

## Chapter 117

### BUILDING CONSTRUCTION

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**[HISTORY: Adopted by the County Council of Wicomico County 3-7-1972 as Ord. No. 36; amended in its entirety 2-13-1989 by Bill No. 1989-4. Subsequent amendments noted where applicable.]**

**GENERAL REFERENCES**

**Electrical standards — See Ch. 138.**

**Plumbing — See Ch. 183.**

**Floodplain management — See Ch. 149.**

**Subdivision of land — See Ch. 200.**

**Housing standards — See Ch. 160.**



**STATUTORY REFERENCES**

**Authority** — See Anno. Code of Maryland (1957), Art. 25A, § 5.



ARTICLE I  
**Wicomico County Building Construction**  
**[Amended last 8-4-2015 by Bill No. 2015-09]**

**§ 117-1. Authority and purpose.**

- A. The purpose of this chapter is to establish building regulations that will promote and protect, in accordance with present and future needs, the safety, health, and general welfare of the citizens of Wicomico County and to provide reasonable protection to the public against hazards to life, health, and property.
- B. The State of Maryland has adopted the International Building Code, the International Residential Code and the International Energy Conservation Code as the Maryland building performance standards, COMAR 05.02.07, with modifications. This chapter is intended to establish building regulations for Wicomico County, Maryland by adopting the International Building Code, the International Residential Code and the International Energy Conservation Code by incorporating modifications to the International Building Code, the International Residential Code and the International Energy Conservation Code that are in accordance with local conditions and requirements.
- C. The provisions of this chapter shall apply to the unincorporated territory of Wicomico County, Maryland. This chapter may be applied to the territory of any municipality within Wicomico County, Maryland, to the extent established by and only upon a written agreement between Wicomico County and the governing body of said municipality.

**§ 117-2. Adoption of International Building Code.**

The County Council of Wicomico County hereby adopts the provisions set forth in the International Building Code (hereinafter referred to as "IBC"), 2015 Edition, including the appendices, as the building code for Wicomico County, Maryland and incorporated by reference. The provisions shall be controlling for all buildings within the corporate limits of Wicomico County, Maryland, unless otherwise exempted herein.

**§ 117-3. Modifications to International Building Code.**

The following modifications are made to the International Building Code:

- A. Section [A]103.1, Creation of enforcement agency: delete this section.
- B. Section [A]103.2, Appointment: delete this section and replace with the following:

The Chief Building Official/Inspector shall have at least 10 years' experience as an architect, engineer, building inspector, building contractor or superintendent of building construction, for five years of which he shall have been the responsible person in charge of the work.

- C. Section [A]103.3, Deputies: delete this section and replace with the following:

**[A] 103.3 Inspectors.** The Chief Building Official, with the approval of the Director of the Department of Planning, Zoning and Community Development, may employ such number of officers, inspectors and assistants as shall be authorized from time to time. No person shall be employed as an inspector who has not had at least five years' experience as a building inspector, builder, engineer, architect or as a superintendent, foreman or competent mechanic in charge of construction.

- D. Section [A]105.1, Required: delete this section and replace with the following:

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**[A] 105.1 Permit required.**

1. Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, improve, remove, convert, demolish or change the occupancy of a building or structure, to erect or construct a sign of any description, shall first make application to the Chief Building Official and obtain any required permit.
2. A general permit shall carry with it the right to install in any building or structure or part thereof heating apparatus, elevators, sidewalk elevators, vaults, chutes, coal holes, lifts, cranes, derricks, steam-power boilers or steam, oil, gas or vapor engines, provided that the same are shown on the drawings and set forth in the specifications filed with the application for the permit, but where these are not shown on the drawings and covered by the specifications submitted with said application, special permits shall be required.
3. Ordinary minor repairs may be made with the approval of the Chief Building Official without a permit, provided that such repairs shall not violate any of the provisions of this code.

E. Section [A]105.2, Work exempt from permit: delete this section and replace with the following:

**[A] 105.2 Work exempt from permit.** Exemptions from the permit requirement of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Reserved.
2. Fences not over eight feet high.
3. Reserved.
4. Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.
5. Reserved.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 l) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches (1,753 mm) in height.

F. Section [A]105.2.1, Emergency repairs: delete this section and replace with the following:

Where repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Chief Building Official.

G. Section [A]105.2.2, Repairs: delete this section and replace with the following:



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Application or notice to the Chief Building Official is required for repairs to structures, where such repairs include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements or other work affecting public health or general safety, or changes in occupancy classification to existing structures.

H. Section [A]105.2.3, Public service agencies: delete this section.

I. Section [A]105.2.4, Withholding of permits: add the following new section:

Whenever the Chief Building Official shall find that the applicant is in violation of the provisions of this code or of the rules and regulations of any other department of Wicomico County in connection with the erection, maintenance or repair of buildings, structures, lands or equipment thereon or therein, he may refuse to grant any further permits to such applicant until such violations have been corrected.

J. Section [A]105.3.2, Time limitation of application: delete this section and replace with the following:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the chief building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

K. Section [A]105.4, Validity of permit and Section [A]105.5, Expiration: delete these sections and replace with the following:

A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the Chief Building Official from thereafter requiring a correction of errors in plans or in construction or of issuing violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance. One extension of time, for a period not to exceed six months may be allowed for the initial start of work. Work authorized by such permit must be finished within three years from the date of issuance or extension, if granted by the Chief Building Official. Extension of time to finish the work as determined by the Chief Building Official may also be allowed. All extension requests are to be made in writing, and justifiable cause will have to be demonstrated.

Exception: Carports, decks, demolition and disposal, pools, portable sheds and solar panels must be completed within 180 days from the issuance of the permit.

L. Section [A]107.3.2, Previous approvals: delete this section and replace with the following:

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within six months after the effective date of this code and has not been abandoned.

M. Section [A]108.3, Temporary power: delete this section and replace with the following:

The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

N. Section [A]109.1, Payment of fees, Section [A]109.5, Related fees, and Section [A]109.6, refunds: delete these sections and replace with the following:

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On all buildings, structures and alterations requiring a permit, a fee for each permit shall be paid as required at the time of the filing of the application, in accordance with the schedule as established by County Council resolution.

- O. Section [A]109.2, Schedule of permit fees: delete this section and replace with the following:

For any type of work as specified herein, a permit fee shall be paid as required at the time of filing the application, in accordance with the schedule as established by County Council resolution.

- P. Section [A]109.3, Building permit valuations: add the following sentence to the end of the section:

The permit fee required by this chapter shall be based on the estimated construction cost of the proposed work.

- Q. Section [A]109.4, Work commencing before permit issuance: delete this section and replace with the following:

Any person who commences any type of work as specified herein without the necessary permits shall pay four times the usual permit fees, unless the person obtains the necessary permit within two business days of a stop-work order for failure to have the necessary permit, as specified in the schedule of permit fees established by County Council resolution.

- R. Section [A]110.3.3, Lowest floor elevation: Delete this section and replace with the following:

The elevation certification required in Section 1612.5 shall conform to Chapter 149 of the County Code and be submitted to the Chief Building Official.

- S. Section [A]111.2, Certificate issued: delete these subsections, Items 7 through 12.

- T. Section [A]112.1, Connection of service utilities: delete this section and replace with the following:

The standards shall be as set forth in Chapter 138 of the Wicomico County Code.

- U. Section [A]112.2, Temporary connection: delete this section and replace with the following:

The standards shall be as set forth in Chapter 138 of the Wicomico County Code.

- V. Section [A]113, Board of Appeals: Delete this section and replace with the following:

An application for appeal shall be submitted to the Board of Appeals and shall be based on a claim that the true intent of this code or the rules legally adopted hereunder 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 Board of Appeals shall not have authority to waive requirements of this code. The Board of Appeals shall mean the Board of Appeals as established by Chapter 7 of the Wicomico County Code.

- W. Section [A]114, Violations: delete this section and replace with the following:

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**[A] 114 Exemptions.**

Religious groups exemption. No bona fide religious group or corporation shall be required to pay any fees set forth herein for a permit for the construction, erection, altering, repairing, removing or demolition of any church building, parsonage or any other auxiliary building used for church purposes. This exemption, however, shall not apply to any building constructed, erected, altered or repaired by such group wherein any revenue shall be derived therefrom from rentals, etc.; subject, nevertheless, to the conditions that such bona fide religious groups or corporations shall comply with any and all of the terms and conditions of this building code applicable thereto.

Farm building exemption. Farm accessory buildings that are deemed necessary in the operation of a farm, used for agricultural purposes and can be classified as Group U under the provisions of Chapter 3, Use and occupancy classification, in the 2015 International Building Code, require a building permit and all inspections. However farm accessory buildings and farm buildings shall be exempt from any fees set forth herein for a permit for construction, erection, altering, repairing, removing or demolition of any farm building or farm accessory building.

Volunteer Fire Department exemption. No Volunteer Fire Department shall be required to pay any fees set forth herein for a permit for the construction, erection, altering, repairing, removing or demolition of any Volunteer Fire Department building and related review fees, such as fire protection system plan review and inspection fees, floodplain permit fee, stormwater review fee, and electrical and utility permit and inspection fees, in connection with constructing a new Fire Department building. This exemption is subject to such Volunteer Fire Department complying with any and all of the terms and conditions of this building code applicable thereto.

X. Chapter 11, Accessibility: delete this chapter and replace with the following:

The Maryland Accessibility Code set for in the Code of Maryland Regulations (COMAR) 05.02.02.

Y. Chapter 27, Electrical: delete this chapter and replace with the following:

The standards shall be as set forth in Chapter 138 of the Wicomico County Code.

Z. Chapter 29, Plumbing Systems: delete this chapter and replace with the following:

The standards shall be as set forth in Chapter 183 of the Wicomico County Code and enforced by the Plumbing Official.

AA. Appendices: delete Appendix B, C, D, E, G, J, K, L, M.

**§ 117-4. Adoption of International Residential Code.**

The County Council of Wicomico County hereby adopts the provisions set forth in the International Residential Code (hereinafter referred to as "IRC"), 2015 Edition, including the appendices, and as such shall be adopted, along with the IBC, as the building code for Wicomico County, Maryland, and incorporated by reference. The provisions shall be controlling for all buildings within the corporate limits of Wicomico County, Maryland, unless otherwise exempted herein.

**§ 117-5. Modifications to International Residential Code.**

The following modifications are made to the International Residential Code:

A. Section R101.2, Scope: add the following at the end of the first paragraph:

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Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures. All applicable covenants of record and restrictions, including architectural, square footage and other structural requirements, shall remain in effect where the structure is placed.

B. Section R103.1, Creation of enforcement agency: delete this section.

C. Section R103.2, Appointment: delete this section and replace with the following:

The Chief Building Official/Inspector shall have had at least 10 years' experience as an architect, engineer, building inspector, building contractor or superintendent of building construction, for five years of which he shall have been the responsible person in charge of the work.

D. Section R103.3, Deputies: delete this section and replace with the following:

R103.3. Inspectors. The Chief Building Official, with the approval of the Director of the Department of Planning, Zoning and Community Development, may employ such number of officers, inspectors and assistants as shall be authorized from time to time. No person shall be employed as an inspector who has not had at least five years' experience as a building inspector, builder, engineer, architect or as a superintendent, foreman or competent mechanic in charge of construction.

E. Section R105.1, Permit required: delete this section and replace with the following:

**R105.1 Required.**

1. Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, improve, remove, convert, demolish or change the occupancy of a building or structure, to erect or construct a sign of any description, shall first make application to the Chief Building Official and obtain such required permit therefor.
2. A general permit shall carry with it the right to install in any building or structure or part thereof heating apparatus, elevators, sidewalk elevators, vaults, chutes, coal holes, lifts, cranes, derricks, steam-power boilers or steam, oil, gas or vapor engines, provided that the same are shown on the drawings and set forth in the specifications filed with the application for the permit, but where these are not shown on the drawings and covered by the specifications submitted with said application, special permits shall be required.
3. Ordinary minor repairs may be made with the approval of the Chief Building Official without a permit, provided that such repairs shall not violate any of the provisions of this code.

F. Section R105.2, Work exempt from permit: delete this section and replace with the following:

Exemptions from permit requirement of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. Portable one-level accessory structure not exceeding 250 square feet and that is not in a floodplain.
2. Fences not over eight feet high.
3. Reserved.
4. Reserved.
5. Reserved.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

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7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 l) and are installed entirely above ground.
8. Swings and other playground equipment accessory to detached one- and two-family dwellings.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
10. Decks that are not more than 30 inches (762 mm) above grade at any point and do not serve the exit door required by Section R311.4.
11. Temporary motion picture, television and theater stage sets and scenery.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches (1,753 mm) in height.

G. Section R105.2.1, Emergency repairs: delete this section and replace with the following:

Where repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Chief Building Official.

H. Section R105.2.2, Repairs: delete this section and replace with the following:

Application or notice to the Chief Building Official is required for repairs to structures, where such repairs include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements or other work affecting public health or general safety, or changes in occupancy classification to existing structures.

I. Section R105.2.3, Public service agencies: delete this section.

J. Section R105.2.4, Withholding of permits: add the following new section:

Whenever the Chief Building Official shall find that the applicant is in violation of the provisions of this code or of the rules and regulations of any other department of Wicomico County in connection with the erection, maintenance or repair of buildings, structures, lands or equipment thereon or therein, he may refuse to grant any further permits to such applicant until such violations have been corrected.

K. Section R105.3.1.1, Determination of substantially improved or substantially damaged existing buildings in flood hazard areas: delete this section and replace with the following:

The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

L. Section R105.3.2, Time limitation of application: delete this section and replace with the following:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Chief Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

M. Section R105.4, Validity of permit and Section R105.5, Expiration: delete these sections and replace with the following:

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A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the Chief Building Official from thereafter requiring a correction of errors in plans or in construction or of violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance. One extension of time, for a period not to exceed six months may be allowed for the initial start of work. Work authorized by such permit must be finished within three years from the date of issuance or extension, if granted by the Chief Building Official. Extension of time to finish the work as determined by the Chief Building Official may also be allowed. All extension requests are to be made in writing, and justifiable cause will have to be demonstrated.

Exception: Carports, decks, demolition and disposal, pools, portable sheds and solar panels must be completed within 180 days from the issuance of the permit.

N. Section R106.1, Submittal documents: delete this section and replace with the following:

**R106.1 Construction documents.**

Construction documents, special inspection and structural observation programs and other data shall be submitted in two or more sets with each application for a permit. Where special conditions exist, the Chief Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Chief Building Official is authorized to waive the submission of construction documents and other data if it is found that the nature of work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this building code.

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O. Section R106.1.4, Information for construction in flood hazard areas: delete this section and replace with the following: § 117-5

The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

- P. Section R106.3.2, Previous approvals: delete this section and replace with the following:

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within six months after the effective date of this code and has not been abandoned.

