MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive. 101 Monroe Street. Rockville, Maryland 20850

Subject: Adoption of the 2012 IBC, IRC, IECC, IMC, IFGC	Number: 8-12
Originating Department: Department of Permitting Services	Effective Date:

Montgomery County Regulation on:

ADOPTION OF THE 2012 INTERNATIONAL BUILDING, ENERGY CONSERVATION, MECHANICAL, FUEL-GAS, AND RESIDENTIAL CODES

DEPARTMENT OF PERMITTING SERVICES

Issued by:
The County Executive
Regulation No. 8-12
Authority: Code Sections 8-13 and 8-14
Supersedes: Regulation No. 14-10
Council Review: Method 2 under Code Section 2A-15
Register Vol. 29, Issue 4
Comment Deadline: April 30, 2012
Effective Date:
Sunset Date: None

SUMMARY: This regulation adopts the 2012 editions of the International Building Code (IBC), the International Energy Conservation Code (IECC), the International Fuel Gas Code (IFGC), the International Mechanical Code (IMC), and the International Residential Code (IRC) with amendments. It governs all buildings and structures within Montgomery County.

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BACKGROUND INFORMATION: Inasmuch as the International Code Council (ICC) publishes the international series (I-series) of construction standards every three years, and the State of Maryland adopts these standards and obligates its political subdivisions to adopt the standards within a specific time period. Montgomery County must adopt these standards within the prescribed period.

Sec. 1. This regulation is adopted pursuant to Sections 8-13 and 8-14 of the Montgomery County Code (MCC), 1994, as amended, and applies to the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and/or maintenance of all buildings and structures, and their service equipment, within Montgomery County. It supersedes Executive Regulations 14-10, dated February 8, 2011, and all previous regulations adopting the BOCA and the International Code Council (ICC) standards. Its purpose is to

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adopt the 2012 editions of the IBC, the IECC, the IFGC, the IMC, and the IRC with amendments necessary to achieve uniformity and consistency with Maryland and Montgomery County laws and ordinances, as well as department/division policies and procedures. Where this regulation differs from the Montgomery County Fire Safety Code it does not preempt or negate any more restrictive provisions of that code.

Sec. 2. Wherever the IBC references the ICC Electrical Code, replace the reference with Chapter 17 of the Montgomery County Code. Wherever the IBC references the ICC/ANSI A117.1, replace the reference with the Maryland Accessibility Code

AMENDMENTS TO THE 2012 INTERNATIONAL BUILDING CODE (IBC)

Sec. 3. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 4. Section 101.2. Number the existing exception as #1 and add a second exception (#2) to read as follows: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.

Sec. 5. Sections 101.4.3, and 101.4.4 Delete.

Sec. 6. Section 101.4.1. Delete and replace as follows: The provisions of the International Fuel Gas Code shall apply to the installation of Liquefied Petroleum gas systems and appliances, fuel gas appliances and related accessories as covered in this code. These requirements apply to the inlet connections of appliances and to the installation and operation of residential and commercial gas appliances and related accessories. The provisions of the International Fuel Gas Code apply to the extent that they are adopted in this regulation.

Sec. 7. Section 101.4.5. Add the following at the end of the section. "The provisions of the Montgomery County Fire Safety Code shall also apply."

Sec. 8. Section 102.6. Replace the phrase "the International Property Maintenance Code or" with the phrase "the Montgomery County Fire Safety Code and".

Sec.9. Sections 103, 111, and 113, except 113.2. Delete.

Sec. 10. Section 105.1. Add the following: A separate permit is required for each legal address. A separate permit is required for each separate building at a legal address.

Sec. 11. Section 105.2. Delete all except subsections 105.2.1, 105.2.2, and 105.2.3.

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Sec. 12. Sections 105.3, 105.4, 105.5, 105.6, and 105.7. Delete.

Sec. 13. Section 109.1. Add a second sentence to read: Required fees shall be paid for each separate permit application.

Sec. 14. Section 110.3.10. Add the following: The final inspection must be requested and approved before a building (or portion thereof) including equipments and appliances are used or occupied, whether or not a valid certificate of use and occupancy exists.

Sec. 15. Sections 114 and 115. Delete.

Sec. 16. Section 202. In the definition of Foster Care Facilities, change 2 ½ to 2.

Sec. 17. Section 305.2. Change 2½ to 2.

Sec. 18. Section 308.3.1. In the title and text, change the word "five" to "eight". Delete the phrase "or with Section P2904 of the International Residential Code."

Sec. 19. Section 308.3.2. In the title and text, change the word "six" to "nine".

Sec. 20. Section 308.4.1. Delete the phrase "or with Section P2904 of the International Residential Code."

Sec. 21. Section 308.6.1. Change 2 ½ to 2.

Sec. 22. Section 310.5.1. Add the following:

Exceptions:

1. A family day care home, which is a dwelling in which child day care services are provided: a) in the home where the registrant is the provider and a resident, or where the registrant is not a resident, but more than half of the children cared for are residents; b) for not more than eight children, including the children of the provider, who are less than six years of age, and; c) where staffing complies with state and local regulations, but no more than two non-resident staff members are on site at any time, may be classified as Group R-3, or as a one- or two-family dwelling conforming to the IRC; or

2. A group day care home, which is a dwelling in which child day care services are provided: a) in the home where the licensee is the provider and a resident; b) for nine to 12 children, including the children of the provider, and; c) where staffing complies with state and local regulations, but no more than three non-resident staff members are on site at any time, may be classified as Group R-3, or as a one- or two-family dwelling conforming to

the IRC.

