Maryland Building Performance Standards requires all counties in the State of Maryland to adopt a uniform building code; and

WHEREAS, COMAR 05.02.07 specifies that the building code in the State of Maryland shall be the International Building Code 2009 (IBC-09), the International Residential Code 2009 (IRC-09) and the International Energy Conservation Code (IECC-09) and the County has determined that the adoption and implementation for the IBC Code is necessary to promote health, safety and welfare of the citizens of Garrett County; and

WHEREAS, The County has, pursuant to the provisions of COMAR 05.02.07, determined what local amendments to the Maryland Building Performance Standards are necessary or desirable for Garrett County after acceptance by the County of wherein comments and a public hearing held pursuant to the terms of the Act; and

WHEREAS, The County Commissioners, having received the input of Planning and Land Development Staff and having reviewed the comments received in writing and at public hearing, have determined that local amendments to the Code are necessary and desirable in promotion of the health, safety and welfare of the citizens of Garrett County, consistent with the Act and its limitations.

NOW, THEREFORE, be it enacted and ordained by the Board of County Commissioners of Garrett County, Maryland that Ordinance 2007-18 (effective 12/18/07) adopted by the Board of County Commissioners and incorporated within the County Code of Ordinance Title XV, Chapter 150, Section 150.02 and 150.03 is hereby repealed; and

NOW THEREFORE, be it enacted and ordained that the Board of County Commissioners of Garrett County, Maryland do hereby enact the following ordinance with amendments to be included within the County Code of Ordinance, Title XV, Chapter 150, Sections 150.02, 150.03 and 150.04.

ARTICLE I. ADOPTION OF THE INTERNATIONAL BUILDING CODE BY REFERENCE

The International Building Code 2009 (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examination, and inspection in the Office of the County Administrator to the Board of County Commissioners.

Section I. Modifications to the International Building Code

- A. The following provisions of the Code are hereby deleted:
 - 1. Chapter 1, Sections 110.3.4 thru 110.3.10
 - 2. Chapter 11, Sections 1101.2 thru 1110.3
- B. The following are changes or additions to certain sections of the code.
 - 1. Chapter 1, Section 101.1 is hereby amended by adding "Garrett County" after the word "of" and before the word "hereinafter".
 - 2. Chapter 1, Section 103.1 is deleted and the following inserted in lieu thereof.
"103.1 Code official: The Division of Permits and Inspections is hereby created and the position of Code Official has been established as the Building Official. This division shall fall under the supervision of Division Chief which is a division of the Office of Planning and Land Development."
 - 3. Chapter 1, Section 103.3 is deleted and the following is inserted in lieu thereof.
"103.3 Deputy: During the temporary absence or disability of the Code Official, the Division Chief of the Division of Permits and Inspections may either assume the position of Code Official or designate a qualified subordinate in the Office of Permits and Inspections to do so. The Division Chief shall exercise all the powers of the Code Official until his return to office."
 - 4. Chapter 1, Add a new Section 104.12 to read as follows:
"104.12 Withholding of Permits: Whenever the Code Official shall find that any person, agent, firm or corporation, whether as owner lessee or occupant is in violation of the provisions of this code or of the rules and regulations of any other department or agency of Garrett County in connection with the erection, or repair of buildings, structures, lands, or equipment then or therein, may refuse to grant any further permits or inspections until all violations have been corrected and approved."
 - 5. Chapter 1, Section 105.2 #1 is hereby amended by deleting "120" and inserting "240".
 - 6. Chapter 1, A new Section 105.2 #14 is added as follows:
"105.2 #14 Agricultural structures: The provisions of this Code shall not apply to the construction, maintenance or alternation of buildings or structures on farms which are zoned or assessed agricultural, and used only for agricultural pursuits if such buildings and/or structures are not intended for nor used for human occupancy."
 - 7. Chapter 1, Section 105.3 is hereby amended by:
 - a. deleting the words "department of building safety" on the third line and inserting the
 - b. words "Office of Building Permits and Inspections".
 - 8. Chapter 1, Section 105.5 is hereby amended by deleting "within 180 days after its issuance"

and inserting "within 12 months after permit issuance" and by deleting "for a period of 180 days" and inserting "for a period of 12 months" in the first sentence and by inserting "provided the extension is granted prior to the 12 month deadline" at the end of the second sentence.

