

Resolution No.: 19-436  
Introduced: April 30, 2020  
Adopted: April 30, 2020

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Council President at the request of the County Executive

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**SUBJECT:** Approval of Executive Regulation 31-19, Adoption of the 2018 editions of the International Building Code (IBC), the International Energy Conservation Code (IECC), the International Fuel Gas Code (IFGC), the International Mechanical Code (IMC), the International Residential Code (IRC), the Swimming Pool and Spa Code, and the International Existing Building Code with amendments

**Background**

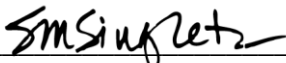
1. The Montgomery County Code, under Chapter 8, Sections 13 and 14, authorizes the County Executive to adopt regulations concerning building codes under Method (2).
2. Maryland's law related to building codes requires each jurisdiction in Maryland to use the same edition of the same building codes that are the International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC). The State modified the IBC and the IRC to coincide with other Maryland laws. The International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC), with modifications by the State, constitute the Maryland Building Performance Standards. Executive Regulation (ER) 31-19 further amends the international codes as allowed by law.
3. On April 10, 2020, the Council received ER 31-19.
4. The Council reviewed the regulation under Method (2) of County Code §2A-16(f). Under Method (2), the Council may approve, disapprove, or extend the time for action within 60 days of receiving the regulation. In the absence of Council action, the regulation is deemed approved as submitted.
5. On April 30, 2020, the Council Review reviewed Executive Regulation 31-19 and concluded that approval was in order.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The Council approves Executive Regulation 31-19, Adoption, with amendments, of the 2018 International Building, Energy Conservation, Mechanical, Fuel-Gas, Residential Code, Swimming Pool and Spa Codes, and the 2012 International Existing Building Code, effective May 20, 2020.

This is a correct copy of Council action.



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Selena Mendy Singleton, Esq.  
Clerk of the Council



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

<b>Subject: Adoption of the 2018 IBC, IECC, IMC, IFGC, IRC, ISPSC, and IEBC</b>	<b>Number: 31-19</b>
<b>Originating Department: Department of Permitting Services</b>	<b>Effective Date:</b> May 20, 2020

Montgomery County Regulation on:

**COMCOR 08.00.02: ADOPTION OF THE 2018 INTERNATIONAL BUILDING, ENERGY CONSERVATION, MECHANICAL, FUEL-GAS, RESIDENTIAL, SWIMMING POOL AND SPA AND INTERNATIONAL EXISTING BUILDING CODES**

## DEPARTMENT OF PERMITTING SERVICES

Issued by:

The County Executive

Regulation No. 31-19

Authority: Code Sections 8-13, 8-14 and 51-12

Supersedes: Regulation Nos. 4-15AMII

Council Review: Method 2 under Code Section 2A-15

Register Vol. 37, Issue 2

Comment Deadline: February 29, 2020

Effective Date: May 20, 2020

Sunset Date: None

**SUMMARY:** This regulation adopts the 2018 editions of the International Building Code (IBC), the International Energy Conservation Code (IECC), the International Mechanical Code (IMC), the International Fuel Gas Code (IFGC), the International Residential Code (IRC), the International Swimming Pool and Spa Code (ISPSC), and the International Existing Building Code (IEBC), with amendments. It governs all buildings and structures within Montgomery County.

**ADDRESS:** Department of Permitting Services  
255 Rockville Pike, Second Floor  
Rockville, Maryland 20850-4166

**STAFF CONTACT:** Hemal Mustafa, Chief, Division of Fire Prevention & Code Compliance  
240-777-6226

**BACKGROUND INFORMATION:** The International Code Council (ICC) publishes the international series (I-series) of construction standards every three years. The Maryland Department of Labor adopts these standards and obligates its political subdivisions to adopt the standards within a specific time period. Montgomery County adopts these standards with local amendments.



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**08.00.02.01.** This regulation is adopted under Sections 8-13, 8-14, and 51-12 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, structures, and swimming pools and spas, and their service equipment, within Montgomery County. It supersedes Executive Regulation # 4-15AMII dated August 3, 2015, and all previous regulations adopting the International Code Council (ICC) standards. This regulation adopts the 2018 editions of the IBC, the IECC, the IMC, the IFGC, the IRC, the ISPSC, and the IEBC, 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.

**08.00.02.02.** Wherever the ICC Electrical Code is referenced, replace the reference with Chapter 17 of the Montgomery County Code. Wherever Chapter 11 of the International Building Code or the ICC/ANSI A117.1 is referenced, replace the reference with the Maryland Accessibility Code. Wherever the International Fire Code or International Property Maintenance Code is referenced, replace the reference with the Montgomery County Fire Safety Code.

## AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE (IBC)

**08.00.02.03.** **Section 101.1.** Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."

**08.00.02.04.** **Section 101.2.** *COMAR 09.12.51.04.B(2)* amended **Section 101.2 Scope** as follows: Delete the Exception and replace with the following:

(a) Exception: 1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code;

(b) Exception: 2. Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply with the Maryland Building Rehabilitation Code set forth in *COMAR 09.12.58*; and

(c) Exception: 3. Maintenance of residential structures and premises shall comply with the Minimum Livability Code *COMAR 09.12.54*.



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**08.00.02.05, Section 101.4.1.** Add the following exception:

**Exception:** Fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories regulated under the authority of Washington Suburban Sanitary Commission (WSSC).

**08.00.02.06. Section 101.4.3.** Delete.

**08.00.02.07. Sections 103, 104.8, and 104.8.1.** Delete.

**08.00.02.08. 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.

**08.00.02.09. Sections 105.1.1 and 105.1.2.** Delete.

**08.00.02.10. Section 105.2.** Delete Items 1, 2, 5, and 9 from the "Building" subsection.

**Item 4.** Delete and replace with "Retaining walls that are not over 54 inches (assumed frost depth of 30 inches minimum) in height measured from the bottom of the footing to the top of the wall, or are not greater than 24 inches in retained height, unless supporting a surcharge (sloped soil, fire truck, pedestrian or vehicular traffic etc.) or impounding Class I, II or IIIA liquids."

**08.00.02.11. Sections 105.3, 105.4, 105.5, 105.6, and 105.7.** Delete.

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

**08.00.02.13. Section 110.3.10.** Add the following: The final inspection must be requested and approved before a building (or portion thereof) including equipment and appliances are used or occupied, irrespective of whether a valid certificate of use and occupancy exists.

