

**Wicomico County Council**  
**Open Work Session Part 1**  
**August 6, 2013**

Work sessions require written minutes that reflect each item that the public body considered, the action that the public body took on each item and each vote that was recorded. **It should be noted that at work sessions, the Wicomico County Council does not take formal action, nor is a vote taken on any item discussed.**

Present: Matt Holloway, President; Bob Culver, Vice President; Sheree Sample-Hughes, Stevie Prettyman, Gail M. Bartkovich, John B. Hall and Joe Holloway.

In attendance: Matthew E. Creamer, Council Administrator; Edgar A. Baker, Jr., County Attorney; Jack Lenox, Director of Planning and Zoning, Jim Laws, Chief Building Inspector and Melissa Holland, Recording Secretary.

Discussion regarding required adoption by Maryland local governments of the 2012 International Building Code; the 2012 International Residential Code; and the 2012 International Energy Code.

Mr. Lenox said a full year has passed since the integration of his office with Public Works. He said that he has come to realize how much he doesn't know about building codes. He said that the County has adopted the 2009 code but not the 2012 codes. Mr. Lenox said the county is going to have to adopt the 2012 codes and that will be a public process. He said that representatives from the state have offered to provide training. He said that everyone in the County is following the same codes at this time.

Mr. Lenox said that some of the state laws allow a county to opt out such as the sprinkler requirement. The County opted out of that requirement until 2015 when it will have to be enforced.

There are some requirements which the County can't opt out of such as the Energy Code.

Mr. Laws said the building inspectors attend training annually. He said the training is usually free and have to attend for a certain number of hours. The energy code adopted by the Council is 2009. The contractors are welcome to attend any seminars which the State has and the County works with the contractors as well. Mr. Laws said the energy code is so new and there are new requirements such as pressurizing the houses. He said there are not a lot of people in Wicomico County who are licensed to do this procedure.

A new code will come out in 2015. Mr. Culver asked why the County doesn't wait until the 2015 code comes out and then adopt then. Mr. Baker said that state law said the counties are supposed to adopt the 2012. This has to be adopted within six months of the state adopting the code. Mrs. Prettyman said if the Council waited there would be more restrictions to place on the contractors at one time.

This bill is for new construction or an addition being placed on a house. Mr. Lenox said that modular homes do have to follow the sprinkler requirements and the codes and a call was placed to the state that Wicomico County did not have all people on level playing field because only modular home builders had to comply. They said that the county opted out of sprinklers and the contractors don't have to comply until 2015.

Mr. Joe Holloway said there is a move to green houses and that some houses are not built with air conditioners. Mr. Laws said the code does not address that issue in regards to a green house. Mrs. Sample-Hughes said the sprinklers and energy efficient efforts may have a financial impact on a jurisdiction. Mr. Laws said that every requirement has a cost. Mr. Laws said he feels the purpose of the code is to have energy efficient homes maybe smaller and attics that don't get entered with a lot of insulation in the attic. He said as this evolves a completely different house will be built than what is now. Delaware is currently using the 2012 code. Worcester County and Somerset County are also using the 2012 residential code requirements.

Public Comment:

Bob Twilley asked who writes the codes to which Mr. Laws said the

International Code Council writes the codes. Mr. Twilley said the methods, requirements and materials of construction vary widely around the country due to differences in climate and size of the area. He said that from an administrative point of view he understands going to one unified code however he does not feel that all states should have to adhere to the same code. He has an issue with an international body dictating what the code should be. He does not feel that the energy sector should be de-regulated. He asked the Council to consider and not take the suggestions and think about it before making any decision on the building code.

Mr. Culver asked what the state will do if the county does not adopt the 2012 requirements. Mr. Baker said they have been told previously the state will withhold all funds to the County but Mr. Baker will have to look into that. Mr. Culver asked why the state has chosen manufactured and mobile homes to follow the stricter standards. Mr. Laws said modular homes are built in a factory and the county has no control. The inspectors inspect those homes in a factory.

Mr. Lenox said before any action will be taken Mr. Pollitt wanted to hear the Council's thoughts. Mrs. Prettyman asked how the 2012 codes are working in Worcester and Somerset Counties. Mr. Laws said they are having a few issues. Mr. Culver would like Mr. Baker to see what penalties the county will face if they don't adopt the 2012 regulations. Also, Mr. Culver would like to see if air conditioning can be a requirement as well. Mr. Joe Holloway said the house can still be LEED tested if they don't have air conditioning.

Meeting adjourned.