9. Chapter 1, Section 107.1 is hereby amended by deleting "where required by the statutes of the jurisdiction in which the project is to be constructed" in the second sentence and inserting "in accordance with Table 107.1."
10. Chapter 1, New Table 107.1 is added as follows:

Table 107.1

REGISTERED PROFESSIONAL REQUIRED

Use Group	Professional Required
A Assembly buildings	Architect and/or structural engineer
B: Business	Architect and/or structural engineer
E: Educational	Architect and/or structural engineer
F: Factory	Architect and/or structural engineer
H: High hazard	Architect and/or structural engineer
I: Institutional	Architect and/or structural engineer
M: Mercantile	Architect and/or structural engineer
R-1: Hotel/motel	Architect and/or structural engineer
R-2: Multi-family	Architect and/or structural engineer
R-3: Single-family and duplex	None
R-4: Single-family and duplex	None
S-1 and S-2: Storage Building	Architect and/or structural engineer
U: Utility building	None"

11. Chapter 1, Section 107.2.2 is hereby amended by inserting "to the Maryland State Fire Marshal" after the word "submitted".
12. Chapter 1, Section 107.2.5 is hereby amended by deleting the first word "The" and inserting the following phrase in lieu thereof "In those instances when a proposed building project is commercial, industrial, multi family, and/or located within an area of the county or municipality within zoning regulations requiring a site plan,".
13. Chapter 1, Section 109.2 is hereby amended by deleting "the applicable governing authority" and inserting "resolution of the Board of County Commissioners".
14. Chapter 1, Section 109.6 is deleted and the following is inserted in lieu thereof:
 "109.6 Refunds: Where no work has been done under a permit issued under this chapter, the holder of the permit may deliver the permit to the Office of Building Permits and Inspections, and upon cancellation thereof shall be refunded 50% of the fee paid therefore, provided that the application for the refund is made within 12 months of permit issuance. When a permit is disapproved or withdrawn, the applicant shall be refunded 50% of the fee paid. In either case, no refund shall be made until all plan examination fees, permit processing fees, and all penalties which may have been imposed on the permit holder under the requirements of this Code shall first be collected."
15. Chapter 1, Section 110.3 is deleted and the following inserted in lieu thereof:
 "110.3 Building inspections: After issuing a building permit, the Code Official in accordance with the 'approved rules' shall conduct inspections of the permitted work to final inspection as the basis for the issue of a use and occupancy permit required by Section 111 and maintain a record of all such inspections and all violations of this code."
16. Chapter 1, Section 110.3.1 is deleted and the following is inserted in lieu thereof:

110.3.1 Plant inspection: When required by the provisions of this code or by the "approved rules", materials or assemblies shall be inspected at the point of manufacture or fabrication in accordance with Section 1703.7.