**08.00.02.14. Sections 111, 113, 114 and 115.** Delete.

**08.00.02.15. Section 202. DEFINITIONS**

Delete the definitions "EXISTING BUILDING" and "EXISTING STRUCTURE" and replace with the following: "EXISTING BUILDING or EXISTING STRUCTURE means a building or structure that was erected and occupied, or was issued a certificate of occupancy, at least 1 year before a construction permit application for the building or



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structure was made to a local jurisdiction, the Maryland National Capital Park and Planning Commission, or Washington Suburban Sanitary Commission.

In the definition of Foster Care Facilities, change 2½ to 2.

- 08.00.02.16.** Sections 305.1. Delete phrase “at any one time” and replace with “for 4 or more hours per day or more than 12 hours per week.”
- 08.00.02.17.** Section 305.2. Change 2½ to 2.
- 08.00.02.18.** Section 308.2.3. In the title and text, change the word “six” to “nine”.
- 08.00.02.19.** Section 308.2.4. In the title and text, change the word “five” to “eight”. Delete the phrase “or Section P2904 of the International Residential Code”.
- 08.00.02.20.** Section 308.3.2. Delete the phrase “or Section P2904 of the International Residential Code”.
- 08.00.02.21.** Section 308.5.1. Change 2½ to 2 and replace “shall be classified as Group E” with “may be classified as Group E”.
- 08.00.02.22.** Section 310.4.1. Delete the phrase “or Section P2904 of the International Residential Code.” 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.
  
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;



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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.

3. A dwelling unit that contains a home occupancy or home health care practitioner must comply with Chapter 59 of the Montgomery County Code and the IRC.

**08.00.02.23. Section 310.5.** In the first sentence change “five” to “eight”.

**08.00.02.24. Section 403.2.1.2.** Delete.

**08.00.02.25. Section 403.4.5.** Delete the phrase “Section 510 of the International Fire Code” and replace with “Section 916 of this Code”.

**08.00.02.26. Section 403.4.7.** Delete Exception 2 in Item 1.

**08.00.02.27. Section 422.3.2.** Change “30” to “15”. Change “2.8” to “1.4”. Change “nonambulatory care recipient” to “occupant”, and change “care recipient” to “occupied”.

**08.00.02.28. Chapter 4.** Add a new Section 429. Residential Occupancies.

**Section 429.1. Radon Control.** All R occupancies shall have appropriate radon control features as prescribed in Appendix F of the International Residential Code, 2018 edition.

**08.00.02.29. Section 502.1.** Delete “and existing” in the first line. In the sixth sentence, change the phrase “4 inches (102 mm)” to “6 inches (153 mm), except R-3 occupancies where the characters are permitted to be 5 inches (127 mm),”.

**08.00.02.30. Section 510.2.** Amend condition #6 by deleting the phrase “grade plane” and replacing it with “lowest level of fire department access”.

Add two more conditions as follows:

7. 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.

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

**08.00.02.31. Section 712.1.** Add a new Subsection 712.1.17.

**Section 712.1.17. Communicating Space.** Vertical openings protected as a



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Communicating Space under the 2018 Life Safety Code, NFPA 101, Section 8.6, are permitted.

- 08.00.02.32.** 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:"
- 08.00.02.33.** Section 901.1. *COMAR 09.12.51.04.B(4)* added the following note to Section 901.1  
**Scope:** Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, *Public Safety Article, §§ 6-101—6-202*, Annotated Code of Maryland, and *COMAR 09.06.01*. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official.
- 08.00.02.34.** Section 903.1.1. Delete and replace with the following:  
  
**903.1.1. Buildings over three stories in height.** Except for stand-alone open parking structures that are detached from other buildings, all buildings greater than three stories in height above grade plane must be protected with an automatic sprinkler system under Section 903.3.1.1 or 903.3.1.2.
- 08.00.02.35.** Add a new Section 903.1.2.  
  
**Section 903.1.2 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 must be protected by an approved automatic fire-extinguishing system utilizing an extinguishing agent that is compatible with the fire hazard.
- 08.00.02.36.** Section 903.2.1.2. Add a fourth condition to read as follows:  
  
**4.** The assembly occupancy is one of the following:  
(1) Dance halls, (2) Discotheques, (3) Nightclubs, or (4) Assembly occupancies with festival seating.
- 08.00.02.37.** 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:





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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 under Section 707 and horizontal assemblies under 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 may be designed under Section 903.3.1.3.

**08.00.02.38. Section 903.2.8.4.** Change the word "five" to "eight".

**08.00.02.39. 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 must be installed. Occupant use hose is prohibited in new or existing buildings.

**08.00.02.40. Section 906.** Delete subsection 906.1 and replace with the following:

**906.1** Fire extinguishers must be provided under 2018 NFPA 1.

**08.00.02.41. Section 907.2.1.1.** Replace "1,000" with "300".

**08.00.02.42. Section 907.6.4.** Number the existing exception as Exception 1, and add an Exception 2 as follows:

**Exception 2:** Where an addressable automatic fire alarm system installation under Section 907 is present, fire alarm zoning may match, but not exceed sprinkler zoning.

**08.00.02.43.** Add subsection 909.2.1 to read as follows:

**909.2.1.** Designs for smoke management systems must be submitted for review and approval as part of a building permit. Submittals for smoke management systems must include all of the following:

- a) Plans and specifications,
- b) Engineering calculations and/or computer model,
- c) Floor plans,
- d) System diagrams and details,
- e) Sequence of operations and control layout,
- f) Preliminary test procedures,



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- g) Acceptance test procedures,
- h) Pass/fail criteria, and
- i) Maintenance requirements including periodic testing criteria.

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

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

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

**08.00.02.47.** Section 911.1.6. Amend Section 911.1.6 as follows:

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 Item 19 which reads: "A shunt trip device to disconnect the electrical service to the building."

**08.00.02.49.** Section 918.1. Replace with the following: Emergency responder radio coverage must be assured in the following areas of all newly constructed buildings: below ground floors of a building, all floors in buildings greater than 25,000 ft<sup>2</sup> 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.

**08.00.02.50.** Add Sections 918.2 and 918.3 as follows:

**Section 918.2.** Where emergency radio coverage is required under Section 918.1, every floor area in a building or structure which cannot achieve the required level of emergency responder radio coverage as established by Montgomery County Department of Technology Services must be provided with an in-building public safety radio enhancement system under the Montgomery County Fire Safety Code.