- Q. Section R107.3, Temporary power: delete this section and replace with the following:

The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

- R. Section R108.1, Payment of fees, Section R108.4, Related fees, and Section R108.5, Refunds: delete these sections and replace with the following:

On all buildings, structures, electrical, plumbing, mechanical, and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of the filing of the application, in accordance with the schedule as established by County Council resolution.

- S. Section R108.2, Schedule of permit fees: delete this section and replace with the following:

For any type of work as specified herein, a permit fee shall be paid as required at the time of filing application, in accordance with the schedule as established by County Council resolution.

- T. Section R108.3, Building permit valuations: add the following sentence to the end of the section:

The permit fee required by this chapter shall be based on the estimated construction cost of the proposed work. The estimated cost of construction shall be computed by the Chief Building Official or his designee and shall be based on the construction cost schedule adopted by County Council resolution.

- U. Section 108.6, Work commencing before permit issuance: delete this section and replace with the following:

Any person who commences any type of work as specified herein without the necessary permits shall pay four times the usual permit fees, unless the person obtains the necessary permit within two business days of a stop-work order for failure to have the necessary permit, as specified in the schedule of permit fees established by County Council resolution.

- V. Section R109.1.2, Plumbing, mechanical, gas and electrical systems inspection: delete this section.

- W. Section R109.1.3, Floodplain inspections: delete this section and replace with the following:

For construction in flood hazard areas as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the Chief Building Official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Chapter 149 of the Wicomico County Code.

- X. Section R109.1.6.1, Elevation documentation: delete this section and replace with the following:

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If located in a flood hazard area, the documentation of elevations required in Chapter 149 of the Wicomico County Code shall be submitted to the Chief Building Official prior to the final inspection.

Y. Section R111.1, Connection of service utilities: delete this section and replace with the following:

The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

Z. Section R111.2, Temporary connection: delete this section and replace with the following:

The standards shall be as set forth in Chapter 138 of the Wicomico County Code.

AA. Section R112, Board of Appeals: delete this section and replace with the following:

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do fully apply or an equally good or better form of construction is proposed. The Board of Appeals shall not have authority to waive requirements of this code. The Board of Appeals shall mean the Board of Appeals as established by Chapter 7 of the Wicomico County Code.

BB. Section R301.2.4, Floodplain construction: delete this section and replace with the following:

The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

CC. Section R304.1, Minimum area and Section R.304.2, Minimum dimensions: delete these sections and replace with the following:

The objective of space requirements is to assure that each living unit provides complete living facilities ordinarily considered necessary to a permanent home, arranged and equipped to provide suitable and desirable living, sleeping, cooking and dining accommodations and adequate storage and sanitary facilities.

1. The square footage of all rooms of a single-bedroom house shall have an inside minimum square footage of 446 square feet with an outside minimum square footage of 528 square feet, with the various rooms therein of the following minimum sizes:

Room	Square Feet
Living room	150
Kitchen or dining room	120 (total)
First bedroom	100
Closet or closets	16 (total)
Bathroom	30
Utility room	30
Total	446

2. The square footage of all rooms of a two-bedroom house shall have an inside minimum square footage of 532 square feet with an outside minimum square footage of 624 square feet, with the various rooms therein of the following minimum sizes:

Room	Square Feet
Living room	150
Kitchen or dining room	130 (total)



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First bedroom	100
Second bedroom	70
Closet or closets	22 (total)
Bathroom	30
Utility room	30
Total	532

3. The square footage of all rooms of a three-bedroom house shall have an inside minimum square footage of 678 square feet with an outside minimum square footage of 768 square feet, with the various rooms therein of the following minimum sizes:

<b>Room</b>	<b>Square Feet</b>
Living room	165
Kitchen or dining room	155 (total)
First bedroom	100
Second bedroom	100
Third bedroom	70
Closet or closets	28 (total)
Bathroom	30
Utility room	30
Total	678

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DD. Section R306, Sanitation: delete this section and replace with the following:

The standards shall be as set forth in Chapter 183 of the Wicomico County Code.

EE. Section R309.3, Flood hazard areas: delete this section and replace with the following:

The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

FF. Section R311.7.5.1, Risers: Add the following sentence to the end of the section:

3. The riser height of stairways leading to unconditioned areas that are used only for storage above attached or detached garages may have a maximum riser height of 8 1/2 inches. Such storage areas cannot be converted to a habitable space unless the riser height of the stairway is reduced to a maximum height of the stairway of 7 3/4 inches.

GG. Section R311.7.5.2, Treads: add the following sentence to the end of the section:

1. The riser height of stairways leading to unconditioned areas that are used only for storage above attached or detached garages may have a minimum tread depth of nine inches. Such storage areas cannot be converted to habitable space unless the tread depth is increased to a minimum of 10 inches.

HH. Section R311.7.8, Handrails: add the following sentence to the end of the section:

1. For handrails on exterior stairways, the top of the fourth riser shall not exceed 30 inches, measured from the finished adjacent grade, and shall be in accordance with section R311.7.5.1.

II. Section R317.1, Location required: delete Paragraph 1 and replace with the following:

1. When wood joists or the bottom of wood structural floors without joists are closer than 24 inches or wood girders are closer than 18 inches to exposed ground located within the periphery of the building over a crawl space or unexcavated areas, they shall be of approved naturally durable wood or pressure-treated wood. For additions to existing dwellings, this requirement will be determined by the chief building official.

JJ. Section R322, Flood-resistant construction: delete this section and replace with the following:

The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

KK. Chapter 11: delete this chapter.

LL. Chapters 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23: delete these chapters.

MM. Chapters 24, 25, 26, 27, 28, 29, 30, 31, 32, 33. delete these chapters and replace with the following:

The standards shall be as set forth in Chapter 183 of the Wicomico County Code and enforced by the Plumbing Official.

NN. Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, 43: delete these chapters and replace with the following:

The standards shall be as set forth in Chapter 138 of the Wicomico County Code.

OO. Appendices: delete Appendix A, B, D through Q, T, U.



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**§ 117-6. Adoption of International Energy Conservation Code.**

The County Council of Wicomico County hereby adopts the provisions set forth in the International Energy Conservation Code (hereinafter referred to as "IEC"), 2015 Edition, including the appendices and as such shall be adopted, along with the IBC and IRC, as the building code for Wicomico County, Maryland, and incorporated by reference. The provisions shall be controlling for all buildings within the corporate limits of Wicomico County, Maryland, unless otherwise exempted herein.

**§ 117-7. Code declared remedial.**

This code is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are the health, public safety and welfare of the general public.

**§ 117-7.1. Violations and penalties.**

- A. Any person, firm, corporation or agent who shall violate any provision of this article or fail to comply therewith or with any of the requirements thereof shall be guilty of a misdemeanor and, if convicted thereof before a court of competent jurisdiction, shall be punished by a fine of not less than \$100 and not more than \$1,000 or be imprisoned for not more than 30 days; or both, and, in addition, shall pay all costs and expenses involved in the case. Each day of violation shall constitute a separate and additional offense.
- B. Any person, firm, corporation or agent who shall violate any provision of this article or fail to comply thereafter or with any of the requirements thereof shall be guilty of a civil infraction and shall be subject to a fine not to exceed \$1,000 per violation. The fine shall be as specified in the schedule of fines adopted by County Council resolution for the violation charged. The Director of the Department of Planning, Zoning and Community Development or his designee is hereby authorized to issue citations for civil infractions of this chapter. Each day the violation continues shall constitute a separate violation.
- C. In case of any violation of this article, the County may, in addition to other remedies provided herein, institute any appropriate action or proceeding in Circuit Court, either by injunction or otherwise, to prevent such unlawful action and/or to restrain, correct or abate such violation, to prevent the occupancy of such building or structure and to prevent any illegal act in or about such premises.

ARTICLE II  
**Public Safety Radio Amplification System**  
[Added 7-18-2006 by Bill No. 2006-6]

**§ 117-8. Purpose; general; certificate of occupancy.**

- A. Purpose. The purpose of this article is to establish minimum standards to insure a reasonable degree of reliability for emergency services communications from within buildings and structures within the county to and from emergency communications centers.
- B. General. Except as otherwise provided, no person shall maintain, own, erect or construct any building or structure or any part thereof or cause the same to be done which fails to support adequate radio coverage for emergency service workers, including but not limited to firefighters and law enforcement officers.
- C. A certificate of occupancy may not be issued for any building or structure which fails to comply with the requirements contained in this section. A contractor or owner of any building or structure seeking a certificate of occupancy must present the Department of Planning, Zoning and Community Development a written letter from the Department of Emergency Services ("DES") or a DES form stating approval of the project, before any certificate of occupancy is issued. [Amended 12-1-2009 by Bill No. 2009-15; 12-18-2012 by Bill No. 2012-13]

**§ 117-8.1. Definitions. [Added 12-1-2009 by Bill No. 2009-15]**

As used in this article, the following terms shall have the meanings indicated:

OWNER — Any person owning the building at issue or a person the owner designates to represent him or her in these matters.

**§ 117-9. Adequate radio coverage.**

- A. Descriptively, "adequate coverage" means the ability for emergency services personnel to transmit into the building an intelligible voice signal that may be heard; the ability to receive an intelligible voice signal transmitted and originating from within the building; and, the ability to transmit and receive intelligible voice signals among emergency personnel who are within the building.
- B. For purposes of this section, adequate radio coverage shall include all of the following:
  - (1) A minimum signal strength of minus 95 dbm available in 90% of the area of each floor of the building when transmitted from the dispatch communications system of the emergency personnel;
  - (2) A minimum signal strength of minus 95 dbm received at the dispatch communications system of the emergency personnel when transmitted from 90% of the area of each floor of the building;
  - (3) The frequency range which must be supported shall be as determined by the Wicomico County Department of Emergency Services ("DES"). The Wicomico County Department of Planning, Zoning and Community Development is responsible for notifying the contractor, owner, or submitting party of the need to contact the DES regarding plan submittal to the DES for approval of the system. The DES will notify the Department of Planning, Zoning and Community Development after review, as to whether the plan is approved or not approved. [Amended 12-1-2009 by Bill No. 2009-15; 12-18-2012 by Bill No. 2012-13]
  - (4) A reliability factor of 90%.
- C. When measuring the performance of a bidirectional amplifier, signal strength measurements are based on one input signal adequate to obtain a maximum continuous operating output level.

- § 117-9 D. Industry standard DAQ definitions are shown in Table 1. DAQ Level 3 is commonly specified as the minimum performance level for public safety systems. § 117-11

**Table 1**  
**Delivered Audio Quality (DAQ)**

<b>Delivered Audio Quality</b>	<b>Subjective Performance Description</b>
1	Unusable, speech present but unreadable
2	Understandable with considerable effort; frequent repetition due to noise/distortion
3	Speech understandable with slight effort; occasional repetition required due to noise/distortion
3.5	Speech understandable with repetition only rarely required; some noise/distortion.
4	Speech easily understood; occasional noise/distortion
4.5	Speech easily understood; infrequent noise/distortion
5	Speech easily understood

**§ 117-10. Amplification systems allowed.**

- A. Buildings and structures which cannot support the required level of radio coverage as determined by the Wicomico County Department of Emergency Services ("DES") shall be equipped with any of the following in order to achieve the required adequate radio coverage: **[Amended 12-1-2009 by Bill No. 2009-15]**
- (1) A radiating cable system; or
  - (2) An internal multiple antenna system with or without FCC-accepted bidirectional amplifiers as needed.
- B. If any part of the installed system(s) contain(s) an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least 12 hours without external power input. The battery system shall automatically charge in the presence of an external power input. The amplification system, if powered, will be monitored by the building fire alarm system. If the system shifts to auxiliary power as stated above, the building fire alarm system will indicate trouble for that dedicated zone. If used, bidirectional amplifiers shall include filters to reduce adjacent frequency interference at least minus 35 db below the NPSPEC band. The filters shall be tuned to the MHz range determined in accordance with § 117-4B(3). Other settings may be used, provided that they do not attenuate the NPSPEC frequencies and further provided that they are not more than one MHz from the NPSPEC frequencies.
- C. In the event that a signal booster is employed, it shall be fully encased within a NEMA 4 (or equivalent) dust/waterproof case.

**§ 117-11. Testing procedure.**

- A. Acceptance testing. Officials from the Wicomico County Department of Emergency Services ("DES") or police or fire personnel of this jurisdiction may require tests to ensure sufficient overall two-way coverage within the building, including all areas located below grade as evidence of compliance with this Code. Tests are to be performed in the presence of said county personnel at no expense to this jurisdiction. **[Amended 12-1-2009 by Bill No. 2009-15]**
- B. Annual tests. When an in-building radio system is required, the building owner shall test all active components of the system, including but not limited to amplifiers, power supplies and backup batteries, a minimum of once every 12 months. Amplifiers shall be tested to ensure that the gain is the same as it was

§ 117-11

upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load for a period of one hour to verify that they will properly operate during an actual power outage. If within the one-hour test period, in the opinion of the testing technician, the battery exhibits symptoms of failure, the test shall be extended for additional one-hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose.

§ 117-14

- C. Five-year tests. In addition to the annual test, the building owner shall perform a radio coverage test a minimum of once every five years to ensure that the radio system continues to meet the requirements of the original acceptance test. The procedure set forth above shall apply to such tests.
- D. Field tests. Police or fire personnel, or personnel from DES, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. [Amended 12-1-2009 by Bill No. 2009-15]
- E. Qualifications of testing personnel. All tests shall be conducted, documented and signed by a person in possession of:
  - (1) A current FCC license; or
  - (2) A current technician certification issued by the Associated Public-Safety Communications Officials International (APCO); or
  - (3) The Personal Communications Industry Association (PCIA); or
  - (4) By a qualified member of the police or emergency services personnel.
- F. Retention of records. All test records shall be retained on the inspected premises by the building owner and a copy submitted to DES. DES may enter onto the property to inspect the records maintained. [Amended 12-1-2009 by Bill No. 2009-15]

**§ 117-12. Exemptions. [Amended 12-1-2009 by Bill No. 2009-15]**

This article shall not apply to: buildings or structures owned by the State of Maryland, including public schools, universities, colleges, and community colleges; single-family residences of less than 5,000 square feet in residential districts that are not put to commercial or institutional use; any building constructed of wood frame; any building 35 feet high or less; as long as none of the aforementioned buildings make use of any metal construction or any underground storage or parking areas. For purposes of this section, parking structures and stairwells are included in the definition of "building" and stair shafts are included in the definition of "all parts of a building" but elevators may be excluded.