17. Chapter I, Section 110.3.2 is deleted and the following is inserted in lieu thereof:
110.3.2 Special inspections: When the project design architect/engineer specifies particular special inspections in accordance with Section 1704 the building permit applicant shall provide them."
18. Chapter I, Section 110.3.3 is deleted and the following is inserted in lieu thereof:
"110.3.3 Approved inspection agencies: The code official shall accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability."
19. Chapter I, Section 111.3 is deleted and the following inserted in lieu thereof:
"111.3 Temporary occupancy: Upon request of the holder of a permit, a temporary certificate of occupancy shall be issued before completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely prior to full completion of the structure without endangering life or public welfare. An expiration date shall be included on the temporary certificate of occupancy after which the certificate is no longer valid. Any occupancy permitted to continue during the work shall be discontinued within 30 days after completion of the work unless a certificate of occupancy is issued by the Code Official or a partial occupancy permit is issued in accordance with Section 111.3.1."
20. Chapter I, Add a new Section 111.3.1 to read as follows:
"111.3.1 Partial occupancy: Upon request of the holder of a permit, the Code Official shall issue a partial occupancy permit for a part of the building or structure before the entire work covered by the permit shall have been completed if that part of the building may be occupied safely prior to full completion of the building or structure without endangering life or public welfare. Partial occupancy permits shall be reviewed by the Code Official every twelve months from date of issue to ascertain the status of the full completion of the building or structure. If no substantial work is accomplished on the building or structure within 12 months after the partial occupancy permit date of issue, the original building permit will be invalid and to complete the building or structure another building permit must be obtained. This section is not intended to displace persons residing within the structure pending the completion of the structure approved under the original permit."
21. Chapter I, Section 113.3 is deleted and the following inserted in lieu thereof:
"113.3 Qualifications: The Board of Appeals shall consist of five individuals, one from each of the following professions or disciplines:
 1. Registered design professional who is an architect or engineer.
 2. Home builder with at least five years experience.
 3. General contractor for commercial/industrial construction with at least five years experience.
 4. Electrical contractor duly certified by the appropriate jurisdiction with at least five years experience.
 5. Plumbing contractor duly certified by the appropriate jurisdiction with at least five years experience.
22. Chapter I, Section 114.4 is deleted and the following inserted in lieu thereof: "114.4 Violation penalties:
 - 114.4.1 Construction without a building permit: Any person who shall attempt to erect, construct, alter, repair, demolish or move a structure, make a change in occupancy, or install or alter any equipment which is regulated by this code without a valid permit issued by the Codes Official shall be guilty of a misdemeanor punishable by a fine of \$250 for the first offense, \$500 for the second offense and \$1000 for the third and succeeding offenses. Each day that construction continues after

due notice has been served the party in violation shall be subject to the fine for the applicable offense.

114.4.2 Other code violations: Any person who shall violate a provision of this code other than the violation defined in 113.4.1 above or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by imprisonment not exceeding thirty 30 days or both such fine and imprisonment and regardless of the penalty duly adjudged shall be required to correct the violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

23. Chapter I, New Section 114.5 is added as follows: "114.5 Enforcement, suspension, or revocation of permits, inspections, and use and occupancy permits
- A. Enforcement procedure.
1. When the Code Official, or his representative, determines that a violation of the Building Code, standard construction controls, or the provisions of this chapter has occurred, the on-site general contractor or building permittee shall be notified in writing of the violation and of the required corrective action and the time period in which to have the violation corrected.
 2. If the violation persists after the date specified for corrective action in the notice of violation, the Office of Building Permits and Inspections shall stop work on the site by the issuance of a stop work order pursuant to Section 115 of this chapter.
 3. If reasonable efforts to correct the violation are not undertaken in a timely manner, the Office of Building Permits and inspections may refer the violation for legal action.
 4. The Office of Building Permits and Inspections may deny or recommend denial of the issuance of any permit to an applicant when it determines that the applicant is not in compliance with the Building Code, standard construction controls, or the provisions of this Chapter on any site.
 5. Any step in this enforcement process may be taken at any time, depending upon the severity of the violation.
- B. Suspension or revocation of permits, inspections and use and occupancy certificates by the Chief after notice.
1. Uncorrected violations of the Building Code, standard construction controls, or the provisions of this Chapter or any other applicable law, ordinance, rule or regulation relating to the work involving any Office of Building Permits and Inspections or agency of Garrett County may result in the suspension or revocation of permits, inspections or licenses.
 2. Existence of any condition or the doing of any act constituting or creating a nuisance, hazard, or endangerment of human life or property of others may result in the suspension or revocation of permits, inspections or licenses.
- C. If conditions warrant, no notice of violation is necessary and the Office of Building Permits and Inspections, may proceed directly with
1. a stop work order,
 2. legal action; or