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**Section 918.3. 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 must be certified to the code official before issuance of an occupancy permit.

- 08.00.02.51.** **Section 1001.1.** Add the following to the end of the section: "The means of egress must also comply with the requirements in the currently adopted edition of the Life Safety Code."
- 08.00.02.52.** Add a new **Section 1001.3** as follows:  
**Section 1001.3 Convenience stairs and ramps.** Stairs that are not part of a means of egress, but are provided as a convenience in occupiable spaces, must comply with Section 1011. Ramps that are not part of a means of egress, but are provided as a convenience in occupiable spaces, and are not provided solely for the movement of equipment and materials must comply with Section 1012.
- 08.00.02.53.** **Section 1003.5.** In exception #2, replace the phrase "a single riser or with two risers and a tread" to "three risers or less".
- 08.00.02.54.** **Table 1004.5.** 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. Change the occupant load factor for mercantile space from "60" to "30" in table 1004.5.
- 08.00.02.55.** **Section 1004.6.** Delete the last sentence of the section and replace with "The occupant load of bench-type seating, and the occupant load of bars, must be based on one person for each 18 linear inches (455 mm) measured at the seat, or patron side of the bar, respectively."
- 08.00.02.56.** **Section 1005.3.2.** Delete all of the exceptions.
- 08.00.02.57.** **Section 1006.2.2.4.** Change 2½ to 2.
- 08.00.02.58.** **Section 1010.1.2.1.** Add a sentence at the end to read: "Doors in exit enclosures must swing in the direction of egress travel unless the door opening serves an individual living unit that opens directly into an exit enclosure."
- 08.00.02.59.** **Section 1010.1.9.4.** In Item #6, after "occupied" add ", and are not part of a means of egress,".



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- 08.00.02.60.** Section 1010.1.9.10. Add an Item #7 which reads, "Doors in smoke or fire-rated separations must be capable of positive latching during the interval when the electric lock has been released."
- 08.00.02.61.** Section 1010.1.9.12. In Exception #3, delete ", or a signal by emergency personnel from a single location inside the main entrance to the building".
- 08.00.02.62.** Section 1014.7. Change "1½" to "2¼" and change "38mm" to "57mm" and add a sentence at the end to read: "Handrails inside dwelling units, R-3, and R-4 Use Groups are permitted to have a clear space of not less than 1½" between the handrail and a wall or other surface."
- 08.00.02.63.** Section 1015.2. After "including" add "but not limited to,". After the phrase "equipment platforms," add the phrase "retaining walls,".
- 08.00.02.64.** Section 1015.3. In exception #2 and #3, change "34 inches (864 mm)" to "36 inches (915 mm)". Add a seventh exception: Exception 7. In occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2, interior guards must not be less than 36 inches high.
- 08.00.02.65.** Section 1015.4. Delete Exception #6.
- 08.00.02.66.** Section 1015.8. 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 must not be 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) must be fixed or have openings through which a 4-inch (102mm) sphere cannot pass.
- 08.00.02.67.** Section 1022. Add a new subsection 1022.3 to read as follows:
  - Section 1022.3.** Fire Department Access to Floors. One or more exit stair which serves all stories of the building must be accessible by an internal corridor from the main entrance of the building or the fire department response location.
- 08.00.02.68.** Chapter 11. Delete and replace with the Maryland Accessibility Code.



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- 08.00.02.69. Section 1207.2.** Add an exception # 5 to read as follows:

**Exception 5.** Projections in ceiling height as permitted by Chapter 10.
- 08.00.02.70. Section 1603.1.4.** Add to Item 1. The basic design wind speeds in miles per hour in Montgomery County for risk categories I, II, III, and IV are 105, 115, 120, and 125, respectively. The corresponding allowable stress design wind speeds in miles per hour are 82, 89, 93, and 97, respectively.
- 08.00.02.71. 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 13.5% and 4.3%, respectively.
- 08.00.02.72. 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, non-reducible.
- 08.00.02.73. 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 (2) front, side or rear outriggers apply to the structure a force of 171,000 pounds (85,500 pounds per outrigger) and the remaining two outriggers apply a force of zero (0) pounds. During operations, aerial apparatus outriggers are designed to exert no more than 75psi over stabilizer pads. Outrigger pad dimensions are 2 feet 2 inches wide by 2 feet 6 inches long.
- 08.00.02.74. Section 1607.13.5.1.** In the Exception under Item 1, add the phrase “For existing roofs” at the beginning of the sentence and replace the word “need” with “must”.
- 08.00.02.75. Section 1608.1.** Add the following at the end: “All roof areas, including areas to be covered with photovoltaic panels, must be designed for roof snow loads. The permit applicant must provide proof of service of the permit application and construction documents upon the adjoining property owner and that the existing lower roof must be evaluated for compliance with Chapter 7, ASCE 7-16 Standard due to increased drifting snow loads caused by proposed higher roofs or structures. Said



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notification must be served not less than 10 days before the scheduled starting date of the construction.”

**08.00.02.76. Section 1608.2.** After the title add the following sentence: “Design ground snow loads for Montgomery County must not be less than 30 pounds per square foot.”

**08.00.02.77. Section 1612.3.** After the heading, delete the text and replace with the following: The flood hazard map of Montgomery County is established in the Floodplain Regulations (COMCOR 19.45.01) adopted by the County under the authority in Article III, Chapter 19 of the Montgomery County Code.

**08.00.02.78. Section 1704.2.** Delete exception #4.

**08.00.02.79. Section 1704.2.4.** Add a new subsection as follows:

**Section 1704.2.4.1. Certificate of Completion Requirement.** Upon completion of the project, all signatories of the Statement of Special Inspections (SSI) must submit Certificates of Completion to the County as required in the Montgomery County Special Inspections Program Manual. A final bid document must also be submitted by the owner/applicant for all “Complex Structures” projects subject to repair and rehabilitation.

**08.00.02.80. Section 1704.2.5.** After the phrase “except where the fabricator has been approved”, insert the phrase “by the County”.

**08.00.02.81. Section 1704.2.5.1.** After the phrase “premises of a fabricator approved”, insert the phrase “by the County”.

**08.00.02.82. Section 1705.2.1.** Modify AISC 360 Chapter N as follows:

Section N1. First User Note: Delete the sentence starting with “Additionally, where...”.

N3. Delete subsection (m).

Section N5.5b: Add at the end of the paragraph “unless a higher percentage is required by the structural engineer of record”.

