

clarifying certain findings of the General Assembly with respect to the Model Performance Code; clarifying that certain parts of the Model Performance Code shall incorporate by reference the Standards authorized by this Act; and generally relating to the adoption of Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,

Article 83B – Department of Housing and Community Development

Section 6-101(a) and (b)(1)

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

BY adding to

Article 83B – Department of Housing and Community Development

Section 6-401 through 6-406, inclusive, to be under the new subtitle “Subtitle 4. Maryland Building Performance Standards”

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

#### Preamble

WHEREAS, The administration and enforcement of a building code is necessary to protect public health and safety, and Maryland is one of only 18 states without a statewide building code; and

WHEREAS, 19 counties and 59 municipalities in Maryland enforce nine different codes based on various different editions of two national model codes and five counties have no building code; and

WHEREAS, This lack of uniformity in building code requirements throughout the State causes confusion and inefficiencies for members of the building industry; and

WHEREAS, It is important to eliminate and reduce bureaucratic inefficiencies in the construction industry in an effort to reduce construction costs, encourage economic development, and increase and maintain the availability of affordable housing in the State; and

WHEREAS, It is necessary and appropriate to tailor national building standards to meet local concerns and special needs related to the oversight of construction; and

WHEREAS, The Governor appointed a Task Force on Uniform Maryland Building Performance Standards consisting of 35 members representing local building and fire officials, State and local elected and appointed officials, the general public, and the private sector building community including engineers, homebuilders, architects, and contractors; and

WHEREAS, The Governor's Task Force recommends the adoption of legislation establishing Maryland Building Performance Standards based on the BOCA National Building Code, which is the national code followed in most local jurisdictions; and