3. suspension or revocation of permits, inspections and/or use and occupancy certificates.
24. Chapter 1, Section 115.3 is hereby amended by deleting “subject to penalties as prescribed by law.” and inserting “liable to a fine of not less than \$100 or more than \$500.”
25. Chapter 3, Section 305.2 is amended by deleting “five” and inserting “eight”.
26. Chapter 3, Section 308.5.2 is amended by deleting “five” and inserting “eight”.
27. Chapter 3, Section 310.1 R-3 “Child care facilities...” is amended by deleting “five” and inserting “eight”.
28. Chapter 4, Section 401.1 is amended by adding the following :
“The construction, location, anchorage and tie-down of mobile units will be governed by Appendix E of the International Residential Code.”
29. Chapter 9, Section 901.1 is amended by adding the following:
“Fire protection system requirements of chapter 9 are concurrently regulated by the Maryland State Fire Prevention Code as referenced within this ordinance. If conflicts arise the more restrictive shall apply.”
30. Chapter 10, Section 1001.1 is amended adding the following:
“Means of egress requirements of chapter 10 are concurrently regulated by the Maryland State Fire Prevention Code as referenced within this ordinance. If conflicts arise the more restrictive shall apply.”
31. Chapter 10, Section 1009.3 is amended by deleting Exception 6 and replacing with the following:
“Exception 6. The Maryland Building Rehabilitation Code as set forth in COMAR 05.16.01 shall apply for the replacement of existing stairways.”
32. Chapter 11, Section 1101.1 is deleted and the following inserted in lieu thereof:
“1101.1 Scope: The provisions of the Maryland Accessibility Code, COMAR 05.02.02, shall govern the design and construction of facilities for accessibility to physically disabled persons.”
33. Chapter 16, Section 1608.2 is amended by adding the following sentence to the end of the section
“The *minium* ground snow load for Garrett County shall be 40 lbs. Per sq. Ft.”
34. Chapter 16, Section 1612 is deleted and the following is inserted in lieu thereof:
“1612 All buildings and structures erected in areas prone to flooding shall be regulated by Appendix G of this chapter.
35. Chapter 17, Section 1704.15, Special Cases, is hereby amended by adding a new item #4:
 4. In damaged structures, reuse of fire damaged wood is acceptable if the damage does not significantly reduce its load bearing capacity. A special inspection shall be required to identify and verify all remaining wood members to be used in reconstruction. All remaining charred or smoked wood members, whether structural or not, shall be thoroughly cleaned and sealed to prevent deterioration and control odor.
36. Chapter 18, Section 1809.5 #1 is hereby amended by adding “which shall be thirty-six (36) inches for Garrett County, Maryland” between the word “locality” and the comma.
37. Chapter 18, Section 1805.1 is deleted and the following is inserted in lieu thereof:

"1805.1 Where required. ~~Walls or portions thereof~~ that retain earth shall be waterproofed and damp-proofed in accordance with this section. Ventilation for crawlspaces shall comply with Section 1203.4.

38. Capter 21, Add new section 2101.2.7 as follows:

"2101.2.7 Sections 2111 through 2113 of this chapter shall also be subject to the provisions within NFPA 211 – *standard for chimneys, fireplaces, vents and solid fuel burning appliances*"

39. Chapter 23, Section 2303.1.1 is amended by adding the following exception:

"Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or a certificate of inspection showing species, grade, and moisture content."

40. Chapter 30, Section 3001.1 is deleted and the following inserted in lieu thereof:

"3001.1 Scope: The provisions of COMAR 09.12.81 (Elevator Safety), COMAR 09. 12.82 (Elevators and Rescue Litters), and COMAR. 09.12.83 (Safety Requirements for Personnel Hoists) shall govern the design, construction, installation, maintenance, and operation of all elevators, dumbwaiters, escalators, moving walks, and special hoisting and conveying equipment hereafter operated, installed, relocated or altered in all building and structures. "

41. Chapter 31, Section 3103.1.1 is deleted and the following inserted in lieu thereof:

"3103.1.1 Permit required: All temporary structures that cover an area in excess of 750 sq. ft. shall not be erected, operated, or maintained for any purpose without obtaining a permit from the Code Official.

Exception Tents used exclusively for recreational camping purposes shall be exempt from the above requirements."