Delete the phrase "or with Section P2904 of the International Residential Code."

Sec. 23. Section 310.6. In the first sentence change "five" to "eight".

Sec. 24. Modify Section 403 as follows:

(a) Section 403.2.1.2. Delete.

(b) Section 403.3.2. Add the phrase, "In buildings that are more than 420 feet (128 m) in building height," to the beginning of the section.

Sec. 25. Section 403.4.5. Delete the phrase "Section 510 of the International Fire Code" and replace with "Section 915 of this Code".

Sec. 26. Section 422.4. Change "30" to "15". Change "2.8" to "1.4" and change "nonambulatory patient" to "occupant".

Sec. 27. Chapter 4. Add a new section 425 Residential Occupancies.

425.1 All R occupancies shall have appropriate radon control features prescribed in Appendix F in the International Residential Code, 2012 edition.

Sec. 28. Section 501.2. Delete "and existing" in the first line. In the second sentence, Change the phrase "4 inches (102 mm)" to "6 inches (153 mm), except R-3 occupancies which shall be permitted to be 5 inches (127 mm),".

Sec. 29. Section 510.2. Add two more conditions as follows:

8. For purposes of determining the number of stories above grade, a story above the 3-hour horizontal assembly shall be considered a story above grade regardless of the location of the average grade plane.

9. A fire command center complying with Section 911 shall be provided.

Sec. 30. Section 703.7. Amend item 3 to add a sentence as follows: "The sign or stenciling shall identify the fire resistance rating in hours."

Sec. 31. Section 713.14.1. Add the following sentence at the end of the section: Where an

enclosed elevator lobby is provided, exit access corridors shall not be interrupted by an elevator lobby.

Sec. 32. Section 717.5.3. Replace the first sentence of Exception 2 with the following: "In buildings, other than Group H occupancies, equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, smoke dampers are not required where:"

Sec. 33. Section 903.1.1. Delete and replace with the following: 903.1.1 Alternative Protection. Where automatic sprinkler systems are required by this code; and, where water as an extinguishing agent is not compatible with the fire hazard, or is prohibited by a law, statute, or ordinance, the affected area shall be protected by an approved automatic fire-extinguishing system utilizing an extinguishing agent that is compatible with the fire hazard.

Sec. 34. Section 903.2.1.2. Add a fourth condition to read as follows:

4. The assembly occupancy is one of the following (1) Bars with live entertainment, (2) Dance halls, (3) Discotheques, (4) Nightclubs, or (5) Assembly occupancies with festival seating as defined in the Life Safety Code, 2009 edition.

Sec. 35. Section 903.2.8. Add an exception to read as follows:

An automatic sprinkler system throughout the building is not required when all of the following conditions are met:

1. The building is a mixed use building, that is not otherwise required to be protected throughout by automatic sprinklers;
2. There is only one dwelling unit in the building;
3. The dwelling unit is separated from the remainder of the building by fire barriers in accordance with Section 707 and horizontal assemblies in accordance with Section 711 having a fire resistance rating not less than 2 hours;
4. The means of egress from the dwelling unit is independent from the other occupancies; and,
5. The dwelling unit is protected throughout with automatic sprinklers. The automatic sprinkler system installed for this exception shall be permitted to be designed in accordance with Section 903.3.1.3.

Sec. 36. Section 903.2.8.2. Change "five" to "eight"

Sec. 37. Section 905.3. After the section title add the following two sentences:

In new installations where the code requires either Class II or III standpipes, Class I standpipes shall be installed. Occupant use hose is prohibited in new or existing buildings.

Sec. 38. Section 908.7. Add the following sentence after the sentence ending in "manufacturer's instructions": "At a minimum, a carbon monoxide alarm shall be installed outside each sleeping area."

Sec. 39. Section 909.9. Add the following sentence at the end of the section: In all cases, the design fire size shall not be less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

Sec. 40. Section 909.16. In the third sentence, replace the words "approved location adjacent to the fire alarm control panel" with "location approved by the building official and the fire official".

Sec. 41. Section 911.1.1. Replace with the following, "The fire command center shall have a door directly to the exterior of the building on the address side. The exterior door to the fire command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the exterior door to the fire command center. The exterior door to the fire command center shall be identified on the exterior face as the fire command center in a manner acceptable to the fire official."

Sec. 42. Section 911.1.5.

Amend item 2 to read "The fire department communications system which may include an in-building public safety radio enhancement system monitoring panel."

Amend item 11 to read "Fire pump status indicators and remote starting."

Add an item 19 which reads, "A shunt trip device to disconnect the electrical service to the building."

Sec. 43. Section 915.1. Replace with the following: Emergency responder radio coverage shall be assured in all newly constructed below ground floors of a building, all floors in buildings greater than 25000 ft² per floor, and to all floors of buildings greater than 3 stories in height. One- and two-family dwellings and townhouses are exempt from this requirement.

Sec. 44. Add Sections 915.2 and 915.3 as follows:

Section 915.2. Every floor area in a building or structure which can not achieve the required level of emergency responder radio coverage as established by Montgomery County Department of Technology Services shall be provided with an in-building public safety radio enhancement system in accordance with the Montgomery County Fire Safety

Code.

