

ORDINANCE NO. ORD-07-06

AN ORDINANCE TO REPEAL THE 2003 INTERNATIONAL MECHANICAL CODE, FIRST PRINTING, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, AS AMENDED, AND TO ENACT THE 2006 INTERNATIONAL MECHANICAL CODE, FIRST PRINTING, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board"), being concerned with providing protection for the consumer, general public, and owners and occupants of buildings and structures in Washington County, adopted on July 26, 2005 the 2003 International Mechanical Code, First Printing, with local amendments.

It has been recommended to the Board that it adopt the 2006 International Mechanical Code, First Printing, which is more up-to-date and which provides greater safeguards for the consumer, general public, owners and occupants of buildings and structures in Washington County, Maryland, if implemented, and provides for minimum regulations governing the design, installation and construction of mechanical systems.

A public hearing was held on November 13, 2007, following due notice and advertisement of the text of the 2006 International Mechanical Code, First Printing, with local amendments, including Appendix A.

Public comment was received, reviewed and considered concerning the repeal of the 2003 International Mechanical Code, First Printing, with local amendments, and the adoption of the 2006 International Mechanical Code, First Printing, with local amendments, including Appendix A.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2003 International Mechanical Code, First Printing, with local amendments, adopted by the Board of County Commissioners of Washington County, Maryland on July 26, 2005, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2006 International Mechanical Code, First Printing, including Appendix A, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

Sections 101.1.1-101.1.7	Added	Section 109.1	Amended
Section 103.1	Amended	Section 109.2	Deleted
Section 106.5.2	Amended	Section 110	Added
Section 106.5.3	Deleted	Section 1004.8	Added
Section 108.4	Amended	Appendix B	Deleted
Section 108.4.1	Added		

(1) **CHAPTER 1 – ADMINISTRATION**, is amended as follows:

(a) **SECTION 101, GENERAL**, is amended as follows:

Sections 101.1.1 through 101.1.7 are added to read as follows:

101.1.1 International Residential Code. Any reference to the *International Residential Code* shall mean the *2006 International Residential Code for One- and Two-Family Dwellings, First Printing*, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, as may be amended or restated from time to time.

101.1.2 International Existing Building Code. Any reference to the *International Existing Building Code* shall mean the *Maryland Building Rehabilitation Code* (COMAR Title 5, Subtitle 16), as may be amended or restated from time to time.

101.1.3 ICC Electrical Code. Any reference to the *ICC Electrical Code* shall mean the *2005 National Electrical Code*, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on July 26, 2005, effective September 1, 2005, as may be amended or restated from time to time, and the *2006 ICC Electrical Code – Administrative Provisions*, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, as may be amended or restated from time to time.

101.1.4 International Fire Code. Any reference to the *International Fire Code* shall mean the *Maryland State Fire Prevention Code* (COMAR 29.06.01), as may be amended or restated from time to time.

101.1.5 International Plumbing Code. Any reference to the *International Plumbing Code* shall mean the *2006 International Plumbing Code, Second Printing*, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, as may be amended or restated from time to time.

101.1.6 International Building Code. Any reference to the *International Building Code* shall mean the *2006 International Building Code, First Printing*, with local

amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, as may be amended or restated from time to time.

101.1.7 International Fuel Gas Code. Any reference to the *International Fuel Gas Code* shall mean the *2006 International Fuel Gas Code, Second Printing*, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, as may be amended or restated from time to time.

(b) **SECTION 103, DEPARTMENT OF MECHANICAL INSPECTIONS**, is amended as follows:

Section 103.1 is amended to read as follows:

103.1 General. The Director of the Washington County Department of Permits and Inspections shall be known as the Building Official and is hereby authorized and directed to administer and enforce all provisions of this code.

(c) **SECTION 106, PERMITS**, is amended as follows:

Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees for all mechanical work shall be paid as required in accordance with the schedule as established by the Board of County Commissioners of Washington County, Maryland.

Section 106.5.3 is deleted in its entirety.