Section N5.5b, User Note: Add at the end of the user note “unless otherwise specified by the structural engineer of record”.



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Delete the first two paragraphs of Section N6 (“QA inspection is permitted...shall review the fabricator’s NDT reports”) and replace with IBC Section 1704.2.5, as amended.

**08.00.02.83. Section 1705.2.2.** Modify SDI QA/QC-2017 Standard by deleting subsection 2 from Section 3.2B and subsection 4.3 from Section 4.

**08.00.02.84. Section 1705.3.** Delete Exceptions 1 and 2.3.

**08.00.02.85. Table 1705.3.** Modify Table 1705.3 as follows:

Item 4a. Add the following sentence:

“Installation must be performed by an ACI or CRSI certified adhesive anchor installer”.

Items 10 and 11. Modify the inspection frequency from “periodic” to “continuous”.

Item 11. Add the following sentence to the first column: “The strength evaluation must be demonstrated by field cured cylinders only.”

**08.00.02.86. Section 1705.5.** Add a new subsection as follows:

**Section 1705.5.3. Additional Special Inspection Requirements for Wood Construction.** Third party Special Inspections must be performed under Section 1.7.2 of the Montgomery County Special Inspections Program Manual for:

- a) Multifamily and other structures of types VA and VB construction (except townhomes) over three stories above podium level or grade plane.
- b) Risk Category III buildings and other structures of types VA and VB construction whose primary occupancy is public assembly with an occupant load greater than 300.
- c) All Risk Category IV buildings of types VA and VB construction.

**08.00.02.87. Table 1705.6. Item 1.** Modify the inspection frequency from “periodic” to “continuous”.

**08.00.02.88. Section 1809.5.** In item number 1, after the word “locality” insert: “Depth must be a minimum of 30 inches below the adjacent finish grade.”

**08.00.02.89.** Add a new subsection as follows:



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	<p><b>1901.2.1.</b> For precast structures, in the case of a conflict between ACI 318 and PCI Design Handbook, the requirements of ACI 318 control the design.</p>
<b>08.00.02.90.</b>	<p><b>Section 1904.2.</b> Delete the last sentence completely and replace with "Nonstructural concrete must have a minimum specified compressive strength, <math>f'_c</math> of 2500 psi for Class F0; 3000 psi for Class F1; and 3500 psi for Classes F2 and F3. Nonstructural concrete must be air entrained in accordance with ACI 318."</p>
<b>08.00.02.91.</b>	<p><b>Section 2406.</b> Add a new <b>Section 2406.6</b> to read as follows:</p> <p><b>Section 2406.6.</b> The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to this Section. In the event of a conflict between Section 2406 and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail.</p>
<b>08.00.02.92.</b>	<p><b>Chapter 29.</b> Delete. Plumbing regulations are administered by the local water authority.</p>
<b>08.00.02.93.</b>	<p><b>Section 3001.</b> Add a new subsection as follows:</p> <p><b>3001.1.1. Residential Elevators.</b> Elevator equipment, and similar conveying systems, provided in privately owned single-family residential dwellings:</p> <ol style="list-style-type: none"> <li>1. Are not required to comply with the requirements of this chapter.</li> <li>2. Do not have to enclose the hoistway with a fire-resistance rated shaft if the elevator shaft is protected by an approved automatic sprinklered system.</li> <li>3. Must comply with all other applicable requirements of the International Building Code.</li> <li>4. Must comply with all applicable requirements of the Maryland Public Safety Article, Title 12, Subtitle 8.</li> <li>5. Must be listed for use by a nationally recognized testing laboratory (NRTL) and installed under the listing and manufacturers requirements.</li> </ol>
<b>08.00.02.94.</b>	<p><b>Sections 3001.2, 3001.3, 3001.4, and 3001.5.</b> Delete and replace with the following: 3001.2 Standards. The Maryland Department of Labor, Division of Labor and Industry, regulates the design, installation, inspection, and testing of all hoisting and conveying equipment.</p>
<b>08.00.02.95.</b>	<p><b>Section 3107.1.</b> Add the following at the end of the sentence: "and Chapter 59 of the Montgomery County Code."</p>
<b>08.00.02.96.</b>	<p><b>Section 3109.</b> Add a new subsection that reads as follows:</p>





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**3109.1.1 Commercial Pools and Spas.** Pools and spas that are not accessory to one- or two-family dwellings, as referred to by the International Residential Code, are not required to comply with the ISPSC. Such pools and spas must comply with Chapter 59 of the Montgomery County Code and be enclosed by a fence or wall that meet the following criteria:

1. has a minimum height of not less than 60 inches,
2. any openings, if provided, do not permit the passage of a 4 inch diameter sphere,
3. completely encloses the pool or spa, and
4. any gate or door provided in the fence or wall must be self-closing and self-latching.

**08.00.02.97. Section 3113.** Add the following after the title “Relocatable Buildings”: “Industrialized Buildings and Manufactured Homes”

**08.00.02.98. Section 3113.** Add a new subsection as follows:

**3113.1.2 State Model Performance Code.** Buildings, structures, or portions thereof, approved under the Model Performance Standards adopted by the State of Maryland must comply with the requirements of that Code. Any on-site construction, additions, or other modifications that exceed the scope of the State’s Certification must be approved by the County.

**08.00.02.99. Section 3307.1.** After the words “shall provide” in the fourth sentence, add the following “proof of service of”.

**08.00.02.100. Appendix G.** Appendix G is deleted in its entirety and replaced with the Floodplain District Requirements in Article III, Chapter 19 of the Montgomery County Code, the regulations for the Subdivision of Land in Chapter 50 of the Montgomery County Code, and the Floodplain Regulations (COMCOR 19.45.01) adopted by the County.

**08.00.02.101. Appendix H.** Appendix H is amended as follows:

Section H101.1. Insert at the beginning of this section “The provisions of this chapter 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.”



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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, graphic, 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 dimension closest to the ground is greater than the 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 the words "ground" and "signs" in the title.

Section H109.1. Height restrictions. Delete and replace as follows: "The maximum height of ground and supported signs is the height of the tallest building on the same premises as the sign or 26 feet above the ground, whichever is less."

Section H109.2. Delete.

Section H110. In Section H110.1, add the words "where permitted" after "Roof signs" in the first sentence.

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

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

Section H112.1. Add the word "wall" between "projecting" and "sign" in the first sentence.