**§ 117-13. Waiver of standards. [Amended 12-1-2009 by Bill No. 2009-15]**

The requirements of this article may be lessened upon a written request of the owner when unique or unusual circumstances exist within a building or structure which make full compliance with the article practically infeasible. Upon a review of the application by county staff, including the Wicomico County Department of Emergency Services ("DES"), Fire Chief, and Police Chief and their determination that said circumstances exist, to merit a lower standard of compliance without sacrificing the general intent of the article, a written waiver will be issued detailing the permissible variances. DES shall notify the building official and owner in writing of any waiver granted.

**§ 117-14. Violations. [Amended 12-1-2009 by Bill No. 2009-15]**

Any person violating any of the provisions of this article shall be deemed guilty of a civil infraction and, upon conviction thereof, a citation will be issued and the person shall be fined in a sum not to exceed \$500 for each

§ 117-14 offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues to occur. The following officials from the Wicomico County Department of Emergency Services are authorized to issue citations for violations of this article: Director, Deputy Director and the Radio Systems Manager. § 117-15

**§ 117-15. Severability.**

If any section, subsection, sentence, clause or phrase of this article shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this article.



# ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2015  
BILL 2015-09

Introduced: July 7, 2015

BY: The Council President at the request of the County Executive.

AN ACT to repeal Chapter 117, Article I, of the Wicomico County Code, titled "Wicomico County Building Code" and to replace said Article I with the 2015 Edition of the International Building Code, International Residential Code and International Energy Conservation Code, with modifications, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building systems and to provide better organization of the Chapter. The adoption of the 2015 International Residential Code includes the mechanical code for residential buildings.

WHEREAS, the State of Maryland has adopted the 2015 Editions of the International Building Code, International Residential Code and International Energy Conservation Code and requires Wicomico County to do the same with local amendments; and

WHEREAS, it appears advisable to repeal Chapter 117, Article I, of the Wicomico County Code, titled "Wicomico County Building Code" and to replace said Article with the 2015 Edition of the International Building Code, International Residential Code and International Energy Conservation Code, with modifications pertinent to Wicomico County.

**SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION,** that Chapter 117 Article I titled "Wicomico County Building Construction" shall be repealed and adopted to read as follows:

Chapter 117  
Building Construction

**ARTICLE I, WICOMICO COUNTY BUILDING CONSTRUCTION**

**§ 117-1. AUTHORITY AND PURPOSE.**

**A. THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH BUILDING REGULATIONS THAT WILL PROMOTE AND PROTECT, IN ACCORDANCE WITH PRESENT AND FUTURE NEEDS, THE SAFETY, HEALTH, AND GENERAL WELFARE OF THE CITIZENS OF WICOMICO COUNTY AND TO PROVIDE REASONABLE PROTECTION TO THE PUBLIC AGAINST HAZARDS TO LIFE, HEALTH, AND PROPERTY**

B. THE STATE OF MARYLAND HAS ADOPTED THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE MARYLAND BUILDING PERFORMANCE STANDARDS, COMAR 05.02.07, WITH MODIFICATIONS. THIS CHAPTER IS INTENDED TO ESTABLISH BUILDING REGULATIONS FOR WICOMICO COUNTY, MARYLAND BY ADOPTING THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL ENERGY CONSERVATION CODE BY INCORPORATING MODIFICATIONS TO THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL ENERGY CONSERVATION CODE THAT ARE IN ACCORDANCE WITH LOCAL CONDITIONS AND REQUIREMENTS.

C. THE PROVISIONS OF THIS CHAPTER SHALL APPLY TO THE UNINCORPORATED TERRITORY OF WICOMICO COUNTY, MARYLAND. THIS CHAPTER MAY BE APPLIED TO THE TERRITORY OF ANY MUNICIPALITY WITHIN WICOMICO COUNTY, MARYLAND, TO THE EXTENT ESTABLISHED BY AND ONLY UPON A WRITTEN AGREEMENT BETWEEN WICOMICO COUNTY AND THE GOVERNING BODY OF SAID MUNICIPALITY.

#### § 117-2. ADOPTION OF INTERNATIONAL BUILDING CODE

THE COUNTY COUNCIL OF WICOMICO COUNTY HEREBY ADOPTS THE PROVISIONS SET FORTH IN THE INTERNATIONAL BUILDING CODE (HEREINAFTER REFERRED TO AS IBC), 2015 EDITION, INCLUDING THE APPENDICES AS THE BUILDING CODE FOR WICOMICO COUNTY, MARYLAND AND INCORPORATED BY REFERENCE. THE PROVISIONS SHALL BE CONTROLLING FOR ALL BUILDINGS WITHIN THE CORPORATE LIMITS OF WICOMICO COUNTY, MARYLAND, UNLESS OTHERWISE EXEMPTED HEREIN.

#### § 117-3. MODIFICATIONS TO INTERNATIONAL BUILDING CODE.

THE FOLLOWING MODIFICATIONS ARE MADE TO THE INTERNATIONAL BUILDING CODE:

A. SECTION [A]103.1 CREATION OF ENFORCEMENT AGENCY: DELETE THIS SECTION.

B. SECTION [A]103.2 APPOINTMENT: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE CHIEF BUILDING OFFICIAL/INSPECTOR SHALL HAVE AT LEAST TEN YEARS' EXPERIENCE AS AN ARCHITECT, ENGINEER, BUILDING INSPECTOR, BUILDING CONTRACTOR OR SUPERINTENDENT OF BUILDING CONSTRUCTION, FOR FIVE YEARS OF WHICH HE SHALL HAVE BEEN THE RESPONSIBLE PERSON IN CHARGE OF THE WORK.

C. SECTION [A]103.3 DEPUTIES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

INSPECTORS. THE CHIEF BUILDING OFFICIAL, WITH THE APPROVAL OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT, MAY EMPLOY SUCH NUMBER OF OFFICERS, INSPECTORS AND ASSISTANTS AS SHALL BE AUTHORIZED FROM TIME TO TIME. NO PERSON SHALL BE EMPLOYED AS AN INSPECTOR WHO HAS NOT HAD AT LEAST FIVE YEARS' EXPERIENCE AS A BUILDING INSPECTOR, BUILDER, ENGINEER, ARCHITECT OR AS A SUPERINTENDENT, FOREMAN OR COMPETENT MECHANIC IN CHARGE OF CONSTRUCTION.

D. SECTION [A]105.1 REQUIRED: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

PERMIT REQUIRED.

1. ANY OWNER, AUTHORIZED AGENT OR CONTRACTOR, WHO DESIRES TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, IMPROVE, REMOVE, CONVERT, DEMOLISH OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, TO ERECT OR CONSTRUCT A SIGN OF ANY DESCRIPTION, SHALL FIRST MAKE APPLICATION TO THE CHIEF BUILDING OFFICIAL AND OBTAIN ANY REQUIRED PERMIT.
2. A GENERAL PERMIT SHALL CARRY WITH IT THE RIGHT TO INSTALL IN ANY BUILDING OR STRUCTURE OR PART THEREOF HEATING APPARATUS, ELEVATORS, SIDEWALK ELEVATORS, VAULTS, CHUTES, COAL HOLES, LIFTS, CRANES, DERRICKS, STEAM-POWER BOILERS OR STEAM, OIL, GAS OR VAPOR ENGINES, PROVIDED THAT THE SAME ARE SHOWN ON THE DRAWINGS AND SET FORTH IN THE SPECIFICATIONS FILED WITH THE APPLICATION FOR THE PERMIT, BUT WHERE THESE ARE NOT SHOWN ON THE DRAWINGS AND COVERED BY THE SPECIFICATIONS SUBMITTED WITH SAID APPLICATION, SPECIAL PERMITS SHALL BE REQUIRED.
3. ORDINARY MINOR REPAIRS MAY BE MADE WITH THE APPROVAL OF THE CHIEF BUILDING OFFICIAL WITHOUT A PERMIT, PROVIDED THAT SUCH REPAIRS SHALL NOT VIOLATE ANY OF THE PROVISIONS OF THIS CODE.

E. SECTION [A]105.2 WORK EXEMPT FROM PERMIT: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

WORK EXEMPT FROM PERMIT.

EXEMPTIONS FROM THE PERMIT REQUIREMENT OF THIS CODE SHALL NOT BE DEEMED TO GRANT AUTHORIZATION FOR ANY WORK TO BE DONE IN ANY MANNER IN VIOLATION OF THE PROVISIONS OF THIS CODE OR ANY OTHER LAWS OR ORDINANCES OF THIS JURISDICTION. PERMITS SHALL NOT BE REQUIRED FOR THE FOLLOWING:

BUILDING:

1. RESERVED.

2. FENCES NOT OVER EIGHT FEET HIGH.
3. RESERVED.
4. RETAINING WALLS THAT ARE NOT OVER FOUR FEET (1,219 MM) IN HEIGHT MEASURED FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL, UNLESS SUPPORTING A SURCHARGE OR IMPOUNDING CLASS I, II OR III A LIQUIDS.
5. RESERVED.
6. SIDEWALKS AND DRIVEWAYS NOT MORE THAN 30 INCHES (762 MM) ABOVE ADJACENT GRADE, AND NOT OVER ANY BASEMENT OR STORY BELOW AND ARE NOT PART OF AN ACCESSIBLE ROUTE.
7. PAINTING, PAPERING, TILING, CARPETING, CABINETS, COUNTER TOPS AND SIMILAR FINISH WORK.
8. TEMPORARY MOTION PICTURE, TELEVISION AND THEATER STAGE SETS AND SCENERY.
9. PREFABRICATED SWIMMING POOLS ACCESSORY TO A GROUP R-3 OCCUPANCY THAT ARE LESS THAN 24 INCHES (610 MM) DEEP, DO NOT EXCEED 5,000 GALLONS (18,925 L) AND ARE INSTALLED ENTIRELY ABOVE GROUND.
10. SHADE CLOTH STRUCTURES CONSTRUCTED FOR NURSERY OR AGRICULTURAL PURPOSES, NOT INCLUDING SERVICE SYSTEMS.
11. SWINGS AND OTHER PLAYGROUND EQUIPMENT ACCESSORY TO DETACHED ONE- AND TWO-FAMILY DWELLINGS.
12. WINDOW AWNINGS SUPPORTED BY AN EXTERIOR WALL THAT DO NOT PROJECT MORE THAN 54 INCHES (1,372 MM) FROM THE EXTERIOR WALL AND DO NOT REQUIRE ADDITIONAL SUPPORT OF GROUPS R-3 AND U OCCUPANCIES.
13. NONFIXED AND MOVABLE FIXTURES, CASES, RACKS, COUNTERS AND PARTITIONS NOT OVER FIVE FEET NINE INCHES (1,753 MM) IN HEIGHT.

F. SECTION[A] 105.2.1 EMERGENCY REPAIRS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

WHERE REPAIRS MUST BE PERFORMED IN AN EMERGENCY SITUATION, THE PERMIT APPLICATION SHALL BE SUBMITTED WITHIN THE NEXT WORKING BUSINESS DAY TO THE CHIEF BUILDING OFFICIAL.

G. SECTION [A]105.2.2 REPAIRS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

APPLICATION OR NOTICE TO THE CHIEF BUILDING OFFICIAL IS REQUIRED FOR REPAIRS TO STRUCTURES, WHERE SUCH REPAIRS INCLUDE THE CUTTING AWAY OF ANY WALL, PARTITION OR PORTION THEREOF, THE REMOVAL OR CUTTING OF ANY STRUCTURAL BEAM OR LOAD-BEARING SUPPORT, OR THE REMOVAL OR CHANGE OF ANY REQUIRED MEANS OF EGRESS, OR REARRANGEMENT OF PARTS OF A STRUCTURE AFFECTING THE EGRESS REQUIREMENTS OR OTHER WORK AFFECTING PUBLIC HEALTH OR GENERAL SAFETY, OR CHANGES IN OCCUPANCY CLASSIFICATION TO EXISTING STRUCTURES.

H. SECTION [A]105.2.3 PUBLIC SERVICE AGENCIES: DELETE THIS SECTION. RESERVED.

I. SECTION [A]105.2.4 WITHHOLDING OF PERMITS: ADD THE FOLLOWING NEW SECTION:

WHENEVER THE CHIEF BUILDING OFFICIAL SHALL FIND THAT THE APPLICANT IS IN VIOLATION OF THE PROVISIONS OF THIS CODE OR OF THE RULES AND REGULATIONS OF ANY OTHER DEPARTMENT OF WICOMICO COUNTY IN CONNECTION WITH THE ERECTION, MAINTENANCE OR REPAIR OF BUILDINGS, STRUCTURES, LANDS OR EQUIPMENT THEREON OR THEREIN, HE MAY REFUSE TO GRANT ANY FURTHER PERMITS TO SUCH APPLICANT UNTIL SUCH VIOLATIONS HAVE BEEN CORRECTED.

J. SECTION [A]105.3.2 TIME LIMITATION OF APPLICATION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

AN APPLICATION FOR A PERMIT FOR ANY PROPOSED WORK SHALL BE DEEMED TO HAVE BEEN ABANDONED 180 DAYS AFTER THE DATE OF FILING, UNLESS SUCH APPLICATION HAS BEEN PURSUED IN GOOD FAITH OR A PERMIT HAS BEEN ISSUED; EXCEPT THAT THE CHIEF BUILDING OFFICIAL IS AUTHORIZED TO GRANT ONE OR MORE EXTENSIONS OF TIME FOR ADDITIONAL PERIODS NOT EXCEEDING 90 DAYS EACH. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

K. SECTION [A]105.4 VALIDITY OF PERMIT AND IBC [A]105.5 EXPIRATION: DELETE THESE SECTIONS AND REPLACE WITH THE FOLLOWING:

A PERMIT ISSUED SHALL BE CONSTRUED TO BE A LICENSE TO PROCEED WITH THE WORK AND SHALL NOT BE CONSTRUED AS AUTHORITY TO VIOLATE, CANCEL, ALTER OR SET ASIDE ANY OF THE PROVISIONS OF THIS CODE, NOR SHALL SUCH ISSUANCE OF A PERMIT PREVENT THE CHIEF BUILDING OFFICIAL FROM THEREAFTER REQUIRING A CORRECTION OF ERRORS IN PLANS OR IN CONSTRUCTION OR OF ISSUING VIOLATIONS OF THIS CODE. EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN SIX MONTHS AFTER ITS ISSUANCE. ONE EXTENSION OF TIME, FOR A PERIOD NOT TO EXCEED SIX MONTHS MAY BE ALLOWED FOR THE INITIAL START OF WORK. WORK AUTHORIZED BY SUCH PERMIT MUST BE FINISHED WITHIN THREE YEARS FROM THE DATE OF ISSUANCE OR EXTENSION, IF GRANTED BY THE CHIEF BUILDING OFFICIAL. EXTENSION OF TIME TO FINISH THE WORK AS DETERMINED BY THE CHIEF BUILDING OFFICIAL MAY ALSO BE ALLOWED. ALL EXTENSION REQUESTS ARE TO BE MADE IN WRITING, AND JUSTIFIABLE CAUSE WILL HAVE TO BE DEMONSTRATED.