Section 915.3. Inspection and Testing. Emergency responder radio coverage and in-building public safety radio enhancement system must be tested, and inspected by approved individuals. The results of the testing and inspection shall be certified to the code official prior to issuance of an occupancy permit.

Sec. 45. Section 1001.1. Add the following to the end of the section: "The means of egress shall also comply with the requirements in the Life Safety Code, 2009 edition."

Sec. 46. Section 1003.5. In exception #2, replace the phrase "a single riser or with two risers and a tread" to "three risers or less". Add the following at the end of exception #2: "The presence and location of each step shall be marked in accordance with NFPA 101, Section 7.2.2.5.4.3."

Sec. 47. Table 1004.1.2. Add an entry for "Shell Office Spaces" with an occupant load factor of 65 gross square feet per person. Add an entry for "Tennis Courts (within the area of play)" with an occupant load factor of 50 net square feet per person.

Sec. 48. Section 1005.3.1. Delete the exception.

Sec. 49. Section 1005.3.2. Delete the exception.

Sec. 50. Section 1008.1.2. Add a sentence at the end to read: "Doors in exit enclosures shall swing in the direction of egress travel unless the door opening serves an individual living unit that opens directly into an exit enclosure."

Sec. 51. Section 1008.1.9.11. In Exception #3, delete all text after the phrase "...openable from the egress side".

Sec. 52. Section 1009.16. At end of the section add the phrase "or ladder complying with Section 7.2.9 of the Life Safety Code, 2009 edition".

Sec. 53. Section 1012.6. At the end of the last sentence add the phrase "unless, in the opinion of the AHJ, an extension in the same direction of the stair or ramp creates a hazard in the means of egress."

Sec. 54. Section 1012.7. Change "1 ½" to "2 ¼" and change "38" to "57".

Sec. 55. Section 1013.2. After the phrase "equipment platforms," add the phrase "retaining walls,".

Sec. 56. Section 1013.3. In exception #2 and #3, change "34 inches (864 mm)" to "36 inches (915

mm)". Add a sixth exception: Exception 6. In occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2, interior guards shall be permitted to be not less than 36 inches high.

Sec. 57. Section 1013.4. Delete Exception #6.

Sec. 58. Section 1013.8. Add two exceptions (#5 and #6) to read as follows:
Exception #5: In buildings four stories or less, the lowest part of the clear opening of the window shall be permitted to be at a height not less than 18 inches (457mm) above the finished floor surface of the room in which the window is located.
Exception #6: In buildings four stories or less, glazing between the floor and a height of 18 inches (457mm) shall be fixed or have openings through which a 4-inch (102mm) sphere cannot pass.

Sec. 59. Section 1014.3. Add the following to the end of the section: "See also the requirements in the Life Safety Code, 2009 edition."

Sec. 60. Section 1015.6. Change 2 ½ to 2.

Sec. 61. Section 1018.1. Replace Exception 4 with the following: A fire resistance rating is not required for corridors within single-tenant Group B occupancies.

Sec. 62. Section 1020. Add a new section 1020.3 to read as follows:

Section 1020.3. Fire Department Access to Floors. Not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or the fire department response location.

Sec. 63. Section 1027.1, Exception 1, Item 1.1. Add two sentences at the end of the item that read as follows:

The door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

Sec. 64. Chapter 11. Delete and replace with the Maryland Accessibility Code.

Sec. 65. Section 1603.1.4 Add to Item 1. The ultimate design wind speeds in miles per hour in Montgomery County for risk categories I, II, III, and IV are 105, 115, 120, and 120, respectively. The corresponding nominal design wind speeds in miles per hour are 82, 89, 93, and 93, respectively.

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Sec. 66.	Section 1603.1.5. Add to Item 3. The mapped spectral response acceleration parameters for Montgomery County for short-period, S_s, and 1-second, S_1, shall be 12.5% and 5.5%, respectively.
Sec. 67.	Table 1607.1 Item 26 Roofs. Modify the uniform live load value for "Ordinary flat, pitched and curved roofs (that are not occupiable)" to 30 pounds per square foot, nonreducible.
Sec. 68.	Section 1607.7.2. Modify Item 1 to read as follows: The maximum fire truck operating weight is 85,000 pounds distributed in three axles spaced 19 feet 6 inches and 4 feet 6 inches apart. The transverse wheel distance is 8 feet 2 inches. The front axle weighs 23,000 pounds and rear axles weigh 31,000 pounds each. When the ladder is up, the vehicle is raised and supported on four (4) outriggers spaced 10 feet apart along the length of the vehicle and 16 feet apart in the transverse direction. Depending upon the position of the ladder, any pair of two front, side or rear outriggers apply to the structure a force of 123,552 pounds (61,776 pounds per outrigger in accordance with NFPA 1901, Chapter 20.21.4.2) and the remaining two outriggers apply a force of zero (0) pounds. Outrigger pad dimensions are 2 feet 2 inches wide by 2 feet 6 inches long.
Sec. 69.	Section 1608.2. After the title add the following sentence: "Design ground snow loads for Montgomery County shall be not less than 30 pounds per square foot."
Sec. 70.	Section 1612.3. After the heading, delete the text and replace with the following: The flood hazard map of Montgomery County is established in Section 3 of Executive Regulation 24-06 AM, Floodplain Regulations, per the authority in Article III, Chapter 19 of the Montgomery County Code.
Sec. 71.	Section 1705.2.1. Modify AISC 360 Chapter N, Section N1, First User Note: Delete the sentence starting with "Additionally, where…".
Sec. 72.	Section 1705.2.1. Modify AISC 360 Chapter N, Section N5.5b: After "minimum design loads for buildings and other structures" add "or IBC Table 1604.5".
Sec. 73.	Section 1705.2.1. Modify AISC 360 Chapter N, Section N5.5b: Add at the end of the paragraph "unless a higher percentage is required by the structural engineer of record".
Sec. 74.	Section 1705.2.1. Modify AISC 360 Chapter N, Section N5.5b, User Note: Add at the end of the user note "unless otherwise specified by the structural engineer of record".
Sec. 75.	Section 1705.2.1. Modify AISC 360 Chapter N by deleting Section N7 and replace with IBC Section 1704.2.5.