42. Chapter 35 is hereby amended by adding a new section of referenced standards as follows:

Standard Reference Number	Title	Referenced in code Section number
COMAR 29.06.01	Maryland State Fire Prevention Code	Chapter 9-10
COMAR 05.02.02	Maryland Accessibility Code	Chapter 11
COMAR 09.20	Maryland State Plumbing Code	Chapter 29
COMAR 09.12.81	Elevator Safety	Chapter 30
COMAR 09.12.82	Elevator and Rescue Litters	Chapter 30
COMAR 09.12.83	Safety Requirements for Personnel Hoists	Chapter 30

43. Chapter 35 is hereby amended by adding to the NFPA references the following:

NFPA 241 Safeguarding Construction, Alteration and Demolition operations.....3309.2"

44. Appendix G - Sections G101 thru G 701 are hereby deleted and the Garrett County Floodplain Management Ordinance is inserted in lieu thereof.

45. Appendix H is hereby incorporated into this Ordinance.

Section 2. Status of building permits applied for prior to the effective date of this Ordinance.

"This Ordinance shall not apply to buildings for which construction was initiated prior to the effective date of this Chapter."

ARTICLE II. ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE BY REFERENCE.

The International Residential Code, 2009 (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as

though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examinations, and inspections in the Office of the Clerk to the Board of County Commissioners.

Section I. Modifications to International Residential Code.

A. The following provisions of the International Residential Code are hereby deleted:

1. Chapter 1 ADMINISTRATION (Refer to the provisions within Chapter 1, International Building Code, as amended within this ordinance, for administration of the International Residential Code)

B. The following are changes or additions to certain sections of the code:

1. Chapter 3, Table R301.2(1) is to be completed by inserting the data listed below and keyed to the table headings.
 - a. Ground snow load : 40 psf
 - b. Wind speed: 90 (mph)
 - c. Topographic effects: No
 - d. Seismic design category: 0
 - e. Weathering: Severe
 - f. Frost line depth: 36 inches
 - g. Termite: Moderate to Heavy
 - h. Decay: Slight to Moderate
 - i. Winter design temperature: -10 degree F
 - j. Ice shield underlayment required: Yes
 - k. Flood Hazards: 3/2/89 8/16/94 FIRM Panel #'s available upon request
 - l. Air freezing index: 1309
 - m. Mean annual Temp: 47.6
2. Chapter 3, Section R302.6 is amended by deleting $\frac{1}{4}$ inch in *all* sections and inserting "5/8 inch type x" in lieu thereof.
3. Chapter 3, Section R309.1 is amended by adding a new sentence at the end as follows: "No point on the finish garage floor *of an attached garage* shall be closer than four (4) inches to the finish floor level of the dwelling."
4. Chapter 3, Section R313.2, 'One- and two-family dwellings automatic fire systems', is hereby deleted.
5. Chapter 3, Section R317.1 is amended by deleting from subsection 2 the words "and are less than 8 inches (203 mm) from exposed ground" and by deleting from subsection 3 the words "unless separated from such slab by an impervious moisture barrier".
6. Chapter 4, Section R401.3 is amended by deleting the last sentence and inserting the following in lieu thereof "The grade away from the foundation shall fall a minimum of 3 inches (77 mm) within the first 5 feet (1524 mm), a slope of 5 percent." The Exception which follows is amended by deleting the words, "6 inches (153 mm) of fall within 10 feet (3048 mm)" and inserting the following in lieu thereof. "3 inches (77 mm) of fall within 5 feet (1524 nun)."
7. Chapter 4, Figure R403.1(2) is amended by deleting the note "FINISH GRADE SLOPE $\frac{1}{4}$ " PER FOOT MINIMUM 6' FROM WALL" and inserting the following note in lieu thereof "MINIMUM FINISH GRADE SLOPE 3" IN 5' FROM WALL."

