

**RESOLUTION NO. 24 - 01**

**A RESOLUTION ESTABLISHING LOCAL AMENDMENTS  
TO THE MARYLAND BUILDING PERFORMANCE STANDARDS  
FOR WORCESTER COUNTY, MARYLAND**

WHEREAS, pursuant to State law the Maryland Codes Administration has established the 2021 International Building Code and 2021 International Residential Code, et al, as the Maryland Building Performance Standards by COMAR Regulation 09.12.51; and

WHEREAS, each local jurisdiction within the State must enforce these Standards within twelve months of the State's adoption of these codes; and

WHEREAS, local jurisdictions may make local amendments to modify the provisions of the Standards to address conditions peculiar to the local jurisdiction's community; and

WHEREAS, the County Commissioners have determined it necessary and appropriate to amend said Standards to carry forward certain local amendments to prior building codes and to ensure consistency with other regulations, both state and local.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following local amendments to the Maryland Building Performance Standards are hereby adopted:

**IRC CODE AMENDMENTS**

1) R105.2 Work exempt from permit is amended to read as follows:

**R105.2 Work exempt from the submission of construction plans.** Where permits are required by the terms of other Public Local Law for various construction activities, construction plans shall not be required for the following.

**Building:**

1. Detached accessory structures such as sheds, playhouses, garages and similar uses, provided the floor area is less than 500 square feet.
2. Fences not over 6 feet (1,829 mm) high.
3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 liters) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet in area, not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4.

2) R105.2 is furthermore amended by the deletion of the Electrical, Gas, Mechanical and Plumbing provisions previously contained in the section.

3) R105.5 Expiration is amended to read as follows:

**R105.5 Expiration.** The expiration date for any issued permit shall be in accordance with the provisions of Section ZS 1-115(g) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County as may be amended from time to time. Any permit application which remains unissued after six months from the date of notice to the applicant of its availability shall expire and be considered null and void.

4) R110.1 Use and occupancy is amended by the deletion of exceptions 1 and 2.

5) Table R301.2 Climatic and Geographic Design Criteria is amended by the insertion of the following building design parameters:

Ground snow load – 20 pounds per square foot

Wind design speed/topographic effect – 125 mph/no topographic effect, exposure C.

Seismic design category – A

Subject to damage from:

Weathering – Severe

Frost line depth – 18 inches

Termite – Moderate to Heavy

Winter design temperature – 18 degrees

Ice barrier underlayment required – No

Flood Hazard – As identified by the FIRM maps, Effective July 16, 2015.

Air freezing index – 250

Mean annual temperature – 56 Degrees Fahrenheit

6) R318.1 Subterranean termite control methods is amended to read as follows:

**R318.1 Subterranean termite control methods.** In areas subject to damage from termites as indicated by table R301.2(1), methods of protection shall employ a physical barrier as provided in Section R318.3 or construction utilizing cold-formed steel framing in accordance with Sections R505.2.1 and R603.2.1. Additional methods of protection as required by Section R318.3 shall use as least one of the following:

1. Chemical termiticide treatment, as provided in Section R318.2.
2. Termite baiting system installed and maintained according to the label.
3. Pressure-preservative-treated wood in accordance with the provisions of Section R317.1.
4. Naturally durable termite-resistant wood.

7) R322. Flood resistant construction is deleted in its entirety and replaced with the following:

**R322. Flood resistant construction.** For flood-resistant construction regulations, refer to the Building Regulations Article, Title 2 Construction Regulations, Subtitle III Floodplain Management, of the Code of Public Local Laws of Worcester County, Maryland.

8) R403.1.1 Minimum size is amended by the addition of the following sentence at the end of the section: In no case shall the footing be less than 20 inches in width and 10 inches in thickness with a minimum compressive strength of 2500 pounds per square inch and contain no less than two pieces of #4 reinforcement bar laid longitudinally throughout the entire footing.

9) R403.1.4 Minimum depth is amended to read as follows:

**R403.1.4 Minimum depth.** All exterior footings shall be placed at least 18 inches below the finished exterior grade. Where applicable, the depth of footings shall also conform to Section R403.1.4.1.

- 10) *Appendices E – Manufactured Housing and K – Sound Transmission are specifically adopted.*

### **IBC CODE AMENDMENTS**

- 1) *[A] 105.2 Work exempt from permit is amended to read as follows:*

**[A] 105.2 Work exempt from the submission of construction plans.** Where permits are required by the terms of other Public Local Laws for various construction activities, construction plans shall not be required for the following.

#### **Building:**

1. Detached accessory structures such as sheds, playhouses, garages and similar uses, provided the floor area is less than 500 square feet.
2. Fences not over 6 feet (1,829 mm) high, except for a barrier at a commercial swimming pool.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 liters) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theatre sets and scenery.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 liters) and are installed entirely above ground.

9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
  10. Swings and other playground equipment accessory to one- and two-family dwellings.
  11. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Groups R3 and U occupancies.
  12. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
- 2) [A] 105.2 is furthermore amended by the deletion of the Electrical, Gas, Mechanical and Plumbing provisions previously contained in the section.
  - 3) [A] 105.5 Expiration is amended to read as follows:  
  
**[A] 105.5 Expiration.** The expiration date for any issued permit shall be in accordance with the provisions of Section ZS 1-115(g) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County as may be amended from time to time. Any permit application which remains unissued after six months from the date of notice to the applicant of its availability shall expire and be considered null and void.
  - 4) Pursuant to Section .06 Application of Standards, Subsection C., of the Maryland Building Performance Standards, COMAR 09.12.51 as amended from time to time, Worcester County shall be added the list of Counties whereby the standards for agricultural buildings used for agritourism are modified pursuant to the standards contained therein.

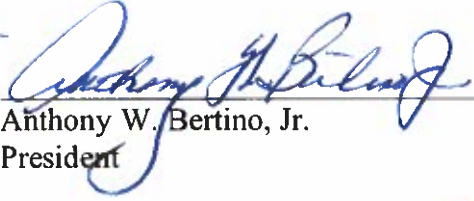
AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage and shall apply to all building permit applications accepted for submittal on or after May 29, 2024.

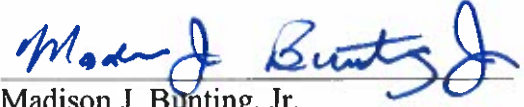
PASSED AND ADOPTED this 5th day of March, 2024.

Attest:

Worcester County Commissioners

  
\_\_\_\_\_  
Weston S. Young  
Chief Administrative Officer

  
\_\_\_\_\_  
Anthony W. Bertino, Jr.  
President

  
\_\_\_\_\_  
Madison J. Bunting, Jr.  
Vice President

  
\_\_\_\_\_  
Caryn G. Abbott  
Commissioner

  
\_\_\_\_\_  
Theodore J. Elder  
Commissioner

  
\_\_\_\_\_  
Eric J. Fiori  
Commissioner

  
\_\_\_\_\_  
Joseph M. Mitrecic  
Commissioner

  
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Diana Purnell  
Commissioner