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Sec. 76. Section 1705.3. Delete Exception 1.

Sec. 77. Section 1705.3. Delete Exception 2.3. Amend exception 2.1 by adding the word "or" after the semicolon. Amend exception 2.2 by deleting the word "or".

Sec. 78. Table 1705.3 Items 10 and 11. Modify the inspection frequency from "periodic" to "continuous".

Sec. 79. Table 1705.3 Item 11. Add the sentence to the first column, "The strength evaluation shall be demonstrated by field cured cylinders only."

Sec. 80. Table 1705.6 Item 1. Modify the inspection frequency from "periodic" to "continuous".

Sec. 81. Add a new section as follows: Section 1801.3 Special conditions. Design and construction of all buildings and structures within 1000 feet of a known municipal solid waste (MSW) landfill site that does not currently have an operational land fill gas (LFG) monitoring and removal system, shall require special engineering of foundation systems, including walls and floor slabs, to provide for the safety of occupants against hazards from LFG concentration. Special subsurface investigations shall be conducted, at the owner's expense, by an approved and qualified engineer or geologist to determine the extent of the potential hazard. The study must identify the potential hazards, and mitigation plans for the site must be incorporated into the construction documents and approved prior to issuance of a building permit. All buildings and structures within 1000 feet of the boundary of a MSW landfill shall be equipped with a methane gas detector with an alarm activation level of 20% of the lower explosive limit (LEL 1% by volume).

Sec. 82. Section 1809.5. In item number 1, after the word "locality" insert: "Depth shall be a minimum of 30 inches below the adjacent finish grade."

Sec. 83. Add a new section as follows:

1901.2.1. For precast structures, in the case of a conflict between ACI 318 and PCI Design Handbook, the requirements of ACI 318 shall control the design.

Sec. 84. Chapter 29. Delete. Plumbing regulations are administered by the local water authority.

Sec. 85. Sections 3001.2, 3001.3, and 3001.4. Delete and replace with the following: 3001.2 Standards. The Maryland Department of Labor, Licensing, and Regulation, Division of Labor and Industry, regulates the design, installation, inspection, and testing of all hoisting and conveying equipment.

Sec. 86. Section 3107.1. Add the following at the end of the sentence: "and Chapter 59 of the

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Montgomery County Code, 1994, as amended."

Sec. 87. Section 3109.3. Change "4 feet (1290 mm)" to "5 feet (1524 mm)".

Sec. 88. Section 3109.4.1. Change "48 inches (1219 mm)" to "60 inches (1524 mm)".

Sec. 89. Section 3302. Add a new section 3302.3 which reads "Construction safeguards shall also comply with NFPA 241, Standard for Safeguarding Construction, Alteration and Demolition Operations, 2004 edition."

Sec. 90. Section 3401.1. Add the following at the end of the sentence: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code. Buildings undergoing repair, alterations, additions and change of occupancy shall also comply with the Montgomery County Fire Safety Code.

Sec. 91. Appendix F. Appendix F is hereby adopted in its entirety.

Sec. 92. Appendix G. Appendix G is hereby adopted in its entirety and amended as follows:

Section G102.1. Insert after International Building Code the phrase "and the provisions of Article III, Chapter 19 of the Montgomery County Code, and Executive Regulation 24-06 AM."

Section G102.2. Replace the parentheses and the phrase within the parentheses with the effective date of this regulation.

Sec. 93. Appendix H. Appendix H is hereby adopted in its entirety and amended as follows:

Section H 101.1. Insert at the beginning of this section "The provisions of this chapter shall apply to signs that are permitted by the Montgomery County Zoning Ordinance".

Section H 101.2. Delete.

Section H102.1. Delete definitions for "Combination sign", "Display Sign", "Pole Sign", "Portable Display Surface", and "Projecting Sign."

Section H102.1. Add definition of "Supported Sign" as follows: 'A sign that is attached to a structure like a pole, column, frame, or brace, as its sole means of support, and is not a ground sign and is not attached to a building.

Section H102.1. Delete and replace the definition of "sign" as follows: "Any device, fixture, placard, or structure that uses any color, form, graphics, illumination, symbol, or

writing to attract attention or to communicate information".

Section H102.1. Delete and replace the definition of "ground sign" as follows: "A sign erected on the ground or with its bottom edge within 12 inches of the ground, that has its support structure as an integral part of the sign, and where the dimensions closest to the ground is greater than height.