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Section H112.4. In the first sentence, add the word “wall” between “projecting” and “sign” and delete all text starting with the word “except”. Delete the second sentence.

Section H112.5. Add the word “wall” between “projecting” and “sign” in the first sentence.

Section H113. Delete.

## AMENDMENTS TO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

- 08.00.02.102. **Section C101.1.** Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."
- 08.00.02.103. **Section C105.6.** Add a new sentence at the end as follows: “Energy Final Inspection must be performed and approved before building final or occupancy inspection, unless a conditional approval is approved by the building official.”
- 08.00.02.104. **Section C109.** Delete.
- 08.00.02.105. **COMAR 09.12.51.04.D(2)** added the following note to **Section C405.2.4 Specific Application Controls:** For the new construction of hotels:
  - (a) Each hotel guest room shall be equipped with a master control device that automatically turns off the power to all of the lighting fixtures in the guest room no more than 30 minutes after the room has been vacated; and
  - (b) A master control device may also control the heating, ventilation, or air conditioning default settings in hotel guest rooms 30 minutes after a room has been vacated by:
    - (i) Increasing the set temperature by at least 3 degrees Fahrenheit when in the air conditioning mode; or
    - (ii) Decreasing the set temperature by at least 3 degrees Fahrenheit when in the heating mode.
- 08.00.02.106. **Section R101.1.** Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."
- 08.00.02.107. **Section R109.** Delete.
- 08.00.02.108. **Section R402.4.1.2.** In the first sentence replace the word “The” with the word “New”. **COMAR 09.12.51.04.D(3)** added the following to **Section R402.4.1.2:** Except as provided for in the:



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- (a) Simulated Performance Path listed in Section R405;
- (b) Energy Rating Index Compliance Alternative in Section R406.

**08.00.02.109.** Delete the modification of Table R405.5.5.2(1) in *COMAR 09.12.51.04.D(4)*.

**08.00.02.110.** Delete the addition of an exception to Section R406.2(1) in *COMAR 09.12.51.04.D(5)*.

## AMENDMENTS TO THE 2018 INTERNATIONAL MECHANICAL CODE (IMC)

**08.00.02.111.** **Section 101.1.** Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."

**08.00.02.112.** **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 are permitted to comply with the International Existing Building Code.

**08.00.02.113.** **Sections 103.4, 103.4.1, 106.1.1, 106.1.2, 106.4.3, 106.4.4, 106.5, and 109.** Delete.

**08.00.02.114.** **Section 302.6 Supports and Anchorage.** All appliances located on roofs must rest on a manufacturer's standard perimeter support, self-flashing roof curb, framed steel support, or 4 inch x 4 inch pressure-treated lumber as a minimum. The appliances must be securely affixed in an approved manner to resist vibration and wind loads.

**08.00.02.115.** **Section 306.1.1 Heating Appliances.** Electric, fossil, or solid fuel fired appliances must not be installed under any stairway or landing.

**08.00.02.116.** **Section 306.3.** After the last sentence add the following: Access to the attic opening must be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders are permitted.

**08.00.02.117.** **Section 506.1.** Add the words "and NFPA 96," to the end of the first sentence and the sentence "Where discrepancies occur, the most stringent requirement will apply." after the first sentence.

**08.00.02.118.** **Section 506.3.2.5.** Change "100" to "300".

**08.00.02.119.** **Section 506.3.9.** Change the heading of the subsection to "Grease Duct Vertical and Horizontal Cleanouts". In Item #1 Change "20 feet" to "12 feet". Add Item #7 to read: "Vertical rises, where personal entry is not possible, adequate access for cleaning must be provided on each floor level."



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**08.00.02.120. Section 506.3.12.** After the last sentence add "Follow NFPA 96 section 7.8.3 for additional termination requirements."

**08.00.02.121. Section 513.2.** Add subsection 513.2.1 to read as follows:

513.2.1. Designs for smoke management systems must be submitted for review and approval as part of a building permit. Submittals for smoke management systems must include the following:

- a) Plans and specifications,
- b) Engineering calculations or computer model or both,
- c) Floor plans,
- d) System diagrams and details,
- e) Sequence of operations and control layout,
- f) Preliminary test procedures,
- g) Acceptance test procedures,
- h) Pass/fail criteria, and
- i) Maintenance requirements including periodic testing criteria.

**08.00.02.122. Section 606.2.** In the exception, add "Return air" to the beginning of the sentence.

**08.00.02.123. 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.

**08.00.02.124. Section 607.5.5. Exception #2.** Replace the phrase "In Group B and R occupancies equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the *International Building Code*, smoke dampers are not required at penetrations of shafts where" with the following: "In buildings, other than Group H occupancies, equipped throughout with an automatic sprinkler system under Section 903.3.1.1 or 903.3.1.2, smoke dampers are not required where:"

**08.00.02.125.** Add new Section 608 Emergency and Standby Power Systems, as follows:

**Section 608.1. Installation.** Emergency and standby power systems required by the Montgomery County Fire Safety Code or the International Building Code must be installed under NFPA 110 and NFPA 111. Existing installations must be maintained under the original approval.



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**Section 608.1.1. Stationary Generators.** Stationary emergency and standby power generators required by the International Building Code or the Montgomery County Fire Safety Code must be listed under UL 2200.

**Section 608.2. Standby Power.** Where the standby system is a generator set inside a building, the system must be located in a separate room enclosed with a 2-hour fire barrier constructed under section 707 or horizontal assemblies constructed under section 712 of the International Building Code or both. System supervision with manual start and transfer features must be provided at the fire command center.

**Section 608.2.1. Ventilation Air.** Ventilation air must be supplied directly from a 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)

**Section 608.2.2. Discharge air.** Discharge air must 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)

**Section 608.2.3. Fire Dampers.** Fire dampers, shutters or other self-closing devices are not permitted in ventilation or discharge air openings or ductwork for standby power systems. (NFPA 110)

**Section 608.2.4. Motor Operated Dampers.** Motor operated dampers, where provided, must be spring operated to open and motor operated to close. (NFPA 110)

## AMENDMENTS TO THE 2018 INTERNATIONAL FUEL GAS CODE (IFGC)

- 08.00.02.126.** Section 101.1. Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."
- 08.00.02.127.** 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 are permitted to comply with the Maryland Building Rehabilitation Code.
- 08.00.02.128.** Sections 103.4, 103.4.1, 106.1.1, 106.1.2, 106.5.3, 106.5.4, 106.6, and 109. Delete.
- 08.00.02.129.** Chapter 4. Delete all except Sections 401.2, 402.6.1, 412, 413, and 414.