8. Chapter 4, Figure R403.1(3) is amended by deleting the note, 'FINISH GRADE SLOPE 1/2" PER FOOT MINIMUM FROM WALL' and inserting the following note in lieu thereof "MINIMUM FINISH GRADE SLOPE 3" IN 5' FROM WALL."
9. Chapter 4, Section R405.1 is amended by deleting the following from the first sentence: "and enclose habitable or usable spaces located below grade."
10. Chapter 4, Section R406.1 is amended by deleting "and enclose interior spaces and floors below grade" from the first sentence and by deleting the last sentence and inserting the following in lieu thereof "Concrete walls shall be damp proofed by applying any one of the above listed damp proofing materials, any one of the waterproofing materials listed in Section R406.2, or any other industry accepted product to the exterior of the wall."
11. Chapter 4, Section R406.2 is amended by adding a new sentence as follows, "Other industry accepted products which offer comparable waterproofing performance may also be used."
12. Chapter 5, Section R502.1 is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or certificate of inspection showing species, grade, and moisture content."
13. Chapter 6, Section R602.1 is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or certificate of inspection showing species, grade, and moisture content"
14. Chapter 8, Section R802.1 is amended by adding the following exception: "Exception: Lumber sold by sawmills must be visually graded structural lumber evidenced by a stamp or certificate of inspection showing species, grade, and moisture content."
15. Chapters 25 through 42 are hereby prefaced by the following statement: "The International Residential Code chapters concerning plumbing and electrical installation standards shall be in conformance with the Maryland State Plumbing Code *as adopted by the State Plumbing Board* and the National Electrical Code as adopted by the State Fire Prevention Code. If a conflict exists between the IRC and the official state plumbing and electrical codes the latter shall govern."
16. Chapter 35, Add a new Section E3501.1.1 as follows: "E3501.1.1 Additional references; The installation of electrical services shall also be subject to the regulations of the power company serving the area in which the service is to be installed".
17. Appendix C, E, and G are hereby incorporated into this Ordinance
18. Appendix E, Section AE101 is amended by deleting '(non-rental)' and inserting the words "or rental" in lieu thereof.
19. Appendix E, Section AE201.1 is amended by adding a new definition as follows: "RENTAL LOT. A parcel of real estate inside a manufactured home rental community or other privately owned land where the land and the manufactured home to be installed are not held in common ownership."
20. Appendix G, Section AG105.3 is amended by deleting "Item 9" at the end of the sentence and inserting the following: "9.1" (powered safety cover) or "9.2" (pool alarm). In addition, "9.3" (self-closing door with self latching device) is required in all installations.
21. Appendix G, Section AG105.3 is amended by adding the following: "If walls surrounding an indoor pool are constructed with windows within forty eight (48) inches of finish grade on the outside of the enclosed pool area, said windows shall be alarm as required in Section AG105.2, item 9.2 if the alarm option is chosen as one of the two required safety measures."

ARTICLE III. ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE BY REFERENCE.

The International Energy Conservation Code, 2009 (hereinafter referred to as the Code) published by the International Code Council, Inc, is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this code and other codes adopted by the State of Maryland or Garrett County, the more restrictive provisions shall govern.

At least one copy of this code and supplements thereto shall be on file and open for public use, examinations, and inspections in the Office of the Clerk to the Board of County Commissioners.

Section I. Modifications to International Energy Conservation Code.

- A. The following provisions of the International Energy Conservation Code are hereby deleted:
 - 1. Chapter 1 PART 2 - ADMINISTRATION AND ENFORCEMENT (Refer to the provisions within Chapter 1, International Building Code, as amended within this ordinance, for administration of the International Energy Conservation Code)

ARTICLE IV. SAVING CLAUSE

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceedings impending in any Court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or effected by this ordinance.

NOW, THEREFORE, be it further enacted that this act shall become effective on the 27th day of July 2010.

WITNESS the corporate name of the BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND, by Ernest J. Gregg, its Chairman, attested to by R. Lamont Pagenhardt, its County Administrator, this 27th day of July 2010.

BOARD OF COMMISSIONERS OF GARRETT COUNTY MARYLAND

Ernest J. Gregg
Ernest J. Gregg, Chairman

Dennis G. Glotfelty
Dennis G. Glotfelty, Commissioner

Frederick A. Holliday
Frederick A. Holliday, Commissioner

(SEAL)
ATTEST:
R. Lamont Pagenhardt
County Administrator