Section H102.1. Delete and replace the definition of "wall sign" as follows: "Any sign that is attached to the wall of a building. There are two types of wall signs: Flat wall sign: A sign that is parallel to the wall of a building to which it is attached, but does not extend more than 12 inches from the building face; Projecting wall sign: A sign that is attached to a wall of a building and extends more than 12 inches from the building face.

Section H104. Delete.

Section H108. Delete.

Section H109. Add the words "and supported" between "ground" and "sign" in the title and in the first two sentences of H109.1

Section H109.2. Delete.

Section H110. Delete the text of H110.1 (including the exception) and replace with the following "Roof signs are prohibited." Delete Sections H110.2 through H110.5.

Section H111.3. Add the word "wall" between "projecting" and "sign".

Section H112. Add the word "wall" between "projecting" and "sign" in the title and first sentence.

Section H112.4. In the first sentence, delete all text starting with the word "except".

Section H113. Delete.

Section H114. Delete the word "roof" in the first sentence.

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AMENDMENTS TO THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

Sec. 94. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

AMENDMENTS TO THE 2012 INTERNATIONAL MECHANICAL CODE (IMC)

Sec. 95. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 96. Section 101.2. Add exception to read as follows: Mechanical systems in existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the International Existing Building Code.

Sec. 97. Sections 106.4.3, 106.4.4, 106.5, and 109. Delete.

Sec. 98. Add new section 302.6 Supports and Anchorage. All appliances located on roofs shall rest on a manufacturer's standard perimeter support, self flashing roof curb, framed steel support, or 4 X 4 treated lumber as a minimum. The appliances shall be securely affixed in an approved manner to resist vibration and wind loads.

Sec. 99. Add new section 306.1.1.1 Heating Appliances. Electric, fossil or solid fuel fired appliances shall not be installed under any stairway or landing.

Sec. 100. Section 306.3. After the last sentence add the following: Access to the attic opening shall be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders shall be acceptable.

Sec. 101. Section 506.1 Add the words "and NFPA 96." to the end of the first sentence and the sentence "Where discrepancies occur the most astringent will apply." after the first sentence.

Sec. 102. Section 506.3.2.5 Change "100" to "300".

Sec. 103. Section 506.3.9 Change the heading to "Grease Duct Vertical and Horizontal Cleanouts".

Subsection 1. Change "20 feet" to "12 feet". Add subsection 7. to read; "Vertical rises where personal entry is not possible, adequate access for cleaning shall be provided on each floor level".

Sec. 104. Section 506.3.12.2 After the last sentence add "Follow NFPA 96 section 7.8.3 for additional termination requirements."

Sec. 105. Section 606.2.1 Under the heading exception, add the words "Return air" to the beginning of the first sentence. After the last sentence add "Supply smoke detectors shall not be required for fan units whose sole purpose is to remove air from the inside of the building to the outside of the building. (NFPA90A)

Sec. 106. Section 606.2.1 Add to the words "Supply and" to the beginning of the heading. Add the words "supply and" after the word "in" in the first sentence and add "in the supply air duct or plenum downstream of the air filters and ahead of any branch connections," after (0.9 m3/s) in the first sentence.

Sec. 107. Section 607.5.5 exception 2 Replace the first sentence of Exception 2 with the following: "In buildings, other than Group H occupancies, equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, smoke dampers are not required where:"

Sec. 108. Add new section 608 Emergency and Standby Power Systems

Sec. 109. Add new section [F] 608.1 Installation. Emergency and standby power systems required by the International Fire Code or the International Building Code shall be installed in accordance with NFPA 110 , NFPA 111 and the International Fire Code. Existing installations shall be maintained in accordance with the original approval.

Sec. 110. Add new section [F] 608.1.1 Stationary Generators. Stationary emergency and standby power generators required by the International Building Code and the International Fire Code shall be listed in accordance with UL 2200.

Sec. 111. Add new section [F] 608.2 Standby Power. Where the standby system is a generator set inside a building, the system shall be located in a separate room enclosed with a 2-hour fire barrier constructed in accordance with section 707 or horizontal assemblies constructed in accordance with section 712 of the International Building Code, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

Sec. 112. Add new section 608.2.1 Ventilation Air. Ventilation air shall be supplied directly from a

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source outside the building by an exterior wall opening or from a source outside the building by a 2-hour fire rated air transfer system. (NFPA 110)

Sec. 113. Add new section 608.2.2 Discharge air. Discharge air shall be directed outside the building by an exterior wall opening or to an exterior opening by a 2-hour rated air transfer system. (NFPA 110)

Sec. 114. Add new section 608.2.3 Fire Dampers. Fire dampers, shutters or other self closing devices shall not be permitted in ventilation or discharge air openings or ductwork for standby power systems. (NFPA 110)

Sec. 115. Add new section 608.2.4 Motor Operated Damper. Motor operated dampers, when used, shall be spring operated to open and motor closed. (NFPA 110)

AMENDMENTS TO THE 2012 INTERNATIONAL FUEL GAS CODE (IFGC)

Sec. 116. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 117. Section 102.2.1. Delete and replace to read as follows: As an alternative to the provisions of this code, fuel-gas piping systems, fuel-gas utilization equipment and related accessories in existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.