## AMENDMENTS TO THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC)



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**1st and 2nd Printings, with Errata dated July 11, 2019**

- 08.00.02.130.** Wherever the IRC references Chapters 34-43, replace the reference with National Electric Code (NEC) currently adopted by the County. Wherever the IRC references P2904, replace with National Fire Protection Association (NFPA) 13D standard.
- 08.00.02.131.** Section R101.1. Delete the brackets and replace the phrase in the brackets with Montgomery County, Maryland.”
- 08.00.02.132.** Section R101.2. Add the following Exception: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy are permitted to comply with the Maryland Building Rehabilitation Code.
- 08.00.02.133.** Section R102.5. Delete the complete sentence and replace with “All provisions in Appendices C, F, K, O, Q, R and S are adopted as part of the IRC. All provisions of Appendices E and J are adopted as part of the IRC with the modifications described in sections 08.00.02.181 and 08.00.02.182 of this Regulation.
- 08.00.02.134.** Section R102.7. Delete the phrase “the International Property Maintenance Code.”
- 08.00.02.135.** Sections R104.8 and R104.8.1. Delete.
- 08.00.02.136.** Section R105.2. Delete Items 1 & 2. In Item 4: Add “Fully enclosed” before “Water tanks”. In Item 7: Delete “swimming” and change 24 (610 mm) to 18 inches (457 mm). In Item 8: Add “playhouses, treehouses or other similar structures” after first word. Delete Item 9 and replace with “Retractable awnings and retractable canopies”. 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 materials with in kind materials. Add Item 13: Replacing siding materials with in kind materials. Delete Electrical and Plumbing subsections.
- 08.00.02.137.** Sections 105.3.2 and 105.5. Delete.
- 08.00.02.138.** Section R106.1.3 Delete the phrase “and where required by the building official”.
- 08.00.02.139.** Section R107. Delete.
- 08.00.02.140.** Section R108.1. Add a second sentence as follows: “Required fees must be paid for each separate permit application”. Sections R108.2 through R108.5. Delete.



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**08.00.02.141. 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 BEFORE THE APPROVAL OF THIS INSPECTION AND THE DRAINAGE PRECONSTRUCTION, IF APPLICABLE.**
- 2. Footings:** Conducted before 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, must 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 before backfilling the interior drainage system.
- 4. Concrete slab-on-ground floor:** After the installation of the slab base, interior drainage system (if any), 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. For new construction of habitable space exceeding 70 sf, a radon mitigation system is required.
- 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 before erecting the framing. A wall check not identified by a premise address and permit number will not be accepted. Walls must not be constructed on the foundation without an approved wall check.





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6. **Masonry fireplace/chimney:** Conducted after the fireplace and first flue liner section are completed.
7. **Wall Bracing:** Conducted before 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, fire sprinkler system hydro inspection, plumbing, gas and mechanical distribution systems (as required) but before 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/gas 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 48in. above the surface below, a framing inspection must be requested before installation of any floor materials.
9. **Insulation:** Conducted after the FRAMING (close-in) inspection has been approved to verify that the installed insulation complies with 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 before 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. A separate bonding inspection is required under the electrical permit for both the pool shell and the perimeter surfaces.
11. **Final:** Conducted after the building or structure is completed and ready for occupancy or use. If applicable, final electrical and mechanical inspections must be requested with the final building inspection. A final approval from WSSC must be obtained for all plumbing/gas installations, fire sprinklers, drainage, duct leakage and blower door test certifications before requesting final building inspections. 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 must be satisfied before the 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



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inspection must be requested and approved before a building (or portion thereof) is used or occupied.

12. **Partial Inspection:** Conducted upon request. An Inspection fee under the Executive Regulation adopted by the County must be paid when scheduling this inspection.

13. **Re-inspection:** Any of the above inspections disapproved twice for the same violation will be subject to a re-inspection fee under the Executive Regulation adopted by the County. The fee must be paid before any further inspections will be performed at the building site.

**08.00.02.142. Section R110.1.** Delete Exception 2 and replace with Additions and alterations.

**08.00.02.143. Section R110.2.** Delete.

**08.00.02.144. Sections R110.3.** Delete Items 3, 6, and 8.

**08.00.02.145. Sections R110.4.** Delete.

**08.00.02.146. Sections R112.** Delete.

**08.00.02.147. Section R202.**

Delete words "living or" from the definition of "Guestrooms".

Add the following definition: Accessory Dwelling Unit means a second dwelling unit that is subordinate to the principal dwelling and complies with Chapter 59 of the Montgomery County Code.

Add the following definition: 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.

**08.00.02.148. Table R301.2(1).** Under the headings indicated insert the appropriate criteria, as follows: GROUND SNOW LOAD—30 pounds per square foot (psf); ULTIMATE WIND-Speed—115 miles per hour (mph); TOPOGRAPHIC EFFECTS—No; SEISMIC DESIGN CATEGORY—B; SUBJECT TO DAMAGE FROM-Weathering—severe, Frost line depth—30 inches (762 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) July 18, 1975, (b) September 29, 2006, (c) FEMA Flood Panels Numbers Effective September 29, 2006; AIR FREEZING INDEX—300; MEAN



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

<b>Subject: Adoption of the 2018 IBC, IECC, IMC, IFGC, IRC, ISPSC, and IEBC</b>	<b>Number: 31-19</b>
<b>Originating Department: Department of Permitting Services</b>	<b>Effective Date:</b>

ANNUAL TEMPERATURE—55; Manual J Design Criteria: Elevation: 451 ft; Latitude: 39°N; Winter Heating: 19°F; Summer Cooling: 89°F; Altitude Correction Factor: N/A; Indoor Design Temperature: 72°F; Design Temperature Cooling: 75°F; Heating Temperature Differential: 55°F; Cooling Temperature Difference: 14°F; Wind Velocity Heating: 10mph; Wind Velocity Cooling: 6mph; Coincident Wet-bulb: 76°F; Daily Range: M; Winter Humidity: 68% RH; Summer Humidity: 52% RH.

**08.00.02.149. Section R302.2.** At the end of Item 1 after the phrase “with ASTM E 119 or UL 263.” add “; however where there are lot lines between townhouses or individual electrical services are provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested under ASTM E 119 or UL 263. Electrical service for the townhouses must comply with Article 230 of the National Electrical Code.”