(d) **SECTION 108, VIOLATIONS**, is amended as follows:

Section 108.4 is amended to read as follows:

108.4 Criminal penalties. Any person, firm, corporation or entity violating any of the provisions of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building 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 Two Hundred Fifty Dollars (\$250.00) or more than One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding one (1) year, or both fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.4.1 is added to read as follows:

108.4.1 Civil Penalties. Any person, firm, corporation or entity violating any of the provisions of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense which shall be prosecuted in accordance with Article 23A, § 3(b) of the Annotated Code of Maryland. The fine for a civil offense shall be established by resolution by the Board of County Commissioners of Washington County,

Maryland. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (e) **SECTION 109, MEANS OF APPEAL**, is amended as follows:

Section 109.1 is amended to read as follows:

109.1 Application for appeal. Any person shall have the right to appeal a decision of the Building Official to the Washington County Plumbing/Mechanical Board (the "Plumbing/Mechanical Board"). An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within twenty (20) days after the notice was served. All appeals shall be heard by the Plumbing/Mechanical Board in accordance with Section 109 and in accordance with the rules, regulations and procedures set forth in Section 110 of the *2006 International Plumbing Code, Second Printing*, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, as amended or restated from time to time, and also known as the *Plumbing Code of Washington County*.

Section 109.2 is deleted in its entirety.

- (f) **SECTION 110, REGISTRATION**, is added and shall read as follows:

Section 110.1 General. Any person or persons desiring to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system in Washington County, Maryland must first register with the Plumbing/Mechanical Board.

Section 110.1.1 Requirements for Registration. The Plumbing/Mechanical Board shall not register any individual, company, corporation, or contractor to perform mechanical services in Washington County, Maryland, without first verifying that the applicant has a valid HVAC license issued by the State of Maryland Department of Labor, Licensing and Regulation, and a valid certificate of insurance in the amounts prescribed by the Maryland Department of Labor, Licensing and Regulation. The applicant shall also pay the established registration fee at the time of application and pay a bi-annual renewal fee on or before the 31st day of May of the renewal year.

Section 110.1.2 Requirements for Show Room, Offices, Shops and Vehicles. It shall be required of every master HVAC licensee to display, in a conspicuous place, a sign with full registered name or names, and the words "Registered Master" or "Registered Contractor" in letters not less than 1½ inches in size, and immediately following or below, Washington County Certificate number or numbers in the same size. All vehicles owned by a firm or corporation must display, in a conspicuous place, the name of the person(s) holding the Master Certificate, the words "Registered Contractor" or "Registered Master" and the Washington County number or numbers. Any vehicles that are not properly lettered, the master plumber responsible will be issued a violation notice and shall be given 30 days to correct the violation. Failure to comply may result in legal action and the Department of Permits and Inspections shall withhold the issuance of any permits or inspections for existing projects until the vehicles are properly lettered.

Section 110.2 Suspension, Revocation and Fines. The Plumbing/Mechanical Board, by a two-thirds majority decision, may suspend or revoke the registration of a HVAC mechanic in

Washington County for a violation of this Ordinance. A HVAC mechanic shall not perform HVAC services in Washington County, Maryland, if his/her registration to do so in Washington County is suspended or revoked. Suspension of a registration shall be for no more than one (1) year. Revocation of a registration shall be for not less than one (1) year nor more than three (3) years. Any person who has been suspended by the Washington County Plumbing/HVAC Board two (2) times, will have his/her registration to perform HVAC services in Washington County revoked upon a third conviction of a violation of the Plumbing Code of Washington County.

- (2) **CHAPTER 10, BOILERS, WATER HEATERS, AND PRESSURE VESSELS**, is amended as follows:

SECTION 1004, BOILERS, is amended as follows:

Section 1004.8 is added and shall read as follows:

1004.8 Outdoor wood boilers. The sale, installation, or use of outdoor wood boilers as defined and prohibited by COMAR 26.11.09.04 is hereby prohibited in Washington County, Maryland.

- (3) **APPENDIX B** is hereby deleted in its entirety.

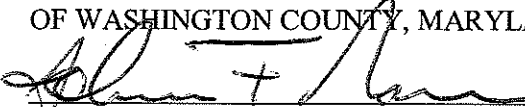
Adopted this 18th day of December, 2007.
Effective the 1st day of March, 2008.

ATTEST:



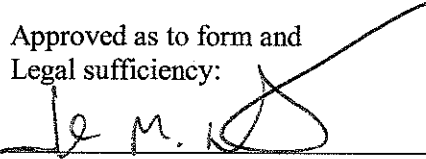
Joni L. Bittner, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND



John F. Barr, President

Approved as to form and
Legal sufficiency:



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