Sec. 118. Sections 106.5.3, 106.5.4, 106.6, and 109.2 to 109.7 Delete.

Sec. 119. Chapter 4. Delete all except Sections 401.2, 402.6.1, 412, 413, and 414.

AMENDMENTS TO THE 2012 INTERNATIONAL RESIDENTIAL CODE (IRC)

Sec. 120. Section R101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 121. Section R101.2. Add New Exception to read as follows: "Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code." Delete Exceptions 1 and 2.

Sec. 122. Section 102.7. Delete the phrase "the International Property Maintenance Code."

Sec. 123. Section R105.2, Delete Items 1 & 2: Item 3: Change 4 to 4 ½ and 1219 to 1372. Item 7:

Delete "swimming" and change 24 (610 mm) to 18 inches (457 mm). Item 8: Add "playhouses, treehouses or similar structures" after first word. Delete Item 10. Add Item 11: Replacing windows and doors without changing the size of openings and without reducing the net clear opening dimensions. Add Item 12: Replacing roofing or siding materials with in kind materials. Delete Sections R105.3.1.1, R105.3.2, and R105.5.

Sec. 124. Section 107. Delete.

Sec. 125. Section R108.1. Replace the second sentence with the following: Required fees shall be paid for each separate permit application. Sections 108.2 through 108.5. Delete.

Sec. 126. Sections R109.1 through R109.1.6. Delete all except R109.1.2, R109.1.5, and R109.1.5.1 and replace with the following: R109.1 Types of inspections. The following inspections must be conducted for all buildings and structures:

1. Sign: The sign must be posted on the property within 3 days after the permit issuance date and must remain posted on the property for 30 days. The sign must be located on the side of the lot/parcel, which provides principal access to the street or right-of-the-way. It must be conspicuously posted not more than 5 feet from the front property line and mounted at least 30 inches, but not more than 60 inches, above the ground. NO BUILDING INSPECTION WILL BE PERFORMED PRIOR TO THE APPROVAL OF THIS INSPECTION.

2. Footings: Conducted prior to concrete placement and after excavations for all footings and thickened slabs are completed; after form work, reinforcing steel, concrete-encased electrode (for new dwellings), and grade stakes are in place; and after sediment control measures are installed according to the approved sediment control plan.

3. Waterproofing/Foundation Drainage: Conducted after the exterior walls have been waterproofed and foundation drainage system has been installed. Insulation, if used, shall be in place and protected as required. If interior drain tiles are to be used, weep holes (2 in. minimum diameter, 6 feet on center) must be installed. A second inspection may be required prior to backfilling the interior drainage system.

4. Concrete slab-on-ground floor: After the installation of the slab base, vapor retarder, slab edge insulation, and a minimum 3 in. schedule 40 PVC, or equivalent gas tight pipe inserted into a 3 in. tee embedded into the slab base for the venting of RADON GAS and labeled adequately. Where the sump crock is to be used for the venting of RADON GAS, it must be in place at the time of the inspection. Additions to an existing building that has the final inspection older than a year does not require a radon control system.

5. Wall check (house location survey): The owner must have a house location survey

prepared and certified by a Maryland Registered Land Surveyor and must submit a copy to the building official for approval prior to erecting the framing. A wall check not identified by a premise address and permit number will not be accepted. A FRAMING INSPECTION WILL NTO BE CONDUCTED WITHOUT AN APPROVED WALL CHECK.

6. Masonry fireplace/chimney: Conducted after the fireplace and first flue liner section are completed.

7. Wall Bracing: Conducted prior to installation of weather-resistive barrier (house wrap).

8. Framing ("close-in"): Conducted after the completion of all framing, air sealing, rough wiring, fire sprinkler system installation and testing, plumbing, gas and mechanical distribution systems (as required) but prior to installing exterior finish, insulation and drywall. Roof is to be completed and weatherproof. The exterior finish is not to be installed until framing (close-in) has been approved. When plumbing/gas work is part of the construction, a Washington Suburban Sanitary Commission (WSSC) plumbing inspection must be approved before requesting a framing inspection. The building, electrical, and mechanical inspections must be requested at the same time. WHEN FLOOR FRAMING IS LESS THAN 36 INCHES (914 MM) ABOVE THE SURFACE BELOW, A FRAMING INSPECTION SHALL BE REQUESTED PRIOR TO INSTALLATION OF ANY FLOOR MATERIALS.

9. Insulation: Conducted after the FRAMING (close-in) inspection has been approved to verify that the installed insulation R-value matches the approved plans or specifications for the building.

10. Swimming Pool Bonding – Conducted when the pool has been formed with the rebar installed and bonded prior to placement of concrete or backfill. During construction pool excavations must be completely enclosed by a 42 in. high safety fence AT ALL TIMES when work is not being performed in the pool.

11. Well and Septic Systems: Where a building is served by an on-site water system or an on-site sewage disposal system, prior to the final inspection, an "Interim Certificate of Portability" or "Certificate of Portability" and/or a "Certificate of Sewage Disposal", as appropriate, must be issued by the Department. Where a building is served by an on-site water system or an on-site sewage disposal system, any condition of the permits issued for those systems shall be satisfied prior to the final inspection.