EXCEPTION: CARPORTS, DECKS, DEMOLITION AND DISPOSAL, POOLS, PORTABLE SHEDS AND SOLAR PANELS MUST BE COMPLETED WITHIN 180 DAYS FROM THE ISSUANCE OF THE PERMIT.

L. SECTION [A] 107.3.2 PREVIOUS APPROVALS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THIS CODE SHALL NOT REQUIRE CHANGES IN THE CONSTRUCTION DOCUMENTS, CONSTRUCTION OR DESIGNATED OCCUPANCY OF A STRUCTURE FOR WHICH A LAWFUL PERMIT HAS BEEN HERETOFORE ISSUED OR OTHERWISE LAWFULLY AUTHORIZED, AND THE CONSTRUCTION OF WHICH HAS BEEN PURSUED IN GOOD FAITH WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS CODE AND HAS NOT BEEN ABANDONED.

M. SECTION [A] 108.3 TEMPORARY POWER: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARD SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

N. SECTION [A] 109.1 PAYMENT OF FEES, [A]109.5 RELATED FEES AND [A]109.6 REFUNDS: DELETE THESE SECTIONS AND REPLACE WITH THE FOLLOWING:

ON ALL BUILDINGS, STRUCTURES AND ALTERATIONS REQUIRING A PERMIT, A FEE FOR EACH PERMIT SHALL BE PAID AS REQUIRED AT THE TIME OF THE FILING OF THE APPLICATION, IN ACCORDANCE WITH THE SCHEDULE AS ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

O. SECTION [A] 109.2 SCHEDULE OF PERMIT FEES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

FOR ANY TYPE OF WORK AS SPECIFIED HEREIN, A PERMIT FEE SHALL BE PAID AS REQUIRED AT THE TIME OF FILING APPLICATION, IN ACCORDANCE WITH THE SCHEDULE AS ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

P. SECTION [A] 109.3 BUILDING PERMIT VALUATIONS: ADD THE FOLLOWING SENTENCE TO THE END OF THE SECTION:

THE PERMIT FEE REQUIRED BY THIS CHAPTER SHALL BE BASED ON THE ESTIMATED CONSTRUCTION COST OF THE PROPOSED WORK.

Q. SECTION [A] 109.4 WORK COMMENCING BEFORE PERMIT ISSUANCE: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

ANY PERSON WHO COMMENCES ANY TYPE OF WORK AS SPECIFIED HEREIN WITHOUT THE NECESSARY PERMITS SHALL PAY FOUR TIMES THE USUAL PERMIT FEES, UNLESS THE PERSON OBTAINS THE NECESSARY PERMIT WITHIN TWO BUSINESS DAYS OF A STOP WORK ORDER FOR FAILURE TO HAVE THE NECESSARY PERMIT, AS SPECIFIED IN THE SCHEDULE OF PERMIT FEES ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

R. SECTION [A] 110.3.3 LOWEST FLOOR ELEVATION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE ELEVATION CERTIFICATION REQUIRED IN SECTION 1612.5 SHALL CONFORM TO CHAPTER 149 OF THE COUNTY CODE AND BE SUBMITTED TO THE CHIEF BUILDING OFFICIAL.

S. SECTION [A] 111.2 CERTIFICATE ISSUED: DELETE THESE SUBSECTIONS:

DELETE ITEMS 7 THROUGH 12.

T. SECTION [A] 112.1 CONNECTION OF SERVICE UTILITIES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

U. SECTION [A] 112.2 TEMPORARY CONNECTION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

V. SECTION [A] 113 BOARD OF APPEALS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

AN APPLICATION FOR APPEAL SHALL BE SUBMITTED TO THE BOARD OF APPEALS AND SHALL BE BASED ON A CLAIM THAT THE TRUE INTENT OF THIS CODE OR THE RULES LEGALLY ADOPTED HEREUNDER 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 BOARD OF APPEALS SHALL NOT HAVE AUTHORITY TO WAIVE REQUIREMENTS OF THIS CODE. THE BOARD OF APPEALS SHALL MEAN THE BOARD OF APPEALS AS ESTABLISHED BY CHAPTER 7 OF THE WICOMICO COUNTY CODE.

W. SECTION [A] 114 VIOLATIONS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

EXEMPTIONS:

RELIGIOUS GROUPS EXEMPTION. NO BONA FIDE RELIGIOUS GROUP OR CORPORATION SHALL BE REQUIRED TO PAY ANY FEES SET FORTH HEREIN FOR A PERMIT FOR THE CONSTRUCTION, ERECTION, ALTERING, REPAIRING, REMOVING OR DEMOLITION OF ANY CHURCH BUILDING, PARSONAGE OR ANY OTHER AUXILIARY BUILDING USED FOR CHURCH PURPOSES. THIS EXEMPTION, HOWEVER, SHALL NOT APPLY TO ANY BUILDING CONSTRUCTED, ERECTED, ALTERED OR REPAIRED BY SUCH GROUP WHEREIN ANY REVENUE SHALL BE DERIVED THEREFROM FROM RENTALS, ETC.; SUBJECT, NEVERTHELESS, TO THE CONDITIONS THAT SUCH BONA FIDE RELIGIOUS GROUPS OR CORPORATIONS SHALL COMPLY WITH ANY

AND ALL OF THE TERMS AND CONDITIONS OF THIS BUILDING CODE APPLICABLE THERETO.

FARM BUILDING EXEMPTION. FARM ACCESSORY BUILDINGS THAT ARE DEEMED NECESSARY IN THE OPERATION OF A FARM, USED FOR AGRICULTURAL PURPOSES AND CAN BE CLASSIFIED AS GROUP U UNDER THE PROVISIONS OF CHAPTER 3, USE AND OCCUPANCY CLASSIFICATION, IN THE 2015 INTERNATIONAL BUILDING CODE, REQUIRE A BUILDING PERMIT AND ALL INSPECTIONS. HOWEVER FARM ACCESSORY BUILDINGS AND FARM BUILDINGS SHALL BE EXEMPT FROM ANY FEES SET FORTH HEREIN FOR A PERMIT FOR CONSTRUCTION, ERECTION, ALTERING, REPAIRING, REMOVING OR DEMOLITION OF ANY FARM BUILDING OR FARM ACCESSORY BUILDING.

VOLUNTEER FIRE DEPARTMENT EXEMPTION. NO VOLUNTEER FIRE DEPARTMENT SHALL BE REQUIRED TO PAY ANY FEES SET FORTH HEREIN FOR A PERMIT FOR THE CONSTRUCTION, ERECTION, ALTERING, REPAIRING, REMOVING OR DEMOLITION OF ANY VOLUNTEER FIRE DEPARTMENT BUILDING AND RELATED REVIEW FEES, SUCH AS FIRE PROTECTION SYSTEM PLAN REVIEW AND INSPECTION FEES, FLOODPLAIN PERMIT FEE, STORMWATER REVIEW FEE, AND ELECTRICAL AND UTILITY PERMIT AND INSPECTION FEES, IN CONNECTION WITH CONSTRUCTING A NEW FIRE DEPARTMENT BUILDING. THIS EXEMPTION IS SUBJECT TO SUCH VOLUNTEER FIRE DEPARTMENTS COMPLYING WITH ANY AND ALL OF THE TERMS AND CONDITIONS OF THIS BUILDING CODE APPLICABLE THERETO.

X. CHAPTER 11 ACCESSIBILITY: DELETE THIS CHAPTER AND REPLACE WITH THE FOLLOWING:

THE MARYLAND ACCESSIBILITY CODE SET FOR IN THE CODE OF MARYLAND REGULATIONS (COMAR) 05.02.02.

Y. CHAPTER 27 ELECTRICAL: DELETE THIS CHAPTER AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

Z. CHAPTER 29 PLUMBING SYSTEMS: DELETE THIS CHAPTER AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 183 OF THE WICOMICO COUNTY CODE AND ENFORCED BY THE PLUMBING OFFICIAL.

AA. APPENDICES: DELETE APPENDIX B, C, D, E, G, J, K, L, M.

§ 117-4. ADOPTION OF INTERNATIONAL RESIDENTIAL CODE.

THE COUNTY COUNCIL OF WICOMICO COUNTY HEREBY ADOPTS THE PROVISIONS SET FORTH IN THE INTERNATIONAL RESIDENTIAL CODE (HEREINAFTER REFERRED TO AS IRC), 2015 EDITION, INCLUDING THE APPENDICES AND AS SUCH SHALL BE



ADOPTED, ALONG WITH THE IBC, AS THE BUILDING CODE FOR WICOMICO COUNTY, MARYLAND, AND INCORPORATED BY REFERENCE. THE PROVISIONS SHALL BE CONTROLLING FOR ALL BUILDINGS WITHIN THE CORPORATE LIMITS OF WICOMICO COUNTY, MARYLAND, UNLESS OTHERWISE EXEMPTED HEREIN.

§117-5. MODIFICATIONS TO INTERNATIONAL RESIDENTIAL CODE.

THE FOLLOWING MODIFICATIONS ARE MADE TO THE INTERNATIONAL RESIDENTIAL CODE:

A. SECTION R101.2 SCOPE. ADD THE FOLLOWING AT THE END OF THE FIRST PARAGRAPH:

STRUCTURES MOVED INTO OR WITHIN THE JURISDICTION SHALL COMPLY WITH THE PROVISIONS OF THIS CODE FOR NEW STRUCTURES. ALL APPLICABLE COVENANTS OF RECORD AND RESTRICTIONS, INCLUDING ARCHITECTURAL, SQUARE FOOTAGE AND OTHER STRUCTURAL REQUIREMENTS, SHALL REMAIN IN EFFECT WHERE THE STRUCTURE IS PLACED.

B. SECTION R103.1 CREATION OF ENFORCEMENT AGENCY: DELETE THIS SECTION.

C. SECTION R103.2 APPOINTMENT: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE CHIEF BUILDING OFFICIAL/INSPECTOR SHALL HAVE HAD AT LEAST TEN YEARS' EXPERIENCE AS AN ARCHITECT, ENGINEER, BUILDING INSPECTOR, BUILDING CONTRACTOR OR SUPERINTENDENT OF BUILDING CONSTRUCTION, FOR FIVE YEARS OF WHICH HE SHALL HAVE BEEN THE RESPONSIBLE PERSON IN CHARGE OF THE WORK.

D. SECTION R103.3 DEPUTIES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

INSPECTORS. THE CHIEF BUILDING OFFICIAL, WITH THE APPROVAL OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT, MAY EMPLOY SUCH NUMBER OF OFFICERS, INSPECTORS AND ASSISTANTS AS SHALL BE AUTHORIZED FROM TIME TO TIME. NO PERSON SHALL BE EMPLOYED AS AN INSPECTOR WHO HAS NOT HAD AT LEAST FIVE YEARS' EXPERIENCE AS A BUILDING INSPECTOR, BUILDER, ENGINEER, ARCHITECT OR AS A SUPERINTENDENT, FOREMAN OR COMPETENT MECHANIC IN CHARGE OF CONSTRUCTION.

E. SECTION R105.1 PERMIT REQUIRED: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

REQUIRED.

1. ANY OWNER, AUTHORIZED AGENT OR CONTRACTOR WHO DESIRES TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, IMPROVE, REMOVE, CONVERT, DEMOLISH OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, TO

ERECT OR CONSTRUCT A SIGN OF ANY DESCRIPTION, SHALL FIRST MAKE APPLICATION TO THE CHIEF BUILDING OFFICIAL AND OBTAIN SUCH REQUIRED PERMIT THEREFOR.

2. A GENERAL PERMIT SHALL CARRY WITH IT THE RIGHT TO INSTALL IN ANY BUILDING OR STRUCTURE OR PART THEREOF HEATING APPARATUS, ELEVATORS, SIDEWALK ELEVATORS, VAULTS, CHUTES, COAL HOLES, LIFTS, CRANES, DERRICKS, STEAM-POWER BOILERS OR STEAM, OIL, GAS OR VAPOR ENGINES, PROVIDED THAT THE SAME ARE SHOWN ON THE DRAWINGS AND SET FORTH IN THE SPECIFICATIONS FILED WITH THE APPLICATION FOR THE PERMIT, BUT WHERE THESE ARE NOT SHOWN ON THE DRAWINGS AND COVERED BY THE SPECIFICATIONS SUBMITTED WITH SAID APPLICATION, SPECIAL PERMITS SHALL BE REQUIRED.

3. ORDINARY MINOR REPAIRS MAY BE MADE WITH THE APPROVAL OF THE CHIEF BUILDING OFFICIAL WITHOUT A PERMIT, PROVIDED THAT SUCH REPAIRS SHALL NOT VIOLATE ANY OF THE PROVISIONS OF THIS CODE.

F. SECTION R105.2 WORK EXEMPT FROM PERMIT: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

EXEMPTIONS FROM PERMIT REQUIREMENT OF THIS CODE SHALL NOT BE DEEMED TO GRANT AUTHORIZATION FOR ANY WORK TO BE DONE IN ANY MANNER IN VIOLATION OF THE PROVISIONS OF THIS CODE OR ANY OTHER LAWS OR ORDINANCES OF THIS JURISDICTION. PERMITS SHALL NOT BE REQUIRED FOR THE FOLLOWING:

BUILDING:

1. PORTABLE ONE LEVEL ACCESSORY STRUCTURE NOT EXCEEDING 250 SQUARE FEET AND THAT IS NOT IN A FLOOD PLAIN.
2. FENCES NOT OVER EIGHT FEET HIGH.
3. RESERVED.
4. RESERVED.
5. RESERVED.
6. PAINTING, PAPERING, TILING, CARPETING, CABINETS, COUNTER TOPS AND SIMILAR FINISH WORK.
7. PREFABRICATED SWIMMING POOLS ACCESSORY TO A GROUP R-3 OCCUPANCY THAT ARE LESS THAN 24 INCHES (610 MM) DEEP, DO NOT EXCEED 5,000 GALLONS (18,925 L) AND ARE INSTALLED ENTIRELY ABOVE GROUND.
8. SWINGS AND OTHER PLAYGROUND EQUIPMENT ACCESSORY TO DETACHED ONE- AND TWO-FAMILY DWELLINGS.
9. WINDOW AWNINGS SUPPORTED BY AN EXTERIOR WALL THAT DO NOT PROJECT MORE THAN 54 INCHES (1,372 MM) FROM THE EXTERIOR WALL AND DO NOT REQUIRE ADDITIONAL SUPPORT OF GROUPS R-3 AND U OCCUPANCIES.
10. DECKS THAT ARE NOT MORE THAN 30 INCHES (762MM) ABOVE GRADE AT ANY POINT AND DO NOT SERVE THE EXIT DOOR REQUIRED BY SECTION R311.4.
11. TEMPORARY MOTION PICTURE, TELEVISION AND THEATER STAGE SETS AND SCENERY.
12. NONFIXED AND MOVABLE FIXTURES, CASES, RACKS, COUNTERS AND PARTITIONS NOT OVER FIVE FEET NINE INCHES (1,753 MM) IN HEIGHT.

