

Defined terms: "Building" § 7-401
 "Energy Code" § 7-401
 "Political subdivision" § 7-401

7-403. CERTIFICATE OF COMPLIANCE WITH ENERGY CODE.

(A) DUTY OF BUILDER.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND § 7-404 OF THIS SUBTITLE, A BUILDER OF ANY BUILDING THAT IS COMPLETED AFTER JULY 1, 1982 SHALL CERTIFY UNDER OATH TO THE ELECTRIC COMPANY DESIGNATED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING THAT THE BUILDING MEETS THE LATEST EDITION OF THE ENERGY CODE.

(2) IF THE BUILDING WAS DESIGNED WHILE THE IMMEDIATELY PRECEDING EDITION OF THE ENERGY CODE WAS IN EFFECT AND THE BUILDING WAS CONSTRUCTED IN ACCORDANCE WITH THE THEN PRECEDING EDITION OF THE ENERGY CODE, THE BUILDER MAY SO CERTIFY IN ORDER TO SATISFY THE REQUIREMENTS OF THIS SECTION.

(B) CONTENTS OF CERTIFICATE.

(1) THE CERTIFICATION SHALL BE MADE ON A FORM THAT IS PROVIDED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(2) THE CERTIFICATE SHALL CONTAIN A STATEMENT TO THE EFFECT THAT ANY ACTION BROUGHT BY THE FIRST PURCHASER AGAINST THE BUILDER UNDER § 7-406(B) OF THIS SUBTITLE MAY BE BROUGHT WITHIN 3 YEARS AFTER THE DATE ON WHICH THE BUILDER PROVIDED THE FIRST PURCHASER WITH A COPY OF THE CERTIFICATE OR THE WAIVER AS PROVIDED IN § 7-406(A) OF THIS SUBTITLE.

(C) FILING CERTIFICATE.

(1) THE BUILDER SHALL FILE THE CERTIFICATE WITH THE ELECTRIC COMPANY IN PERSON OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(2) IF THE BUILDER IS A CORPORATION, THE CERTIFICATE SHALL BE SUBMITTED UNDER OATH BY AN OFFICER OF THE CORPORATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 78, § 54J(b)(1), (2), and (4).

In subsections (a)(1) and (c)(2) of this section, the former references to an "affirmation" are deleted as included in the references to an "oath". See Art. 1, § 9 of the Code.

In subsection (b)(1) of this section, the former reference to the certification "required under this subsection" is deleted as unnecessary.

In subsection (b)(2) of this section, the term "certificate" is substituted for the former reference to a "form" for consistency with terminology within this section.