12. Final and U/O: Conducted after the building is completed and ready for occupancy, but prior to settlement on the house, unless the contract owner waives the requirement for final inspection and provides the building official with a written copy of the waiver. For new construction, final electrical, mechanical, and sprinkler inspections must be

requested with the final building inspection, and the address numbers must be displayed in accordance with the requirements of the fire code. Note: A final approval from WSSC shall be obtained for all plumbing/gas installations prior to requesting final building inspections from the County. The final approval for sprinkler final inspection, duct blaster and blower door tests certifications, if required, shall be obtained prior to the request for a final inspection. If an owner refuses access within a reasonable time after a house is completed, the building official may close the permit file, but this action will not relieve the owner from any obligation to comply with applicable codes. The final inspection must be requested and approved before a building (or portion thereof) is used or occupied.

13. Partial Inspection: Conducted upon request. A $121.00 fee must be paid, at the DPS office, when scheduling this inspection.

14. Re-inspection: Any of the above inspections disapproved twice for the same violation will be subject to a re-inspection fee, as established in the Schedule of Fees for Permits, Licenses and Certifications, which must be paid before any further inspections will be performed at the building site.

Sec. 127. Sections R110.2 Delete.

Sec. 128. Sections R110.3 Item 3. Delete the words "name" and "owner" and add "building or structure". Delete Item 6. Delete Item 8.

Sec. 129. Sections R110.4 Delete.

Sec. 130. Sections R112. Delete except R112.2.

Sec. 131. Section R202. To the definition dwelling unit add: A dwelling unit may contain a family day care home, group day care home, a home occupancy or home health care practitioner complying with Chapter 59, Montgomery County Code. Note: A certificate of use and occupancy is required before any space dedicated for home occupancy or home health care practitioner can be used or occupied. See Chapters 8 and 59, Montgomery County Code.

Delete words "for living" from the definition of "Guestrooms"

Delete definition of "Lodging House"

Add definition for Storage, finished: A finished area having no more than two (2) 120V outlets and no other wiring methods (CATV, satellite, data communication, etc.), excluding lighting requirements.

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive. 101 Monroe Street. Rockville, Maryland 20850

Subject: Adoption of the 2012 IBC, IRC, IECC, IMC, IFGC	Number: 8-12
Originating Department: Department of Permitting Services	Effective Date:

Sec. 132.	Table R301.2(1). Under the headings indicated insert the appropriate criteria, as follows: GROUND SNOW LOAD--30 pounds per square foot (psf); WIND-Speed--90 miles per hour (mph); TOPOGRAPHIC EFFECTS---No; SEISMIC DESIGN CATEGORY---B; SUBJECT TO DAMAGE FROM-Weathering—severe, Frost line depth—24 inches (612 mm), Termite—moderate to heavy, and Decay—slight to moderate; WINTER DESIGN TEMP—13 degrees Fahrenheit (F); ICE SHIELD UNDERLAYMENT REQUIRED—yes; footnote h; FLOOD HAZARDS—yes; footnote g: (a), (b) July 2, 1979; AIR FREEZING INDEX—300; MEAN ANNUAL TEMPERATURE—55.
Sec. 133.	Section R305.1, Exception 1. Delete the first occurrence of the word "required." Delete the phrase "and no portion of the required floor may have a ceiling height of less than 5 feet (1524 mm)." and replace it with the phrase "Any floor area having less than 5 feet (1524 mm) of ceiling height shall not be considered part of the room area and shall not be allowed to have any permanent fixtures or furnishings such as, but not limited to, cabinets, counters, and shelves." Sections R305.1.1. Delete.
Sec. 134.	Sections R307.1. Delete "and in accordance with the requirements of Section P2705.1"
Sec. 135	Delete Section R309.5
Sec. 136	Delete Exception in R310.2.2.
Sec. 137.	Section R312.1. After the first occurrence of the phrase "floor or grade below" insert the phrase "and retaining walls with a difference in grade level on either side of the wall exceeding 30 inches (762 mm) and within 2 feet (610 mm) of a defined walkway, path, parking lot, or driveway on the high side."
Sec. 138.	Section R313.1.1. Replace Section P2904 with NFPA 13D.
Sec. 139.	Section R313.2.1. Delete "Section P2904 or".
Sec. 140.	Add new subsection R313.3. Rehabilitation work in one- and two- family dwellings and townhouses equipped with an approved sprinkler system. An approved automatic fire sprinkler system shall be protected from damage in areas undergoing rehabilitation work. Add new subsection R313.4. Automatic sprinkler system for reconstruction. An approved automatic fire sprinkler system shall be installed when 50 percent or more of the gross floor area as defined in section 1002.1 of the IBC of the existing building is demolished.
Sec. 141	Section R314.3.1. Exception 2. Add "and electrical" after the word "plumbing"
Sec. 142	Section R319.1 Change "4 inches (102 mm)" to "5 inches (122.5 mm).

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive. 101 Monroe Street. Rockville, Maryland 20850

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Sec. 143. Section R321.1 Add a new sentence. Walls and ceiling of elevator shafts shall be covered with by not less than 5/8-inch (15.9 mm) Type X gypsum board.

Sec. 144. Section R321.3. Delete.

Sec. 145. Section R322.1. To the first paragraph add the phrase "and the Floodplain District Requirements, Article III, Chapter 19, of the Montgomery County Code, and Executive Regulation 24-06 AM."