G. SECTION R105.2.1 EMERGENCY REPAIRS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

WHERE REPAIRS MUST BE PERFORMED IN AN EMERGENCY SITUATION, THE PERMIT APPLICATION SHALL BE SUBMITTED WITHIN THE NEXT WORKING BUSINESS DAY TO THE CHIEF BUILDING OFFICIAL.

H. SECTION R105.2.2 REPAIRS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

APPLICATION OR NOTICE TO THE CHIEF BUILDING OFFICIAL IS REQUIRED FOR REPAIRS TO STRUCTURES, WHERE SUCH REPAIRS INCLUDE THE CUTTING AWAY OF ANY WALL, PARTITION OR PORTION THEREOF, THE REMOVAL OR CUTTING OF ANY STRUCTURAL BEAM OR LOAD-BEARING SUPPORT, OR THE REMOVAL OR CHANGE OF ANY REQUIRED MEANS OF EGRESS, OR REARRANGEMENT OF PARTS OF A STRUCTURE AFFECTING THE EGRESS REQUIREMENTS OR OTHER WORK AFFECTING PUBLIC HEALTH OR GENERAL SAFETY, OR CHANGES IN OCCUPANCY CLASSIFICATION TO EXISTING STRUCTURES.

I. SECTION R105.2.3 PUBLIC SERVICE AGENCIES: DELETE THIS SECTION. RESERVED.

J. SECTION R105.2.4 WITHHOLDING OF PERMITS: ADD THE FOLLOWING NEW SECTION:

WHENEVER THE CHIEF BUILDING OFFICIAL SHALL FIND THAT THE APPLICANT IS IN VIOLATION OF THE PROVISIONS OF THIS CODE OR OF THE RULES AND REGULATIONS OF ANY OTHER DEPARTMENT OF WICOMICO COUNTY IN CONNECTION WITH THE ERECTION, MAINTENANCE OR REPAIR OF BUILDINGS, STRUCTURES, LANDS OR EQUIPMENT THEREON OR THEREIN, HE MAY REFUSE TO GRANT ANY FURTHER PERMITS TO SUCH APPLICANT UNTIL SUCH VIOLATIONS HAVE BEEN CORRECTED.

K. SECTION R105.3.1.1 DETERMINATION OF SUBSTANTIALLY IMPROVED OR SUBSTANTIALLY DAMAGED EXISTING BUILDINGS IN FLOOD HAZARD AREAS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.

L. SECTION R105.3.2 TIME LIMITATION OF APPLICATION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

AN APPLICATION FOR A PERMIT FOR ANY PROPOSED WORK SHALL BE DEEMED TO HAVE BEEN ABANDONED 180 DAYS AFTER THE DATE OF FILING, UNLESS SUCH APPLICATION HAS BEEN PURSUED IN GOOD FAITH OR A PERMIT HAS BEEN ISSUED; EXCEPT THAT THE CHIEF BUILDING OFFICIAL IS AUTHORIZED TO GRANT ONE OR MORE EXTENSIONS OF TIME FOR ADDITIONAL PERIODS NOT EXCEEDING 90 DAYS EACH. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

M. SECTION R105.4 VALIDITY OF PERMIT AND R105.5 EXPIRATION: DELETE THESE SECTIONS AND REPLACE WITH THE FOLLOWING:

A PERMIT ISSUED SHALL BE CONSTRUED TO BE A LICENSE TO PROCEED WITH THE WORK AND SHALL NOT BE CONSTRUED AS AUTHORITY TO VIOLATE, CANCEL, ALTER OR SET ASIDE ANY OF THE PROVISIONS OF THIS CODE, NOR SHALL SUCH ISSUANCE OF A PERMIT PREVENT THE CHIEF BUILDING OFFICIAL FROM THEREAFTER REQUIRING A CORRECTION OF ERRORS IN PLANS OR IN CONSTRUCTION OR OF VIOLATIONS OF THIS CODE. EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN SIX MONTHS AFTER ITS ISSUANCE. ONE EXTENSION OF TIME, FOR A PERIOD NOT TO EXCEED SIX MONTHS MAY BE ALLOWED FOR THE INITIAL START OF WORK. WORK AUTHORIZED BY SUCH PERMIT MUST BE FINISHED WITHIN THREE YEARS FROM THE DATE OF ISSUANCE OR EXTENSION, IF GRANTED BY THE CHIEF BUILDING OFFICIAL. EXTENSION OF TIME TO FINISH THE WORK AS DETERMINED BY THE CHIEF BUILDING OFFICIAL MAY ALSO BE ALLOWED. ALL EXTENSION REQUESTS ARE TO BE MADE IN WRITING, AND JUSTIFIABLE CAUSE WILL HAVE TO BE DEMONSTRATED.

EXCEPTION: CARPORTS, DECKS, DEMOLITION AND DISPOSAL, POOLS, PORTABLE SHEDS AND SOLAR PANELS MUST BE COMPLETED WITHIN 180 DAYS FROM THE ISSUANCE OF THE PERMIT.

N. SECTION R106.1 SUBMITTAL DOCUMENTS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

CONSTRUCTION DOCUMENTS.

CONSTRUCTION DOCUMENTS, SPECIAL INSPECTION AND STRUCTURAL OBSERVATION PROGRAMS AND OTHER DATA SHALL BE SUBMITTED IN TWO OR MORE SETS WITH EACH APPLICATION FOR A PERMIT. WHERE SPECIAL CONDITIONS EXIST, THE CHIEF BUILDING OFFICIAL IS AUTHORIZED TO REQUIRE ADDITIONAL CONSTRUCTION DOCUMENTS TO BE PREPARED BY A REGISTERED DESIGN PROFESSIONAL.

EXCEPTION: THE CHIEF BUILDING OFFICIAL IS AUTHORIZED TO WAIVE THE SUBMISSION OF CONSTRUCTION DOCUMENTS AND OTHER DATA IF IT IS FOUND THAT THE NATURE OF WORK APPLIED FOR IS SUCH THAT REVIEWING OF CONSTRUCTION DOCUMENTS IS NOT NECESSARY TO OBTAIN COMPLIANCE WITH THIS BUILDING CODE.

O. SECTION R106.1.4 INFORMATION FOR CONSTRUCTION IN FLOOD HAZARD AREAS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.

P. SECTION R106.3.2 PREVIOUS APPROVALS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THIS CODE SHALL NOT REQUIRE CHANGES IN THE CONSTRUCTION DOCUMENTS, CONSTRUCTION OR DESIGNATED OCCUPANCY OF A STRUCTURE FOR WHICH A LAWFUL PERMIT HAS BEEN HERETOFORE ISSUED OR OTHERWISE LAWFULLY AUTHORIZED, AND THE CONSTRUCTION OF WHICH HAS BEEN PURSUED IN GOOD FAITH WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS CODE AND HAS NOT BEEN ABANDONED.

Q. SECTION R107.3 TEMPORARY POWER: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARD SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

R. SECTION R 108.1 PAYMENT OF FEES, R108.4 RELATED FEES AND R108.5 REFUNDS: DELETE THESE SECTIONS AND REPLACE WITH THE FOLLOWING:

ON ALL BUILDINGS, STRUCTURES, ELECTRICAL, PLUMBING, MECHANICAL, AND GAS SYSTEMS OR ALTERATIONS REQUIRING A PERMIT, A FEE FOR EACH PERMIT SHALL BE PAID AS REQUIRED AT THE TIME OF THE FILING OF THE APPLICATION, IN ACCORDANCE WITH THE SCHEDULE AS ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

S. SECTION R 108.2 SCHEDULE OF PERMIT FEES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

FOR ANY TYPE OF WORK AS SPECIFIED HEREIN, A PERMIT FEE SHALL BE PAID AS REQUIRED AT THE TIME OF FILING APPLICATION, IN ACCORDANCE WITH THE SCHEDULE AS ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

T. SECTION R 108.3 BUILDING PERMIT VALUATIONS: ADD THE FOLLOWING SENTENCE TO THE END OF THE SECTION:

THE PERMIT FEE REQUIRED BY THIS CHAPTER SHALL BE BASED ON THE ESTIMATED CONSTRUCTION COST OF THE PROPOSED WORK. THE ESTIMATED COST OF CONSTRUCTION SHALL BE COMPUTED BY THE CHIEF BUILDING OFFICIAL OR HIS DESIGNEE AND SHALL BE BASED ON THE CONSTRUCTION COST SCHEDULE ADOPTED BY COUNTY COUNCIL RESOLUTION.

U. SECTION 108.6 WORK COMMENCING BEFORE PERMIT ISSUANCE: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

ANY PERSON WHO COMMENCES ANY TYPE OF WORK AS SPECIFIED HEREIN WITHOUT THE NECESSARY PERMITS SHALL PAY FOUR TIMES THE USUAL PERMIT FEES, UNLESS THE PERSON OBTAINS THE NECESSARY PERMIT WITHIN TWO BUSINESS DAYS OF STOP WORK ORDER FOR FAILURE TO HAVE THE NECESSARY PERMIT, AS SPECIFIED IN THE SCHEDULE OF PERMIT FEES ESTABLISHED BY COUNTY COUNCIL RESOLUTION.

V. SECTION R109.1.2 PLUMBING, MECHANICAL, GAS AND ELECTRICAL SYSTEMS INSPECTION: DELETE THIS SECTION.

W. SECTION R109.1.3 FLOODPLAIN INSPECTIONS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

FOR CONSTRUCTION IN FLOOD HAZARD AREAS AS ESTABLISHED BY TABLE R301.2(1), UPON PLACEMENT OF THE LOWEST FLOOR, INCLUDING BASEMENT, AND PRIOR TO FURTHER VERTICAL CONSTRUCTION, THE CHIEF BUILDING OFFICIAL SHALL REQUIRE SUBMISSION OF DOCUMENTATION, PREPARED AND SEALED BY A REGISTERED DESIGN PROFESSIONAL, OF THE ELEVATION OF THE LOWEST FLOOR, INCLUDING BASEMENT, REQUIRED IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.

X. SECTION R109.1.6.1 ELEVATION DOCUMENTATION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

IF LOCATED IN A FLOOD HAZARD AREA, THE DOCUMENTATION OF ELEVATIONS REQUIRED IN CHAPTER 149 OF THE WICOMICO COUNTY CODE SHALL BE SUBMITTED TO THE CHIEF BUILDING OFFICIAL PRIOR TO THE FINAL INSPECTION.

Y. SECTION R 111.1 CONNECTION OF SERVICE UTILITIES: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARD SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

Z. SECTION R 111.2 TEMPORARY CONNECTION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.

AA. SECTION R112 BOARD OF APPEALS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

AN APPLICATION FOR APPEAL SHALL BE BASED ON A CLAIM THAT THE TRUE INTENT OF THIS CODE OR THE RULES LEGALLY ADOPTED HEREUNDER HAVE BEEN INCORRECTLY INTERPRETED, THE PROVISIONS OF THIS CODE DO FULLY APPLY OR AN EQUALLY GOOD OR BETTER FORM OF CONSTRUCTION IS PROPOSED. THE BOARD OF APPEALS SHALL NOT HAVE AUTHORITY TO WAIVE REQUIREMENTS OF THIS CODE. THE BOARD OF APPEALS SHALL MEAN THE BOARD OF APPEALS AS ESTABLISHED BY CHAPTER 7 OF THE WICOMICO COUNTY CODE.

BB. SECTION R301.2.4 FLOODPLAIN CONSTRUCTION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.

CC. SECTION R304.1 MINIMUM AREA AND R304.2 MINIMUM DIMENSIONS: DELETE THESE SECTIONS AND REPLACE WITH THE FOLLOWING:

THE OBJECTIVE OF SPACE REQUIREMENTS IS TO ASSURE THAT EACH LIVING UNIT PROVIDES COMPLETE LIVING FACILITIES ORDINARILY CONSIDERED NECESSARY TO A PERMANENT HOME, ARRANGED AND EQUIPPED TO PROVIDE SUITABLE AND DESIRABLE LIVING, SLEEPING, COOKING AND DINING ACCOMMODATIONS AND ADEQUATE STORAGE AND SANITARY FACILITIES.

1. THE SQUARE FOOTAGE OF ALL ROOMS OF A SINGLE-BEDROOM HOUSE SHALL HAVE AN INSIDE MINIMUM SQUARE FOOTAGE OF 446 SQUARE FEET WITH AN OUTSIDE MINIMUM SQUARE FOOTAGE OF 528 SQUARE FEET, WITH THE VARIOUS ROOMS THEREIN OF THE FOLLOWING MINIMUM SIZES:

<b>ROOM</b>	<b>SQUARE FEET</b>
LIVING ROOM	150
KITCHEN OR DINING ROOM	120 (TOTAL)
FIRST BEDROOM	100
CLOSET OR CLOSETS	16 (TOTAL)
BATHROOM	30
UTILITY ROOM	30
<b>TOTAL</b>	<b>446</b>

2. THE SQUARE FOOTAGE OF ALL ROOMS OF A TWO-BEDROOM HOUSE SHALL HAVE AN INSIDE MINIMUM SQUARE FOOTAGE OF 532 SQUARE FEET WITH AN OUTSIDE MINIMUM SQUARE FOOTAGE OF 624 SQUARE FEET, WITH THE VARIOUS ROOMS THEREIN OF THE FOLLOWING MINIMUM SIZES:

<b>ROOM</b>	<b>SQUARE FEET</b>
LIVING ROOM	150
KITCHEN OR DINING ROOM	130 (TOTAL)
FIRST BEDROOM	100
SECOND BEDROOM	70
CLOSET OR CLOSETS	22 (TOTAL)
BATHROOM	30
UTILITY ROOM	30
<b>TOTAL</b>	<b>532</b>

3. THE SQUARE FOOTAGE OF ALL ROOMS OF A THREE-BEDROOM HOUSE SHALL HAVE AN INSIDE MINIMUM SQUARE FOOTAGE OF 678 SQUARE FEET WITH AN OUTSIDE MINIMUM SQUARE FOOTAGE OF 768 SQUARE FEET, WITH THE VARIOUS ROOMS THEREIN OF THE FOLLOWING MINIMUM SIZES:

ROOM	SQUARE FEET
LIVING ROOM	165
KITCHEN OR DINING ROOM	155 (TOTAL)
FIRST BEDROOM	100
SECOND BEDROOM	100
THIRD BEDROOM	70
CLOSET OR CLOSETS	28 (TOTAL)
BATHROOM	30
UTILITY ROOM	30
<b>Total</b>	<b>678</b>

DD. SECTION R306 SANITATION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 183 OF THE WICOMICO COUNTY CODE.

