

COUNTY LOCAL LAWS

COUNCIL BILL NO. 62

AN ACT to enact Section 13.106 of the Howard County Code, "Housing and Urban Renewal," subtitle "Condominiums," providing that no apartment units may be converted into condominiums without the issuance of a Certificate of Use and Occupancy by the Department of Public Works, also providing that condominiums must meet certain firewall construction specifications, and further establishing a per unit fee for the issuance of a Certificate of Use and Occupancy for condominiums.

WHEREAS, Article 11-A of the Maryland State Constitution gives "Charter" Counties the power to pass such ordinances "as may be deemed expedient in maintaining the peace, good government, health and welfare of the County"; and

WHEREAS, Article 21 of the Public General Laws of Maryland, known as the "Horizontal Property Act," creates a procedure for the establishment of "condominiums" and permits owners of existing residential structures to change the legal status from "apartments" to "condominiums"; and

WHEREAS, An artificial distinction exists in the present construction standards, in that certain amendments to the BOCA Basic Building Code require a masonry fire wall and party wall continuous from the foundation to the roof where the property will be owned in separate units, but not requiring the masonry fire wall to the roof in the case of apartment projects.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF HOWARD COUNTY, that a new Section 13.106 be and is hereby added to the Howard County Code title 13 "Housing and Urban Renewal" immediately after Section 13.105, and to read as follows:

13.106 CONDOMINIUMS - ESTABLISHED FROM
PRE-EXISTING APARTMENTS

(A) 1) FOR THE PURPOSE OF THIS SECTION, THE WORD "CONDOMINIUM" MEANS THE OWNERSHIP OF SINGLE UNITS