

(IV) ISSUANCE OF APPROPRIATE USE AND OCCUPANCY CERTIFICATES.

(2) THE MANNER IN WHICH THE MINIMUM IMPLEMENTATION AND ENFORCEMENT ACTIVITIES SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION ARE CARRIED OUT SHALL BE DETERMINED BY THE LOCAL JURISDICTION.

(3) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PERMIT OR ENCOURAGE THE STATE TO INITIATE OR ASSUME AN INDEPENDENT ROLE IN THE ADMINISTRATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS FOR A BUILDING OR STRUCTURE WITHIN THE STATE, A COUNTY, OR A MUNICIPALITY THAT IS NOT OWNED OR OPERATED BY THE STATE.

(F) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION THE COUNTY IN WHICH A STRUCTURE IS SITUATED IS RESPONSIBLE FOR IMPLEMENTATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBTITLE.

(2) (I) A MUNICIPALITY THAT HAS NOT ADOPTED A BUILDING CODE AS OF OCTOBER 1, 1992 MAY ELECT TO IMPLEMENT AND ENFORCE THE MARYLAND BUILDING PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBTITLE FOR STRUCTURES LOCATED WITHIN THE MUNICIPALITY.

(II) IF A MUNICIPALITY ELECTS TO IMPLEMENT AND ENFORCE THE STANDARDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COUNTY, IN WHICH THE MUNICIPALITY IS LOCATED, IS NOT RESPONSIBLE FOR IMPLEMENTATION AND ENFORCEMENT OF THE STANDARDS WITHIN THE MUNICIPALITY.

(3) A COUNTY THAT HAS NOT ADOPTED A BUILDING CODE AS OF OCTOBER 1, 1992 IS RESPONSIBLE FOR IMPLEMENTATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS WITHIN THE COUNTY UNLESS IT ELECTS TO NEGOTIATE WITH A MUNICIPALITY LOCATED WITHIN THE COUNTY TO HAVE THE MUNICIPALITY IMPLEMENT AND ENFORCE THE STANDARDS WITHIN THE COUNTY.

(4) A MUNICIPALITY THAT HAS ADOPTED A BUILDING CODE AS OF OCTOBER 1, 1992 IS RESPONSIBLE FOR IMPLEMENTATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS WITHIN THE MUNICIPALITY UNLESS IT ELECTS TO NEGOTIATE WITH THE COUNTY IN WHICH THE MUNICIPALITY IS LOCATED TO HAVE THE COUNTY IMPLEMENT AND ENFORCE THE STANDARDS WITHIN THE MUNICIPALITY.

(G) A LOCAL JURISDICTION MAY CHARGE FEES NECESSARY TO COVER THE COST OF IMPLEMENTATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS AND ANY LOCAL AMENDMENTS TO THE STANDARDS.

(H) THIS SUBTITLE MAY NOT BE CONSTRUED TO ALTER OR ABROGATE ANY EXISTING ZONING POWER OR RELATED AUTHORITY THAT MUNICIPALITIES AND COUNTIES MAY EXERCISE AS OF OCTOBER 1, 1993.