EE. SECTION R309.3 FLOOD HAZARD AREAS: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.

FF. SECTION R311.7.5.1 RISERS: ADD THE FOLLOWING SENTENCE TO THE END OF THE SECTION:

3. THE RISER HEIGHT OF STAIRWAYS LEADING TO UNCONDITIONED AREAS THAT ARE USED ONLY FOR STORAGE ABOVE ATTACHED OR DETACHED GARAGES MAY HAVE A MAXIMUM RISER HEIGHT OF 8 ½ INCHES. SUCH STORAGE AREAS CANNOT BE CONVERTED TO A HABITABLE SPACE UNLESS THE RISER HEIGHT OF THE STAIRWAY IS REDUCED TO A MAXIMUM HEIGHT OF THE STAIRWAY OF 7 ¾ INCHES.

GG. SECTION R311.7.5.2 TREADS: ADD THE FOLLOWING SENTENCE TO THE END OF THE SECTION:

1. THE RISER HEIGHT OF STAIRWAYS LEADING TO UNCONDITIONED AREAS THAT ARE USED ONLY FOR STORAGE ABOVE ATTACHED OR DETACHED GARAGES MAY HAVE A MINIMUM TREAD DEPTH OF NINE INCHES. SUCH STORAGE AREAS CANNOT BE CONVERTED TO HABITABLE SPACE UNLESS THE TREAD DEPTH IS INCREASED TO A MINIMUM OF 10 INCHES.



~~HHH~~ SECTION R311.7.8 HANDRAILS: ADD THE FOLLOWING SENTENCE TO THE END OF THE SECTION:

~~I. IF FOR HANDRAILS ON EXTERIOR STAIRWAYS, THE TOP OF THE FOURTH RISER SHALL NOT EXCEED 30 INCHES, MEASURED FROM THE FINISHED ADJACENT GRADE, AND SHALL BE IN ACCORDANCE WITH SECTION R311.7.5.1.~~

~~III~~ SECTION R317.1 LOCATION REQUIRED: DELETE PARAGRAPH 1 AND REPLACE WITH THE FOLLOWING:

~~1. WHEN WOOD JOISTS OR THE BOTTOM OF WOOD STRUCTURAL FLOORS WITHOUT JOISTS ARE CLOSER THAN 24 INCHES OR WOOD GIRDERS ARE CLOSER THAN 18 INCHES TO EXPOSED GROUND LOCATED WITHIN THE PERIPHERY OF THE BUILDING COVER A CRAWL SPACE OR UNEXCAVATED AREAS, THEY SHALL BE OF APPROVED NATURALLY DURABLE WOOD OR PRESSURE-TREATED WOOD. FOR ADDITIONS TO EXISTING DWELLINGS, THIS REQUIREMENT WILL BE DETERMINED BY THE CHIEF BUILDING OFFICIAL.~~

~~II~~ SECTION R322 FLOOD RESISTANT CONSTRUCTION: DELETE THIS SECTION AND REPLACE WITH THE FOLLOWING:

~~THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 149 OF THE WICOMICO COUNTY CODE.~~

~~IIII~~ CHAPTER 11 DELETE THIS CHAPTER.

~~KKK~~ CHAPTERS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23: DELETE THESE CHAPTERS.

~~LLL~~ CHAPTERS 24, 25, 26, 27, 28, 29, 30, 31, 32, 33. DELETE THESE CHAPTERS AND REPLACE WITH THE FOLLOWING:

~~THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 183 OF THE WICOMICO COUNTY CODE AND ENFORCED BY THE PLUMBING OFFICIAL.~~

~~MMM~~ CHAPTERS 34, 35, 36, 37, 38, 39, 40, 41, 42, 43: DELETE THESE CHAPTERS AND REPLACE WITH THE FOLLOWING:

~~THE STANDARDS SHALL BE AS SET FORTH IN CHAPTER 138 OF THE WICOMICO COUNTY CODE.~~

~~NNN~~ APPENDICES DELETE APPENDIX A, B, D-Q, T, U.

~~§ 17-6A~~ ADOPTION OF INTERNATIONAL ENERGY CONSERVATION CODE.

~~THE COUNTY COUNCIL OF WICOMICO COUNTY HEREBY ADOPTS THE PROVISIONS SET FORTH IN THE INTERNATIONAL ENERGY CONSERVATION CODE (HEREINAFTER REFERRED TO AS IEC), 2015 EDITION, INCLUDING THE APPENDICES AND AS SUCH SHALL BE ADOPTED, ALONG WITH THE IBC AND IRC, AS THE BUILDING CODE FOR WICOMICO COUNTY, MARYLAND, AND INCORPORATED BY REFERENCE. THE~~

PROVISIONS SHALL BE CONTROLLING FOR ALL BUILDINGS WITHIN THE CORPORATE LIMITS OF WICOMICO COUNTY, MARYLAND, UNLESS OTHERWISE EXEMPTED HEREIN.

§117-7. CODE DECLARED REMEDIAL.

THIS CODE IS HEREBY DECLARED TO BE REMEDIAL AND SHALL BE CONSTRUED TO SECURE THE BENEFICIAL INTERESTS AND PURPOSES THEREOF, WHICH ARE THE HEALTH, PUBLIC SAFETY AND WELFARE OF THE GENERAL PUBLIC.

§117-8. VIOLATIONS AND PENALTIES.

A. ANY PERSON, FIRM, CORPORATION OR AGENT WHO SHALL VIOLATE ANY PROVISION OF THIS ARTICLE OR FAIL TO COMPLY THEREWITH OR WITH ANY OF THE REQUIREMENTS THEREOF SHALL BE GUILTY OF A MISDEMEANOR AND, IF CONVICTED, THEREOF BEFORE A COURT OF COMPETENT JURISDICTION, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN \$100 AND NOT MORE THAN \$1,000 OR BE IMPRISONED FOR NOT MORE THAN 30 DAYS, OR BOTH, AND, IN ADDITION, SHALL PAY ALL COSTS AND EXPENSES INVOLVED IN THE CASE. EACH DAY OF VIOLATION SHALL CONSTITUTE A SEPARATE AND ADDITIONAL OFFENSE.

B. ANY PERSON, FIRM, CORPORATION OR AGENT WHO SHALL VIOLATE ANY PROVISION OF THIS ARTICLE OR FAIL TO COMPLY THEREAFTER OR WITH ANY OF THE REQUIREMENTS THEREOF SHALL BE GUILTY OF A CIVIL INFRACTION AND SHALL BE SUBJECT TO A FINE NOT TO EXCEED \$1,000 PER VIOLATION. THE FINE SHALL BE AS SPECIFIED IN THE SCHEDULE OF FINES ADOPTED BY COUNTY COUNCIL RESOLUTION FOR THE VIOLATION CHARGED. THE DIRECTOR OF THE DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT OR HIS DESIGNEE IS HEREBY AUTHORIZED TO ISSUE CITATIONS FOR CIVIL INFRACTIONS OF THIS CHAPTER. EACH DAY THE VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE VIOLATION.

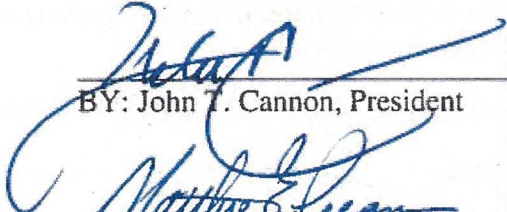
C. IN CASE OF ANY VIOLATION OF THIS ARTICLE, THE COUNTY MAY, IN ADDITION TO OTHER REMEDIES PROVIDED HEREIN, INSTITUTE ANY APPROPRIATE ACTION OR PROCEEDING IN CIRCUIT COURT, EITHER BY INJUNCTION OR OTHERWISE, TO PREVENT SUCH UNLAWFUL ACTION AND/OR TO RESTRAIN, CORRECT OR ABATE SUCH VIOLATION, TO PREVENT THE OCCUPANCY OF SUCH BUILDING OR STRUCTURE AND TO PREVENT ANY ILLEGAL ACT IN OR ABOUT SUCH PREMISES.

\*\*\*

SECTION II. BE IT FURTHER ENACTED THAT this Bill shall be known as Bill No. 2015-09 of Wicomico County, Maryland and shall take effect sixty (60) days after its final passage, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

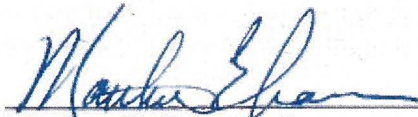
Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 4th day of August, 2015.

WICOMICO COUNTY, MARYLAND

  
BY: John T. Cannon, President

  
BY: Matthew E. Creamer, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

  
Matthew E. Creamer, Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike out indicates material deleted from law.~~

~~CAPITAL—STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

BILL NO. 2015-09

Legislative Day No. 14

INTRODUCED BY: President of the Council upon recommendation of the County Executive

Date: July 7, 2015

Introduced, read first time, ordered posted and public hearing scheduled on: August 4, 2015

Time: 6:30 p.m.


AN ACT to repeal Chapter 117, Article I, of the Wicomico County Code, titled "Wicomico County Building Code" and to replace said Article I with the 2015 Edition of the International Building Code, International Residential Code and International Energy Conservation Code, with modifications, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, and replacement, addition to, use or maintenance of building systems and to provide better organization of the Chapter. The adoption of the 2015 International Residential Code includes the mechanical code for residential buildings.

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on 8/4/15 and concluded on 8/4/15

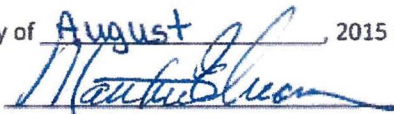
  
Council Administrator

**CERTIFICATION**

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 4th day of August, 2015.

  
Council Administrator

Presented to the County Executive for approval this 6th day of August, 2015 at 8:30 a.m./p.m. (5 days §411)

  
Council Administrator

**BY THE EXECUTIVE:**

  
County Executive

APPROVED  
Date: 8-6-15  
(21 days §411)

VETOED  
Date: \_\_\_\_\_

**EFFECTIVE DATE:**

This Bill having been approved by the County Executive and returned to the Council, becomes law on August 6, 2015 and effective on: October 5, 2015. (60 days §311)


**ENROLLMENT:**

Legislative Bill No. 2015-09 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

  
Council Administrator  
Date: \_\_\_\_\_

ENROLLED

  
Council President  
Date: \_\_\_\_\_

# ENROLLED

## COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2023 Legislative Session

Legislative Day No. 12

### Legislative Bill 2023-08

Introduced: June 20, 2023

Introduced by: Council President at the Request of the Electrical Board and County Executive

AN ACT TO AMEND CHAPTER 138 OF THE WICOMICO COUNTY CODE, TITLED "ELECTRICAL STANDARDS," ARTICLE I, TITLED "GENERAL PROVISIONS" AND ARTICLE II TITLED "REGISTRATION OF ELECTRICIANS AND INSPECTIONS"

WHEREAS, the Wicomico County Code requires electricians to be examined and licensed by the Electrical Board of Wicomico County; and

WHEREAS, in 2021, the Maryland Legislature passed the Maryland Electricians Act. Prior to this law, each county administered the accreditation of electricians. The Maryland Electricians Act removed the certification and oversight of local electricians from the counties to the State.; and

WHEREAS Wicomico County's Chapter 138 is not compliant with the State of Maryland requirements concerning electrical licensing and registration; and

WHEREAS the Wicomico County Electrical Board has reviewed the current County Code and recommends that the Code be amended to conform with State law.

Section I. BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 138 of The Wicomico County Code, Titled "Electrical Standards," Article I, Titled "General Provisions" and Article II Titled "Registration Of Electricians And Inspections" are hereby amended, to read as follows:

#### Chapter 138

#### Electrical Standards

#### Article I

§ 138-1. Authority; purpose.

Under and by virtue of the authority contained in ~~Article 25A, Section 5, of the Annotated Code of Maryland (1957 Edition) and the amendments thereto, Article 25 of the Annotated Code of Maryland (1957 Edition)~~ TITLE 6 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, OF THE ANNOTATED CODE OF MARYLAND ~~and the amendments thereto and Chapter 3 of the Laws of Wicomico County, Maryland, of 1967,~~ and further for the protection and promotion of the health, comfort, safety and welfare of the citizens of Wicomico County, the

following rules, regulations and provisions are enacted, adopted and established with respect to electrical wiring in the construction, reconstruction, alteration or repair of buildings, structures or any outdoor electrical display or sign, outside the limits of incorporated towns and cities in Wicomico County, except inside the limits of such incorporated towns and cities where the Charter of such Incorporated towns and cities contains no provision to regulate the subject matter of this chapter.

§ 138-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**APPRENTICE ELECTRICIAN**

AN ELECTRICIAN WHO IS LICENSED BY THE STATE BOARD TO ASSIST IN PROVIDING ELECTRICAL SERVICES WHILE: (1) UNDER THE DIRECTION OR CONTROL OF A LICENSED MASTER ELECTRICIAN; AND (2) IN TRAINING TO BECOME A JOURNEYPERSON ELECTRICIAN.

~~Certificate of Registration, Registration or Certificate~~

~~The terms shall be synonymous with the term license.~~

~~Electrician general~~

~~Any person engaged only in single phase house wiring, limited to a dwelling containing no more than four family units, and commercial wiring limited to circuits of not more than 100 amperes single phase in a commercial structure.~~

**JOURNEYPERSON ELECTRICIAN**

AN ELECTRICIAN WHO IS LICENSED BY THE STATE BOARD TO PROVIDE OR ASSIST IN PROVIDING ELECTRICAL SERVICES WHILE: (1) UNDER THE DIRECTION OR CONTROL OF A LICENSED MASTER ELECTRICIAN; AND (2) IN TRAINING TO BECOME A MASTER ELECTRICIAN.

**LICENSE**

A LICENSE ISSUED BY THE STATE BOARD TO PROVIDE OR ASSIST IN PROVIDING ELECTRICAL SERVICES.

**Master Electrician**

~~A person engaged in the business of or holding himself out to the public as engaged in the business of installing, erecting and repairing or contracting to install, erect or repair, electric wire or conductors to be used for the transmission of electric current for electric light, heat or power purposes or mouldings, ducts, raceways or conduits for the reception or protection of such wires or conductors or to electrical machinery, apparatus, devices or fixtures to be used for electric light, heat or power purposes or planning, estimating, laying out and supervising such electrical work.~~ AN ELECTRICIAN WHO IS LICENSED BY THE STATE BOARD TO PROVIDE ELECTRICAL SERVICES AS A MASTER ELECTRICIAN. A MASTER ELECTRICIAN IS

ALSO AUTHORIZED TO PERFORM ANY WORK WHICH AN ELECTRICIAN LIMITED MAY PERFORM.

