

Wicomico Amendments to the 2015 IRC & IBC

IRC:

Add to the end of R101.2 Scope

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.

R102.5 Appendices. Adopted appendices are as follows:

Appendix C, Appendix R, Appendix S.

R103.1 Repealed.

R103.2 Appointment. 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 work.

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.

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 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.

R105.2 Work exempt from permit. Exemptions from permit requirements 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 (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.

R105.2.1 Emergency Repairs. 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.

R105.2.2 Repairs. 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.

R105.2.3 Public service agencies. (Reserved)

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R105.2.4 Withholding of permits. 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.

R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

R105.3.2 Time limitation of application. 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 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.

R105.4 Validity of permit. 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.

R105.5 Repealed.

R106.1 Submittal 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 the work applied for is such that reviewing of construction documents is no necessary to obtain compliance with this code.

R106.1.4 Information for construction in areas prone to flooding. The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

R106.3.2 Previous approvals. 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.

R107.3 Temporary power. The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

R108.1 Payment of fees. 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

R108.2 Schedule of permit fees. 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.

R108.3 Building permit valuations. Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor. 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.

R109.1.2 Plumbing, Mechanical, Gas and Electricals.
Delete this section

R109.1.3 Floodplain inspections. For construction in flood hazard areas as established R301.2 (1), upon placement of the lowest floor, including basement, and prior to any 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.

R109.1.6.1 Elevation Documentation. 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 Inspector prior to the final inspection.

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R111.1 Connection of service utilities. The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

R111.2 Temporary connection. The standard shall be as set forth in Chapter 138 of the Wicomico County Code

R112.1 General. 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 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 this Code.

R108.4 Related fees. 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.

R108.5 Refunds. 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.

R108.6 Work commencing before permit issuance. 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.

R301.2.4 Floodplain construction. The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

R304.1&.2 Minimum room areas. 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	<u>16 (total)</u>
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
First bedroom	100
Second bedroom	70
Closet or closets	22 (total)
Bathroom	30
Utility room	<u>30</u>
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:

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	<u>30</u>
Total	678

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R306.1 The standards shall be as set forth in Chapter 183 of the Wicomico County Code. Applicable Code (2012 National Standard Plumbing Code Illustrated.)

R309.3 Flood hazard areas. The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

Exceptions:

1. The opening between adjacent treads is not limited on spiral stairways.
2. The riser height of spiral stairways shall be in accordance with Section R311.7.10.1.
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 of the stairway is reduced to the maximum height of the stairway 7 ¾” inches.

R311.7.5.2 Treads. The tread depth shall be not less than 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception:

1. The tread depth of stairways leading to unconditioned areas that are used only for storage above attached or detached garages may have a minimum tread depth of 9” inches. Such storage areas cannot be converted to a habitable space unless the tread depth is increased to the minimum of 10” inches.

R311.7.8 Handrails. Handrails shall be provided on not less than one side of each continuous run of treads or flight with four or more risers.

Exception:

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.

R317.1. Location required.

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 Building Official.

R802.3 Framing details. Rafters shall be framed to ridge board or to each other with a gusset plate as a tie. Ridge board shall be at least one-inch (25.4 mm) nominal thickness and not less in depth than the cut end of the rafter. At all valleys and hips there shall be a valley or hip rafter not less than two-inch (51 mm) nominal thickness. Hip and valley rafters shall be supported at the ridge by a brace to a bearing partition or be designed to carry and distribute the specific load at that point. Where the roof pitch is less than three units vertical in 12 units horizontal (twenty-five-percent slope), structural members that support rafters and ceiling joists, such as ridge beams, hips and valleys, shall be designed as beams.

R322.1 General. The standards shall be as set forth in Chapter 149 of the Wicomico County Code.

Violations and Penalties. Authority 117-8

- 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 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.

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IBC:

[A] **101.2.1 Appendices. Adopted appendices are as follows:** Appendix A, Appendix F, Appendix H, Appendix I

[A] **103.1 Repealed.**

[A] **103.2 Appointment.** 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 work.

[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.

[A] **105.1 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.

[A] **105.2 Work exempt from permit.** Exemptions from permit requirements 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.

[A] **105.2.1 Emergency Repairs.** 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.

[A] **105.2.2 Repairs.** 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.

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[A] **105.2.3 Public service agencies.** (Reserved)

[A] **105.2.4 Withholding of permits.** 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.

[A] **105.3.2 Time limitation of application.** 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.

[A] **105.4 Validity of permit.** 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.

[A] **107.3.2 Previous approvals.** 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.

[A] **108.3 Temporary power.** The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

[A] **109.1 Payment of fees.** 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.

[A] **109.2 Schedule of permit fees.** 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.

[A] **109.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Chief Building Official. Final building permit valuation shall be set by the Chief Building Official. The permit fee required by this chapter shall be based on the estimated construction cost of the proposed work.

[A] **109.4 Work commencing before permit issuance.** 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.

[A] **109.5 Related fees.** 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.

[A] **109.6 Refunds.** 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.

[A] **110.3 Lowest Floor elevation.** The elevation certificate required in section 1612.5 shall conform to County Code and be submitted to the Chief Building Official.

[A] **111.2 Certificate issued.** Delete items 7 through 12.

[A] **112.1 Connection of service utilities.** The standard shall be as set forth in Chapter 138 of the Wicomico County Code.

[A] **112.2 Temporary connection.** The standard shall be as set forth in Chapter 138 of the Wicomico County Code

[A] **113.1 General.** 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.

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Violations and Penalties. Authority 117-8

- D. 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.
- E. 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.
- F. In case of any violation of this article, the County may, in addition to other remedies provided herein, institute any appropriate action or proceeding 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.