

WHEREAS, The Task Force recommends that local jurisdictions be able to adopt more or less stringent amendments to the Maryland Building Performance Standards and submit the local amendments to the Department of Housing and Community Development for inclusion in a central automated data base that can be accessed by both the public and private sector to obtain accurate and current information about the building and fire code requirements in any jurisdiction in the State; and

WHEREAS, The Task Force recommends staggered effective dates for the applicability of the Maryland Building Performance Standards to ensure that local jurisdictions with no building code or following a national code other than BOCA receive the necessary time and assistance to make the transition to the Maryland Building Performance Standards; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 83B – Department of Housing and Community Development

6-101.

(a) The General Assembly of Maryland finds that the potential benefits of new materials and techniques for building construction are not readily available to Maryland, in part because existing building codes are so written as to preclude their use. [However, modification of such regulations, where they exist, cannot be readily made because the techniques and skills needed to utilize different types of building codes are beyond the background of some of the existing officials. They cannot reasonably be expected to enforce significantly modified regulations without additional training.] Moreover, several subdivisions within the State of Maryland have no building codes of any type to protect [its] THEIR citizens against the intrusion of unsafe, unsound or unsanitary buildings to their communities. This measure of protection should be provided to such communities. Therefore, the Department is hereby authorized to prepare and issue a Model Performance Code for building construction in the State of Maryland.

(b) (1) (I) The Model Performance Code which the Department is authorized to issue, shall cover such elements as plumbing, structure, electrical systems and other elements appropriate to assure safe and sound construction.

(II) ANY PART OF THE MODEL CODE THAT RELATES TO STRUCTURE SHALL INCORPORATE BY REFERENCE THE MARYLAND BUILDING PERFORMANCE STANDARDS ESTABLISHED UNDER SUBTITLE 4 OF THIS TITLE.

(III) The Model Code shall also include elements which promote the efficient utilization of energy resources. The Model Code shall be framed in terms of the purposes for which building codes are drawn rather than the specifications of materials and methods required to achieve the goals.

SUBTITLE 4. MARYLAND BUILDING PERFORMANCE STANDARDS

6-401.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.