### **SHELVING**

THE TEMPORARY PLACING OF A REGISTRATION WITH THE BOARD IN AN INACTIVE STATUS.

### **STATE BOARD**

REFERS TO THE STATE BOARD OF ELECTRICIANS.

### **Supervise or Supervision**

Under the direction of and subject to the inspection of the supervisory party (be the party a master electrician, ~~electrician general~~ or electrician limited) and to the end that the supervising party shall be responsible for the work of one who works under him as though such work has been done by such supervising party and further subject to the ~~licensing~~ provisions herein. AN INDIVIDUAL MAY ALSO PROVIDE OR ASSIST IN PROVIDING ELECTRICAL SERVICES WHEN DULY AUTHORIZED BY THE STATE BOARD PURSUANT TO THE BUILDING OCCUPATIONS AND PROFESSIONS ARTICLE, §6-605 OF THE ANNOTATED CODE OF MARYLAND, AS FROM TIME TO TIME AMENDED.

### **§ 138-5. Removal of members.**

The County Executive may remove any member of the Board for misconduct, incompetency, neglect of duty or for any other sufficient cause. An unexcused failure to attend three consecutive meetings shall be deemed sufficient cause for removal. IF THE COUNTY EXECUTIVE DECIDES THAT THE REMOVAL OF A MEMBER IS NECESSARY PRIOR TO THE END OF THE MEMBER'S TERM, THE COUNTY EXECUTIVE MAY IMMEDIATELY SUSPEND THE MEMBER UNTIL THE COUNTY COUNCIL CONFIRMS OR DENIES TERMINATION WITH A SIMPLE MAJORITY VOTE. UPON SUSPENSION, THE COUNTY EXECUTIVE MUST IMMEDIATELY INFORM BOTH THE MEMBER AND THE COUNTY COUNCIL, IN WRITING, AS TO THE REASON FOR SUSPENSION AND TERMINATION, AND THE COUNCIL HAS SIXTY (60) DAYS TO CONFIRM OR DENY THE TERMINATION.

### **§ 138-10. Records and reports.**

A. The Board shall keep a record of its proceedings and a register of all applications for registration, which register shall show:

- (1) The name, age and residence of each applicant.
- (2) The date of the application.
- (3) The place of business of such applicant.
- (4) The qualifications of the applicant TO INCLUDE A VALID MARYLAND STATE LICENSE.

- ~~(5)~~ — Whether or not an examination was required.
- ~~(6)~~ (5) Whether the applicant was rejected.
- ~~(7)~~ (6) Whether a certificate of registration was granted.
- ~~(8)~~ (7) The date of the action of the Board.
- ~~(9)~~ (8) Such other information as may be deemed necessary by the Board.

## General Provisions

### Article II

#### Registration of Electricians and Inspections

##### **§ 138-12. Evidence of qualifications; registration required.**

In order to safeguard life and property, any person holding himself out in the general public as a master electrician, JOURNEYPerson ELECTRICIAN, APPRENTICE ELECTRICIAN or electrician, ~~general or~~ LIMITED in this County shall submit evidence that he is qualified as such an electrician and shall be registered as provided in this section. No person shall hold himself out in the public in the County as being a qualified master electrician, JOURNEYPerson ELECTRICIAN, APPRENTICE ELECTRICIAN, OR electrician, ~~general or~~ LIMITED, as defined in § 138-3, or use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a master electrician, JOURNEYPerson ELECTRICIAN, APPRENTICE ELECTRICIAN, or electrician, ~~general or~~ LIMITED, unless such person has been duly registered under the provisions of this chapter.

##### **§ 138-13. General requirements for registration.**

The following shall be considered as the minimum evidence satisfactory to the Board that the applicant is qualified for registration as a master electrician, JOURNEYPerson ELECTRICIAN, APPRENTICE ELECTRICIAN, or electrician, ~~general or~~ LIMITED, respectively:

A. As a master, JOURNEYPerson OR APPRENTICE electrician: IN ORDER TO BE REGISTERED IN WICOMICO COUNTY, A PERSON SHALL (1) SHOW PROOF OF THEIR ACTIVE MARYLAND STATE LICENSE; AND (2) PAY THE REQUIRED REGISTRATION FEE.

~~(1) — The applicant shall have been regularly and principally employed and engaged in electrical construction, maintenance, installation and repair of all types of electrical equipment and apparatus for a period of not less than seven years or the equivalent thereof. Such employment shall be under the direction and supervision of a master electrician.~~



~~(2) — A reasonable knowledge of electricity and the natural laws and functions of electric wires, appliances and devices for electric light, heat and power purposes and skill and knowledge in all matters relating to the work or business of the master electrician, as defined in § 138-3 of this chapter.~~

~~(3) — Qualifications for master electrician shall require that an applicant be a bona fide electrical contractor as determined by the Board of Electrical Examiners, have a permanent place of business and devote a majority of his time to the electrical contracting business or express intention to do the above and, in fact, comply with the above requirements to the satisfaction of the Board within 90 days from the date of issuance of any license hereunder.~~

~~(4) — An applicant may be credited a maximum of two years' practical experience for a journal course of study or training in electrical installation at a trade school or other educational institution.~~

~~(5) — An electrician in charge of an electrical department in a commercial or an industrial operation may be licensed as a master electrician whose work shall be confined solely to the internal work of his employer.~~

~~B. — As an electrician general: a reasonable knowledge of electricity insofar as it relates to the particular type or types of equipment pertaining to the business of general electrician, as defined in § 138-3 of this chapter.~~

~~C. As an electrician limited: a reasonable knowledge of electricity insofar as it relates to the business of electricians limited, as defined in § 138-3 of this chapter.~~

B. MASTER ELECTRICIAN. IN ORDER TO PERFORM ELECTRICAL WORK AS DEFINED HEREIN FOR A MASTER ELECTRICIAN, A PERSON MUST BE DULY REGISTERED HEREUNDER AS A MASTER ELECTRICIAN IN THE STATE OF MARYLAND.

C. JOURNEYPerson ELECTRICIAN. IN ORDER TO PERFORM ELECTRICAL WORK AS DEFINED HEREIN FOR A JOURNEYPerson ELECTRICIAN, A PERSON MUST BE DULY REGISTERED HEREUNDER AS A JOURNEYPerson ELECTRICIAN IN THE STATE OF MARYLAND.

D. APPRENTICE ELECTRICIAN. IN ORDER TO PERFORM ELECTRICAL WORK AS DEFINED HEREIN FOR AN APPRENTICE ELECTRICIAN, A PERSON MUST BE DULY REGISTERED HEREUNDER AS AN APPRENTICE ELECTRICIAN IN THE STATE OF MARYLAND.

E. IN ORDER TO BE REGISTERED AS AN ELECTRICIAN LIMITED, A PERSON SHALL:

- (1) BE AT LEAST EIGHTEEN YEARS OF AGE;
- (2) PASS THE TEST GIVEN BY THE BOARD OR PROVE TO THE SATISFACTION OF THE BOARD THAT THE APPLICANT IS QUALIFIED TO PERFORM SUCH ELECTRICAL WORK;

(3) PROVIDE PROOF OF THE REQUIRED INSURANCE AS SPECIFIED IN THIS CHAPTER; AND

(4) PAY THE REQUIRED REGISTRATION FEE.

F. ELECTRICIAN LIMITED. IN ORDER TO PERFORM ELECTRICAL WORK AS DEFINED HEREIN FOR AN ELECTRICIAN LIMITED, A PERSON MUST BE SO REGISTERED AS AN ELECTRICIAN LIMITED (WITH THE PROPER ENDORSEMENT ON SAID REGISTRATION TO ALLOW THE WORK IN SUCH LIMITED FIELDS) OR BE REGISTERED AS A MASTER ELECTRICIAN IN THE STATE OF MARYLAND.

G. DISPLAY OF LICENSE OR REGISTRATION. ANY MASTER ELECTRICIAN DULY REGISTERED HEREUNDER SHALL PUBLICLY DISPLAY THE WORDING "LICENSED MASTER ELECTRICIAN" TOGETHER WITH THE MARYLAND STATE LICENSE NUMBER ON THE EXTERIOR OF ALL MOTOR VEHICLES USED IN CONNECTION WITH THE REGISTRATION HOLDER'S BUSINESS.

**§ 138-15. Fees and insurance.**

A. The registration fee for ~~all classifications (master electrician and electrician general), except electrician limited,~~ shall be ~~\$100~~ \$150. The registration fee for electrician limited, JOURNEYPERSON ELECTRICIAN AND APPRENTICE ELECTRICIAN shall be ~~\$50~~ \$75. Twenty dollars of the required fee shall accompany the application, the remainder to be paid upon notification that the application has been approved. Subject to final payment, a registration certificate will be issued by the Board to the approved applicant. Should the Board deny the issuance of a certificate of registration to any applicant, the initial fee deposited shall be retained as an application fee.

B. Before any registration certificate will be issued, or any biannual renewal thereof, the applicant must submit proof and certification of coverage under a general liability insurance policy with an insurance carrier approved by the Maryland State Insurance Commission with minimum limits of \$100,000 per occurrence and property damage insurance in the amount of \$300,000. Notice of cancellation of general liability insurance or property damage insurance, or any change in the insured status, shall be forwarded to the Board within 10 calendar days of the effective date of the insurance cancellation or status change.

C. The annual registration fee for an electrical inspector shall be ~~\$100~~ \$150. Electrical inspectors shall carry errors and omissions/professional liability insurance in an amount of at least \$300,000.

D. The registration fee for a nongovernmental inspection agency shall be ~~\$150~~ \$250. Nongovernmental inspection agencies shall carry errors and omissions/professional liability insurance in an amount of at least \$300,000.

**§ 138-16. Issuance of certificate; significance; notice of suspension.**

D. (1) Any electrician duly ~~licensed~~ REGISTERED hereunder may, upon written request, have his ~~license~~ REGISTRATION shelved. Shelving periods shall be at the discretion of

the Board, but shall not exceed five years. In the event that a ~~license~~-REGISTRATION has been shelved for a period of three years or more, the Board may require an interview ~~or retesting~~, or both, of the individual asking to have his ~~license~~ REGISTRATION unshelved. An annual fee for shelving may be charged, and no work may be done under a shelved ~~license~~ REGISTRATION during the shelving periods.

(2) IF AN ELECTRICIAN IS CLASSIFIED AS UNINSURED WITH THE STATE BOARD, THE INDIVIDUAL MUST NOTIFY THE COUNTY AND PROVIDE PROOF OF THE UNINSURED CLASSIFICATION. ANY ELECTRICIAN CLASSIFIED AS UNINSURED BY THE STATE BOARD SHALL BE REQUIRED TO SHELVE THE COUNTY REGISTRATION.

**§ 138-17. Reciprocity.**

The Board shall, upon application therefor and the payment of the regular fee and without examination, issue a certificate of registration as ~~master electrician, electrician general or electrician limited~~ to any person who holds a certificate of qualification or registration issued to him by the proper authorities of any County, state or territory or district of the United States, or of any country, provided that the requirements where the aforesaid registration was issued do not conflict with the provisions of this chapter and are of a standard not lower than that specified in this chapter for the classification to be issued by this Board, and further provided that the same rights are given to electrical contractors of this County.

**§ 138-18. Expiration and renewal of certificates.**

A. Certificates of registration shall expire on the last day of the month of June two years following their issuance or renewal and shall become invalid on that day unless renewed.

B. All applicants for renewal shall demonstrate THAT THE REQUIREMENTS FOR REGISTRATION, AS SET FORTH IN §138-13, ARE SATISFIED. ~~they have received 10 continuing education credits during each biannual period before renewal of certificate registration may be granted. The Board must accept continuing education hours obtained from a licensed college, trade school, or other state recognized training program, but five of the 10 hours of continuing education must be obtained in a classroom setting.~~

C. Renewal may be effected at any time during the month of June in the year the certificate of registration expires by payment of the biannual fee, which shall be equal to the original cost for such class of certification of registration. The failure on the part of any registrant to renew his certificate biannually in the month of June, as required by this section, shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of June shall be increased \$5 for each month or fraction of a month that payment of the renewal fee is delayed, up to three years, at which time the ~~license~~ REGISTRATION will become canceled.

**§ 138-19. Reprimand, suspension or revocation of certificates.**

A. The Board may reprimand any registrant, or suspend or revoke the certificate of registration of any registrant that is found guilty of:

- (1) The practice of any fraud or deceit in obtaining a certificate of registration.
- (2) Any gross negligence, incompetency or misconduct in supplying material or performing services as an electrical contractor.
- (3) Permitting or causing defective electrical work, if done deliberately or if not corrected within 15 days, or longer if necessary, at the discretion of the Board, following notice thereof by the Board.
- (4) Any negligence, incompetency or misconduct in performing services as an electrical inspector or as an electrical inspection agency.
- (5) A CONVICTION UNDER THE LAWS OF THE UNITED STATES OR ANY STATE FOR A FELONY; OR A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE ELECTRICAL SERVICE IN ACCORDANCE WITH THE BUILDING OCCUPATIONS AND PROFESSIONS ARTICLE, § 6-316(A)(6) AND (C), OF THE ANNOTATED CODE OF MARYLAND, AS FROM TIME TO TIME AMENDED.
- (6) FAILURE TO MAINTAIN A VALID MARYLAND STATE ELECTRICIAN LICENSE.
- (7) ANY VIOLATION HEREOF.

B. Any person may prefer charges of fraud, deceit, gross negligence or misconduct against any registrant. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the Secretary-Treasurer of the Board.

C. All charges, unless dismissed by the Board as unfounded or trivial, shall be heard by the Board within three months after the date on which they shall have been preferred.

#### **§ 138-20. Reissuance and replacement of certificates.**

D. REEXAMINATION REQUIREMENT. IN ANY CASE OF A REVOKED OR SUSPENDED REGISTRATION FOR AN ELECTRICIAN LIMITED, THE BOARD MAY REQUIRE REEXAMINATION OR RETESTING OF THE APPLICANT.

#### **§ 138-21. Examinations.**

~~A. — Master electrician. The scope of examinations, whether oral or written, or both, shall include basic knowledge of electricity, knowledge of the National Electrical Code and knowledge of the Wicomico County Electrical Code. Seventy percent shall be deemed a passing mark. Special reference will be given by the Board to the applicant's ability to place, install and operate electrical wires, appliances and apparatus.~~

~~B. — Electrician general. The scope of examinations, if required, whether oral or written, or both, shall be from the National Electrical Code and the Wicomico County Electrical Code. Seventy percent shall be deemed a passing mark. Special reference shall be given by the Board~~

to the applicant's ability to place, install and operate electrical wires, appliances and apparatus.  
[Amended 4-6-2004 by Bill No. 2004-3]

A. ELECTRICIAN LIMITED. THE SCOPE OF EXAMINATIONS, WHETHER ORAL OR WRITTEN, OR BOTH, SHALL INCLUDE BASIC KNOWLEDGE OF ELECTRICITY, KNOWLEDGE OF THE NATIONAL ELECTRICAL CODE AND KNOWLEDGE OF THE WICOMICO COUNTY ELECTRICAL CODE. SEVENTY PERCENT SHALL BE DEEMED A PASSING MARK. SPECIAL REFERENCE WILL BE GIVEN BY THE BOARD TO THE APPLICANT'S ABILITY TO PLACE, INSTALL AND OPERATE ELECTRICAL WIRES, APPLIANCES AND APPARATUS. THE TEST SHALL BE SET AND APPROVED, BY A MAJORITY VOTE, BY THE BOARD.