**08.00.02.150. Section R302.3.** Delete and replace with: “For side by side two family dwellings the separating wall must comply with R302.2”. Delete Exceptions 1 & 2.

**08.00.02.151. Section R305.1. Exception 1.** Delete each occurrence of the word “required.” Add “Any floor area having less than 5 feet (1524 mm) of ceiling height is not considered part of the room area and must not be allowed to have any permanent fixtures or furnishings such as cabinets, counters, and shelves.”

Add the following after the first sentence of Exception 2: “An area of 21 inches deep by 24 inches wide in front of water closets and lavatories or other fixtures, must have a ceiling height not less than 6 feet 8 inches measured from the finished floor.”

**08.00.02.152. Section R307.1.** Delete “, and in accordance with the requirements of Section P2705.1”.

**08.00.02.153. Section 308.4.4.1.** Delete the Exception.

**08.00.02.154. Section R309.5.** Delete.

**08.00.02.155. Section R310.2.3.2.** Delete the Exception.

**08.00.02.156. Section R312.1.** After the phrase “floor or grade below” in Subsection R312.1.1 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”. Add Subsection R312.1.5. Areaways with a difference in grade level on the lower side exceeding 30 inches (762mm) requires a guard. Add Subsection R312.1.6. Window wells with an area of 9 square feet (0.836



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meters squared) or larger must be protected with a guard or a bar, grill, cover, screen or similar device that complies with Section R310.4.

- 08.00.02.157.** 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 must be protected from damage in areas undergoing rehabilitation work.
- 08.00.02.158.** Add new **Subsection R313.4.** Automatic sprinkler system for reconstruction. An approved automatic fire sprinkler system must be installed when 50 percent or more of the gross floor area of the existing building, excluding basements, is demolished or if 50 percent or more of the existing exterior walls above foundation walls calculated in linear feet by each story are demolished. Gross floor area is the floor area within the inside perimeter of the exterior walls of the building exclusive of vent shafts and courts, without deduction for corridors, hallways, stairways, ramps, closets, thickness of interior walls, columns and other features. The length of the exterior wall is measured from corner to corner on the exterior side of the wall. An existing wooden wall is defined as unaltered bottom plate, top plate, studs and sheathing.
- 08.00.02.159.** **Section R314.2.2.** Exception 2. Add "or electrical" after the word "plumbing".
- 08.00.02.160.** **Section R314.6.** Delete Exception 2 and replace with the following: "Smoke alarms must be installed as required by COMAR Public Safety Code Section 9-104 (2017)."
- 08.00.02.161.** **Section R315.2.2.** Delete Exception 2.
- 08.00.02.162.** **Section R317.1.4.** Exception 1. Delete "exposed to the weather or" and delete the remainder of the exception after the phrase "concrete floor". Delete Exceptions 2 and 3.
- 08.00.02.163.** **Section R319.1.** Change "4 inches (102 mm)" to "5 inches (122.5 mm)".
- 08.00.02.164.** **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 the Executive Regulation adopted by the County."
- 08.00.02.165.** **Section R403.1.4.1.** Exception 1: Delete everything after "accessory structures", and replace with the phrase "excluding garages and carports that do not exceed 400 square feet or less in floor area and an eave height of 10 feet (3048 mm) or less are not required to be protected. Delete Exceptions 2 and 3.
- 08.00.02.166.** **Section R405.1.** Add to the title "exterior drainage system". Delete the exception. Add new subsection R405.1.2. Concrete or masonry foundation interior drainage system.



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Weep holes at least 2 inches (51 mm) in diameter, spaced at a maximum of 6 feet (1828 mm) on center must be installed in the footing or wall below the slab elevation connecting into the interior drains. Weep-hole inlets must 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.

**08.00.02.167. Section R406.1. Delete.**

**08.00.02.168. 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 must be installed as required in a current evaluation report for the product."**

**08.00.02.169. Section R406.4. Delete.**

**08.00.02.170. Section R506.2.2. Delete the Exception.**

**08.00.02.171. Section R506.2.3. Exception 1. Add "Detached" before the word "Garage". Delete Exceptions 2 and 4.**

**08.00.02.172. Section R507.9.1. Amend as follows:**

**Table R507.9.1.3(2)** Delete the phrase "LAG SCREWS AND" from the title of the Table. Delete the phrase "lag screw or" from footnotes (a) and (d).

**Figure R507.9.1.3(1)** Delete "LAG SCREWS AND" from the title. Delete "LAG SCREWS OR" from the figure. Delete "IF LAG SCREWS ARE USED OR BOLT SPACING IS REDUCED TO THAT OF LAG SCREWS" from the asterisked note.

**Figure R507.9.1.3(2)** Delete "LAG SCREWS AND" from the title. Delete "LAG SCREWS OR" from the figure.

**Subsection R507.9.1.4** Add the following after the last sentence. "The deck ledger must be connected to the building's band board or rim board with through bolts, or the deck must be self-supporting".

**08.00.02.173. Section R602.10. Add the following new sentence to the end of this section: "As used in this section, the term building or buildings includes a row of townhouses."**



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**08.00.02.174. Chapter 11 Energy Efficiency.** Replace Chapter 11 with 2018 IECC-Residential Provisions, Chapters 1 to 6 as amended by this Executive Regulation.

**08.00.02.175. Section M1305.1.2.** Add the following after the first sentence: Access to the attic opening must be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders are permitted.

**08.00.02.176. Section M1411.6.** Replace R-4 with R-3.

**08.00.02.177. Section G2406.2.** Add “, under stairways” after the phrase “storage closets”.

**08.00.02.178. Chapters 25 through 33.** Delete.

**08.00.02.179.** Delete Chapters 34-43 and replace with the National Electric Code (NEC) as adopted by the County.

**08.00.02.180. Add new Chapter 45. Site Work and Safeguards.**

**Section R4501. Storage and placement.** Construction equipment and materials must 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 must 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 must be discontinued and capped under the approved rules and the requirements of the authority having jurisdiction.

**Section R4504. Excavation and fill for buildings and structures** must 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 must comply with the International Building Code as adopted by the County.

**Section R4506. Protection of Pedestrians.**

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



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

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

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

**08.00.02.181. Appendix E.** Sections AE501 through AE606 of Appendix E are hereby adopted with the following modification to Section AE502.3: In the last sentence, first paragraph, change 12 inches (305 mm) to 30 inches (762 mm).