Sec. 146. Add a new section as follows: Section R401.5. Special conditions. Design and construction of all buildings and structures within 1000 feet of a known municipal solid waste (MSW) landfill site that does not currently have an operational land fill gas (LFG) monitoring and removal system, shall require special engineering of foundation systems, including walls and floor slabs, to provide for the safety of occupants against hazards from LFG concentration. Special subsurface investigations shall be conducted, at the owner's expense, by an approved and qualified engineer or geologist to determine the extent of the potential hazard. The study must identify the potential hazards, and mitigation plans for the site must be incorporated into the construction documents and approved prior to issuance of a building permit. All buildings and structures within 1000 feet of the boundary of a MSW landfill shall be equipped with a methane gas detector with an alarm activation level of 20% of the lower explosive limit (LEL-1% by volume).

Sec. 147. Section R403.1.4.1. Exception 1: Add the phrase: "excluding garages and carports, used as tool and storage sheds, playhouses and similar uses and not exceeding change 600 to 400 square feet or less in floor area and an eave height of 10 feet (3048 mm) or less shall not be required to be protected. Exception 2. Delete. Exception 3. Delete.

Sec. 148. Section R405.1. Add to the title "exterior drainage system". Delete the exception. Add new subsection R 405.1.1. Concrete or masonry foundation interior drainage system. Weep holes at least 2 inches (51 mm) in diameter, spaced at a maximum of 6 feet (1828 mm) on center shall be installed in the footing connecting into the interior drains. Weep-hole inlets shall have a minimum of 6 inches (153 mm) of gravel for the full perimeter of the foundation, extending at least 12 inches (306 mm) from the inlets and covered by a layer of approved filter membrane.

Sec. 149. Section R406.1. Delete.

Sec. 150. Section R406.2. Delete the first sentence and replace with the following: Exterior foundation walls retaining earth and enclosing usable spaces below grade must be waterproofed with an approved waterproofing system or a membrane extending from the top of the footings to finished grades. Delete items 1, 2, 3, and 4. Add. "Waterproofing system shall be installed as required in the current International Code Council Evaluation

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive. 101 Monroe Street. Rockville, Maryland 20850

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Service report for the product."

Sec. 151. Section R406.4. Delete.

Sec. 152. Section R501.3. Exception 1. Delete the words "Section P2904".

Sec. 153. Section R506.2.3. Delete Exceptions 2 and 4.

Sec. 154. Section R507.2. Delete. Replace with the phrase: "Deck design and construction shall comply with Montgomery County Deck Details homeowners or contractors."

Sec. 155. Delete Chapter 11 Energy Efficiency.

Sec. 156. Section M.1305.1.3. Add the following after the first sentence: Access to the attic opening shall be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders shall be acceptable.

Sec. 157. Section M1405.1. Replace the phrase "Chapters 34 through 43" with National Electric Code (NEC) 2008 adopted in Executive Regulation ER 15-09.

Sec. 158. Section M1406.2. Replace the phrase "Chapters 34 through 43" with National Electric Code (NEC) 2008 adopted in Executive Regulation ER 15-09.

Sec. 159. Section M1407.1. Replace the phrase "Chapters 34 through 43" with National Electric Code (NEC) 2008 adopted in Executive Regulation ER 15-09.

Sec. 160. Chapters 25 through 43. Delete

Sec. 161. Add new Chapter 45. Site Work and Safeguards.

Section R4501. Storage and placement. Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project.

Section R4502. Disposal of Construction Debris/Material. Construction debris and/or materials shall be stored and disposed in a suitable manner so as not to endanger the public and not spread onto the lot and adjoining properties.

Section R4503. Utility connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

Section R4504. Excavation and fill for buildings and structures shall be constructed or protected so as not to endanger life or property.

Section R4505. Fill supporting foundations. A building permit is required when fill is used to support the foundations of any building or structure. Special inspections of compacted fill shall be in accordance with Section 1704.7 of the International Building Code 2012.

Section R4506. Protection of Pedestrians

Section R4506.1. Protection required. Pedestrians shall be protected during construction, remodeling and demolition activities by a barrier when the distance from the construction to the lot line is 5 (1524 mm) feet or less.

Section R4506.2. Adjacent to excavations. Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when and where required by the building official.

Section R4506.3. Barriers. Barriers shall be at least 42" high, have adequate strength, and shall be of a type which will warn of potential danger.

Section R4507. Protection of Adjoining Property. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights and roofs.

Sec. 162. Appendix C. Appendix C is hereby adopted in its entirety.

Sec. 163. Appendix E. Appendix E is hereby adopted with the following modification: Delete all except Sections AE501 through AE606, with the following modification to Section AE502.3: In the last sentence, first paragraph, change 12 inches (305) to 24 inches (610).

Sec. 164. Appendix F. Appendix F is hereby adopted in its entirety.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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Sec. 165. Appendix G. Appendix G is hereby adopted in its entirety, with the following modifications

Section AG101.1, add the following sentence at the end: Swimming pools, Spas and Hot Tubs shall also comply with Chapter 51 of the Montgomery County Code.

Section AG105.2: Item 1. Change 48 to 60 and 1219 to 1524; Item 9.3. Delete.

Sec. 166 . Appendix K. Appendix K is hereby adopted in its entirety.

Isiah Leggett, County Executive — Date: June 18, 2012

Approved as to form and legality
Montgomery County, Md. County Attorney's Office
By: Malcolm F. Spruce