€ B. An applicant failing an examination may, upon request, be permitted to examine his corrected examination papers in the presence of a Board member and may apply for reexamination within one year of application without additional fee. Subsequently, applications will be granted upon payment of a fee to be determined by the Board, except that no such fee shall be more than \$10.

**§ 138-23. Nonapplicability.**

A. The provisions of this chapter shall not apply to, and no certificate of registration shall be required of or by:

(1) Any electric light or power company, electric railway company, steam railway company, diesel railway company or telegraph, telephone or cable television company, nor to any person performing the electrical work of any such company, when such work is a part of the plant or services used by the company in rendering its authorized service to the public.

(2) Any person employed by any other person to repair and maintain or to supervise the repair and maintenance of any electrical equipment on the premises and buildings of the employer, except that such employers are not relieved of the duty prescribed by § 138-24 of this chapter.

(3) Any person doing electrical work in a single-family dwelling used exclusively for living purposes, provided that that person is a bona fide owner and occupant of such dwelling for a period of six months immediately following completion and said owner and occupant purchases all materials and personally performs all labor in connection therewith, except that such work is not relieved of the duties as required by § 138-24 of this chapter.

~~(4) Any employee of any person engaged in the performance of electrical work while under the supervision of any master electrician or electrician general or electrician limited.~~

~~(4)-(5) Property used exclusively for farming purposes, as defined by the Wicomico County Zoning Code, is excluded from all provisions of this chapter except the requirements of § 138-24B and C.~~

~~B. Nothing in this chapter shall be so construed as to forbid insertion in electrical circuits by unlicensed persons of devices or appliances which are properly designed for such insertion and for which proper wiring and insertion devices are installed.~~

€ B. Nothing in this chapter shall be so construed as to restrict anyone from servicing equipment in the fields of heating, air conditioning, refrigeration or appliances, WHEN ELECTRICAL WIRING IS NOT INSTALLED, REMOVED OR REPLACED.

Ð C. Nothing in this chapter shall be construed to apply to or limit in any way the construction, reconstruction, authorization, maintenance or repair of any federal or state building.

### **§ 138-24. Inspections; permits.**

A. No person holding a certificate of registration as a master electrician, JOURNEYPERSON ELECTRICIAN, APPRENTICE ELECTRICIAN, ~~electrician general~~ or electrician limited shall install any new or used electrical wires, conduits, machinery, apparatus or any kind of electrical equipment, fixtures, appliances or devices without the prescribed inspections and approval of the electrical inspection authority, except in case of emergency when such inspections and approval will follow the actual work required within a reasonable time.

C. Inspections shall be by recognized inspectors approved and ~~licensed~~ REGISTERED by this Board. Said electrical inspectors shall make all inspections within seven work days of the receipt of an application for inspection. No light or power company, whether public or private, shall connect any current, light or power to any property without first obtaining a permanent or temporary cut-in-card from electrical inspectors having jurisdiction thereof, except in case of an emergency when service may be restored by a licensed contractor prior to obtaining such cut-in-card. No permanent or temporary cut-in-card shall be issued unless said cut-in-card is requested by a licensed contractor to whom a registration certificate has been issued under the provisions of this chapter, except for work being done or which has been done by persons who are not required to obtain registration certificates under the provisions of this chapter.

#### **§ 138-24.1. Electrical inspectors and inspection agencies.**

A. (1) The Board shall issue a certificate of registration as an electrical inspector to any applicant who has complied with the requirements of this chapter and who, in the opinion of the Board, has satisfactorily demonstrated his/her qualification to inspect the installation of electrical work. Any such applicant must HAVE A VALID MARYLAND, VIRGINIA OR DELAWARE STATE MASTER ELECTRICIAN LICENSE, WHICH HAS BEEN ACTIVE FOR A PERIOD OF NO LESS THAN SEVEN YEARS PRIOR TO THE DATE OF APPLICATION FOR REGISTRATION AS AN ELECTRICAL INSPECTOR AND be certified by the State Fire Marshal, as a certified nongovernmental electrical inspector to inspect electrical installations for conformity with the National Electrical Code or any adopted local electrical code or amendments. An electrical inspector must place his/her ONE'S MARYLAND STATE MASTER electrician license

~~on inactive UNINSURED status or the equivalent or shelve such license as provided in this chapter.~~ AND PROVIDE PROOF OF UNINSURED STATUS TO THE COUNTY.

(2) IN LIEU OF THE LICENSING PROVISION SPECIFIED IN SECTION A(1) HEREOF, AN APPLICANT WHO, IN THE OPINION OF THE BOARD, HAS SATISFACTORILY DEMONSTRATED HIS/HER QUALIFICATION TO INSPECT THE INSTALLATION OF ELECTRICAL WORK SHALL:

(A) BE ACTIVELY ENGAGED IN THE ELECTRICAL TRADE AS A LICENSED ELECTRICIAN OR ELECTRICAL INSPECTOR IN EITHER THE STATES OF MARYLAND, DELAWARE OR VIRGINIA, OR AT THE DISCRETION OF THE BOARD ANY OTHER STATE, FOR A TOTAL OF NOT LESS THAN SEVEN YEARS WITHIN THE LAST FIFTEEN YEARS FROM THE DATE OF APPLICATION FOR AN ELECTRICAL INSPECTOR'S REGISTRATION; AND

(B) HOLD A NON-GOVERNMENTAL ELECTRICAL INSPECTOR CERTIFICATION ISSUED BY THE MARYLAND OFFICE OF THE STATE FIRE MARSHAL; AND

(C) HOLD THE FOLLOWING INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS (IAEI) CERTIFICATIONS:

(I) ONE- AND TWO-FAMILY DWELLINGS (2A);

(II) PLAN REVIEW (2C);

(III) ELECTRICAL GENERAL (2B) OR CERTIFIED ELECTRICAL INSPECTOR-MASTER (CEI-M); AND

(D) TAKE AND SUCCESSFULLY PASS A WICOMICO COUNTY ELECTRICAL BOARD INSPECTOR'S EXAMINATION.

B. The Board may issue a certificate of registration as an electrical inspection agency to any nongovernmental organization which has complied with the requirements of this chapter and who, in the opinion of the Board, has satisfactorily demonstrated its qualification to inspect the installation of electrical work. In determining the qualifications of an inspection agency, the Board of Electrical Examiners, shall consider the record of the inspection agency in any jurisdiction within or without this state, as well as other objective indicators relating to the qualifications of the agency to inspect the installation of electrical work.

(1) No inspection agency shall be issued a certificate of registration as an electrical inspection agency until the electrical inspectors of such agency, WHO WILL INSPECT IN WICOMICO COUNTY, shall have obtained a qualification certificate PURSUANT TO THE PRECEDDING PARAGRAPH A.

~~(2) Each inspector employed by an registered electrical inspection agency must place his/her electrician license on inactive status or shelve such license as provided in this chapter and must be registered as an inspector with the Board.~~

C. It shall be unlawful for:

(1) Any person to perform electrical inspections or hold ~~himself~~ ONESELF out to the public as a qualified electrical inspector under the terms of this chapter unless duly ~~licensed~~-REGISTERED hereunder;

(2) Any inspection agency to perform electrical inspections or hold itself out to the public as a qualified electrical inspection agency under the terms of this chapter unless duly ~~licensed~~-REGISTERED hereunder.

§138-24.2 RIGHT OF ENTRY.

ELECTRICAL INSPECTORS AND MEMBERS OF THE BOARD SHALL HAVE ALL SUCH RIGHTS OF ENTRY AS ARE NECESSARY AND PROPER TO ENSURE COMPLIANCE HEREWITH.

SECTION II: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT this bill shall be known as Legislative Bill No. 2023-08 and shall take effect sixty (60) days after its enactment, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 18<sup>th</sup> day of July, 2023.

WICOMICO COUNTY, MARYLAND

 (SEAL)

By: John T. Cannon, President

 (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

 (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike Out~~ indicates matters deleted from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

CAPITAL ~~STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill



COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

2023 Legislative Session

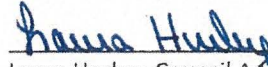
Legislative Day No. 12

LEGISLATIVE BILL NO. 2023-08

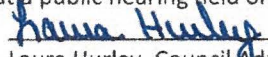
**INTRODUCED BY:** Council President at the request of the Electrical Board and County Executive

**Legislative Bill No. 2023-08:** An Act To Amend Chapter 138 Of The Wicomico County Code, Titled "Electrical Standards," Article I, Titled "General Provisions" And Article II Titled "Registration Of Electricians And Inspections".


Introduced and read first time on June 20, 2023. Ordered posted and public hearing scheduled for July 18, 2023 at 10:00 a.m.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on July 18, 2023.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

**CERTIFICATION:** The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 18<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

Presented to the County Executive for approval this 19<sup>th</sup> day of July at 9:11 a.m. p.m. (5 days §411)

\_\_\_\_\_  
Laura Hurley, Council Administrator

**BY THE COUNTY EXECUTIVE:**

  
\_\_\_\_\_  
County Executive

APPROVED

Date: 7/20/23  
(21 days §411)

VETOED

Date: \_\_\_\_\_

**BY THE COUNCIL:**

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on July 20, 2023 and effective on: September 18, 2023.  
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the County Executive with 21 days of its presentation, stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_.  
(60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_. (Charter Section 305)

**ENROLLMENT:** Legislative Bill No. 2023-08 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator



# ENROLLED

## COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2023 Legislative Session

Legislative Day No. 12

### Legislative Bill 2023-09

Introduced: June 20, 2023

Introduced by: Council President at the Request of the Electrical Board and County Executive

AN ACT TO AMEND CHAPTER 138 OF THE WICOMICO COUNTY CODE, TITLED "ELECTRICAL STANDARDS," ARTICLE II, TITLED "REGISTRATION OF ELECTRICIANS AND INSPECTIONS," SECTION 138-24, TITLED "INSPECTIONS; PERMITS" AND CHAPTER 141 OF THE WICOMICO COUNTY CODE, TITLED "FEES," SECTION 141-3, TITLED "DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT."

WHEREAS the Wicomico County Code requires permit fees be charged for electrical work to be performed in Wicomico County; and

WHEREAS there is a conflict in the County Code as to the process for setting fees as it relates to electrical work in Wicomico County; and

WHEREAS Wicomico County's current fee structure does not represent the standard practice throughout the State of Maryland for categorizing fees; and

WHEREAS the Wicomico County Electrical Board has reviewed the current fee structure and recommends that the fee structure be amended to be in accordance with the general practice within the State.

Section I. BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 138 of The Wicomico County Code, Titled "Electrical Standards," Article II, Titled "Registration of Electricians and Inspections," Section 138-24, Titled "Inspections; Permits" And Chapter 141 of The Wicomico County Code, Titled "Fees," Section 141-3, Titled "Department Of Planning, Zoning And Community Development" are hereby amended, to read as follows:

#### Chapter 138

#### Electrical Standards

#### Article II

#### Registration of Electricians and Inspections

§138-24 Inspections; permits.

B. Any person permitted to install electrical work must first secure a permit to do so from the Wicomico County Department of Planning, Zoning and Community Development before starting any such work. Any permit procured for the erection and maintenance of any temporary service pole shall include whatever permanent installation required under that particular project. Charge

for said permit shall be determined by the Board. AND APPROVED BY THE MAJORITY OF THE COUNTY COUNCIL. THERE SHALL BE A PERMIT FEE FOR COMMERCIAL ELECTRICAL WORK AND A PERMIT FEE FOR RESIDENTIAL ELECTRICAL WORK.

\* \* \*

Chapter 141

Fees

§141-3 Department of Planning, Zoning and Community Development.

A. Fees enumerated. The following fees shall be collected by the Department of Planning, Zoning and Community Development:

(7) Permit fees. The following application or review fees shall be collected:

(a) Electrical permit fees pursuant to §§138-24(B) and 117-5: \$20

COMMERCIAL: \$70 PER PERMIT; RESIDENTIAL: \$35 PER PERMIT.

SECTION II: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT this bill shall be known as Legislative Bill No. 2023-09 and shall take effect sixty (60) days after its enactment, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 18<sup>th</sup> day of July, 2023.

WICOMICO COUNTY, MARYLAND

 (SEAL)

By: John T. Cannon, President

 (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

 (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike Out~~ indicates matters deleted from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

~~CAPITAL STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

2023 Legislative Session

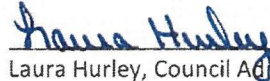
Legislative Day No. 12

LEGISLATIVE BILL NO. 2023-09

**INTRODUCED BY:** Council President at the request of the Electrical Board and County Executive

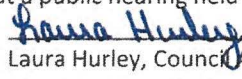
**Legislative Bill No. 2023-09:** AN ACT to amend Chapter 138 of the Wicomico County Code, titled "Electrical Standards," Article II, titled "Registration of Electricians and Inspections," Section 138-24, titled "Inspections; Permits" and Chapter 141 of the Wicomico County Code, titled "Fees," Section 141-3, titled "Department of Planning, Zoning and Community Development."

Introduced and read first time on June 20, 2023. Ordered posted and public hearing scheduled for July 18, 2023 at 10:00 a.m.



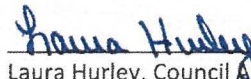
Laura Hurley, Council Administrator

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on July 18, 2023.



Laura Hurley, Council Administrator

**CERTIFICATION:** The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 18<sup>th</sup> day of July, 2023.



Laura Hurley, Council Administrator

Presented to the County Executive for approval this 19<sup>th</sup> day of July at 9:11 (a.m./p.m. (5 days §411))

Laura Hurley, Council Administrator

**BY THE COUNTY EXECUTIVE:**

  
County Executive

APPROVED

Date:

7/20/23

(21 days §411)

VETOED

Date: \_\_\_\_\_

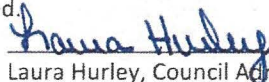
**BY THE COUNCIL:**

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on July 20, 2023 and effective on: September 18, 2023 (60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the County Executive with 21 days of its presentation, stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_ (60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_ (Charter Section 305)

**ENROLLMENT:** Legislative Bill No. 2023-09 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.



Laura Hurley, Council Administrator