**08.00.02.182. Appendix J.** Appendix J is hereby adopted with the following modifications:

**Section AJ103.1 General:** Replace "shall" with "may".

**Sections AJ301.1.2, AJ301.3, and AJ501.5.** Delete.

**Section AJ501.7 Ceiling height:** Add "and attics" after basements.

**Section AJ508.1 Stair width.** Delete and replace with: "The width of existing or replacement stairways serving existing unfinished attics or existing unfinished basements being converted to habitable space must not be less than 32 inches in clear width at all points above the permitted handrail height and below the required headroom height. Handrails must not project more than 4 inches on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including tread and landings, must not be less than 28 inches where a handrail is installed on one side and 24 inches where handrails are provided on both sides."

**Section AJ508.2 Stair headroom.** Delete and replace with: "The minimum headroom in all parts of existing or replacement stairways serving existing unfinished attics or existing unfinished basements being converted to habitable space must not be less than 6 feet 8 inches or 6 feet 4 inches under existing beams, girders, ducts or other obstructions."



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Add **Section AJ509. Stair treads and risers.** Treads must be 9 inches or greater and risers must not be greater than 8¾ inches.

Add **Section AJ601.1.4. Stair width.** The width of existing or replacement stairways serving existing unfinished attics or existing unfinished basements being converted to habitable space must not be less than 32 inches in clear width at all points above the permitted handrail height and below the required headroom height. Handrails must not project more than 4 inches on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including tread and landings, must not be less than 28 inches where a handrail is installed on one side and 24 inches where handrails are provided on both sides.

Add **Section AJ601.1.5. Stair headroom.** The minimum headroom in all parts of existing or replacement stairways serving existing unfinished attics or existing unfinished basements being converted to habitable space must not be less than 6 feet 8 inches or 6 feet 4 inches under existing beams, girders, ducts or other obstructions.

Add **Section AJ601.1.6. Stair treads and risers.** Treads must be 9 inches or greater and risers must not be greater than 8¾ inches.

## **AMENDMENTS TO THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE (ISPSC) First Printing: August 2017**

**08.00.02.183. Section 101.1.** Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."

**08.00.02.184. Section 101.2.** Add an exception to read as follows:

**Exception:** Pools that are not accessory to one- and two-family dwellings.

**08.00.02.185. Section 102.2.** Replace **Section 102.2** with the following new paragraph: "Existing pools for which building permit applications were submitted before July 13, 1990, must be enclosed by an approved fence or wall not less than 42 inches in height, and any latch or lock must be no less than 3 feet from the ground, or the pool must be equipped with an automatic pool cover in lieu of a fence, and the automatic pool cover must be closed whenever the pool is not attended".

**08.00.02.186. Section 102.7.1.** Wherever this code references electrical requirements of the IRC, replace the reference with the National Electric Code (NEC) as adopted by the County.





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- 08.00.02.187. Section 103.1. Add at the end of the paragraph: Swimming pools, Spas and Hot Tubs must also comply with Chapter 51 of the Montgomery County Code.
  - 08.00.02.188. Sections 103.4 and 103.4.1. Delete.
  - 08.00.02.189. Section R105.6. Add a third sentence: "Required fees must be paid for each separate permit application". Delete Sections 105.6.2 through 105.6.3.
  - 08.00.02.190. Section 108. Delete.
  - 08.00.02.191. Add a new Section 305.1.1. "A swimming pool over 18 inches deep, or the property on which the pool is constructed, must be enclosed by a temporary or permanent fence or wall while the swimming pool is under construction. The fence or wall must be at least 42 inches high and must be of a type which will warn of potential danger."
  - 08.00.02.192. Section 305.2.1. In Item 1 change 48 inches (1219 mm) to 60 inches.
  - 08.00.02.193. Section 305.4. In Item 1 first sentence, change 48 inches (1219 mm) to 60 inches. At the end of the first sentence, add the phrase "or a window limiting device that does not allow the window to open more than 4 inches". Add a new third sentence as follows: "A window limit device must comply with ASTM F 2090."
  - 08.00.02.194. Section 305.5. In Item 1 change 48 inches (1219 mm) to 60 inches. Add "Portable non circulating pools on grade less than 24 inches high are not covered by this code. When the pool is not attended it is the homeowner's responsibility to empty the portable pool."
  - 08.00.02.195. Sections 310 through 315 and 317 through 320. Delete.
  - 08.00.02.196. Chapters 4, 5, and 6. Delete.
- AMENDMENTS TO THE 2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC)**
- 08.00.02.197. Section 101.1. Delete the brackets and replace the phrase in the brackets with "Montgomery County, Maryland."
  - 08.00.02.198. Sections 103, 104.8 and 104.8.1. Delete.
  - 08.00.02.199. Section 105.1. Add the following sentences: A separate permit is required for each legal address. A separate permit is required for each separate building at a legal address.
- Subsections 105.1.1 and 105.1.2. Delete.



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**08.00.02.200. Section 105.2.** Delete Item 5 from the "Building" subsection.

**08.00.02.201. Subsections 105.3, 105.4, 105.5, 105.6, 105.7, and 108.1.** Delete.

**08.00.02.202. Section 109.3.10.** Add the following: The final inspection must be requested and approved before a building (or portion thereof) including equipment and appliances are used or occupied.


**08.00.02.203. Sections 110, 112, 113, 114, 116 and 117.** Delete.

**08.00.02.204. Section 202.** Delete the definitions "EXISTING BUILDING" and "EXISTING STRUCTURE" and replace with the following: "EXISTING BUILDING or EXISTING STRUCTURE means a building or structure that was erected and occupied, or was issued a certificate of occupancy, at least 1 year before a construction permit application for the building or structure was made to a local jurisdiction, the Maryland National Capital Park and Planning Commission, or Washington Suburban Sanitary Commission.

**08.00.02.205. Section 305.** Delete and replace with the Maryland Accessibility Code.

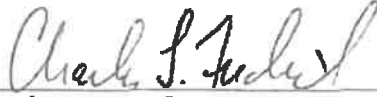
**08.00.02.206. Severability**

The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.

  
\_\_\_\_\_  
Marc Elrich, County Executive

4/8/2020  
\_\_\_\_\_  
Date

Approved as to form and legality

  
\_\_\_\_\_  
Charles L. Frederick

24 March 2020  
\_\_\_\_\_  
Date