RECORD 1
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RESOLUTION TO APPOINT CODE ENFORCEMENT OFFICIAL - LIVABILITY CODE

WHEREAS, the Mayor and Council of the Town of Williamsport have determined it is in the best interests of the citizenry of Williamsport to enact the "Livability Code of the Town of Williamsport, Maryland, an Ordinance which establishes minimum requirements for residential rental units," and

WHEREAS, pursuant to Article .05 of said Ordinance, Mayor and Council of Williamsport are required to designate a Code Official for purposes of enforcing the provisions of the said Livability Code.

WHEREAS, it is the purpose and intent of this Resolution to appoint said Code Official.

NOW, THEREFORE, BE IT RESOLVED, that any person designated by the Board of County Commissioners, Washington County, Maryland, for the purpose of enforcing the "Livability Code of Washington County, Maryland," shall be and is hereby designated as the Code Official pursuant to Article .05 of the "Livability Code of the Town of Williamsport, Maryland, an Ordinance with establishes minimum requirements for residential rental units," and

BE IT FURTHER RESOLVED, that this designation of the Code Enforcement Official shall commence on January 1, 1989, and shall continue up to and including December 30, 1989, and shall continue thereafter until the Mayor and Council of the Town of Williamsport shall designate another Code Official pursuant to Article .05 of the aforementioned Ordinance.

ATTEST AS TO
CORPORATE SEAL:

Donna K. Spickler
Donna Spickler,
Town Clerk

MAYOR AND COUNCIL OF THE
TOWN OF WILLIAMSPORT

BY John Slayman
John Slayman,
Mayor

CHAPTER 7

AN ORDINANCE PERTAINING TO MINIMUM STANDARDS GOVERNING CONSTRUCTION AND MAINTENANCE OF BUILDINGS/STRUCTURES

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[1]This Section 3 sets forth all the Codes adopted by Washington County, Maryland, together with any subsequent amendments or revisions.)

SECTION 1: PURPOSE.

The Mayor and Council have determined it to be in the best interest of the residents and citizenry of the community and in the interest of protecting the public health and safety to establish minimum standards governing the construction, alteration, addition, repair, removal, occupancy, livability, maintenance, and all other matters pertaining to buildings and structures.

SECTION 2: AUTHORITY.

The Charter of the Town of Williamsport, Article 23, and of the Annotated Code of the General Laws of Maryland authorizes the Town of Williamsport as a municipal corporation to establish certain minimum codes as set forth and to authorize, request and designate Washington County to enforce and administer such codes if it so desires.

SECTION 3. CODES.

The following are hereby adopted and considered to be in force in the appropriate limits of the Town of Williamsport, a municipal corporation:

1. **BOCA National Building Code.**

The 1996 BOCA National Building Code, Thirteenth Edition, 1996 as published by the Building Officials and Code Administrators International, Inc., and as adopted by the Board of County Commissioners of Washington County, Maryland, on October 7, 1997, with an effective date of October 7, 1997, be and is hereby adopted in its entirety with the same insertions, amendments, and revisions as set forth therein. The BOCA National Building Code, Thirteenth Edition, 1996 as passed by the Board of County Commissioners of Washington County, Maryland, together with all insertions, amendments, and revisions is incorporated herein by reference, and attached and shall be kept on file with the Town Clerk.

Any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the Board of County Commissioners of Washington County, Maryland are hereby adopted.

2. **CABO One and Two Family Dwelling Code.**

The1995 addition of the CABO One and Two Family Dwelling Code as adopted by the Board of County Commissioners of Washington County, Maryland, be and is hereby adopted and enacted. The said 1995 addition of CABO One and Two Family Dwelling Code, in its entirety as adopted by the Board of County Commissioners of Washington County, Maryland effective on October 7, 1997, is attached hereto and made a part hereof by reference and a copy with all revisions, amendments and insertions shall be kept on file with the Town Clerk.

Any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the Board of County Commissioners of Washington County, Maryland are hereby adopted..

3. **The 1996 International Mechanical Code, First Printing.**
The 1996 International Mechanical Code, First Printing, except as otherwise set forth herein, as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of October 7, 1997 be and is hereby adopted in its entirety with the same insertions, amendments, and revisions. The 1996 International Mechanical Code, First Printing, as passed by the Board of County Commissioners of Washington County, Maryland, together with all insertions, amendments, and revisions is incorporated herein by reference and shall be kept on file with the Town Clerk.

Any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the Board of County Commissioners of Washington County, Maryland are hereby adopted.

4. **The National Electrical Code.**
The National Electrical Code as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of October 7, 1997, as amended or intended to be amended, is hereby adopted in its entirety with the same insertions, amendments, and revisions. The National Electrical Code as passed by the Board of County Commissioners of Washington County, together with all insertions, amendments, and revisions is incorporated herein by reference and shall be kept on file with the Town Clerk.

Any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the Board of County Commissioners of Washington County, Maryland are hereby adopted.

5. **The International Plumbing Code.**
The International Plumbing Code as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of October 7, 1997, be and is hereby adopted in its entirety with the same insertions, amendments, and revisions. The International Plumbing Code as passed by the Board of County Commissioners of Washington County, together with all insertions, amendments, and revisions is incorporated herein by reference and shall be kept on file with the Town Clerk.

Any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the

Board of County Commissioners of Washington County, Maryland are hereby adopted.

6. **The Code for the Handicapped.**

The Maryland Access Code for the Handicapped as adopted by the State of Maryland, and enforced by the Board of County Commissioners of Washington County, Maryland, as it now exists and/or may be amended from time to time, together with any subsequent replacements, revisions, supplements, amendments, and addendums issued thereto that from time to time may be adopted by the Board of County Commissioners of Washington County, Maryland are hereby adopted.

8. **Livability Code.**

§.01 GENERAL.

A. Title: These regulations shall be known as the Town of Williamsport Livability Code of "This Code".

B. Scope: This Code is created to protect the public health, safety and welfare in residential structures and premises by:

(1) Establishing minimum property maintenance standard for basic equipment and facilities used for light, ventilation, heating and sanitation for residential structures and premises, and for safety and sanitary maintenance of residential structures and premises;

(2) Establishing minimum requirements for residential structures and premises for means of egress, fire protection systems and other equipment and devises necessary for safety from fire;

(3) Fixing the responsibilities of property owners, operators and tenants of residential structures and premises; and

(4) Providing for administration, enforcement and penalties.

C. Intent. This Code shall be construed liberally and justly to protect public health, safety and welfare insofar as they are affected by the continued use and maintenance of residential structures and premises.

§.02 DEFINITIONS

A. Rules of Interpretation:

(1) Unless otherwise expressly stated, the terms defined in Section B shall have the meanings indicated for purposes of the Code.

(2) Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

(3) Where terms are not defined, through the methods authorized by this section, they shall have their ordinarily accepted meanings such as the context may imply.

A. Terms Defined:

(1) "Act" means §11-403 of Article 41 of the Annotated Code of Maryland.

(2) "Basement" means that portion of a structure which is partly or completely below grade and having at least 50% of its floor to ceiling height below finished grade.

(3) "Building Code" means the BOCA Basic/National Code.

(4) "Central Heating" means the heating system permanently installed and adjusted so as to provide the distribution of heat to all habitable areas from a source outside of these areas.

(5) "Code" means the Livability Code.

(6) "Code Official" means the Director of the Department of Permits and Inspections or his/her authorized agent or designee.

(7) "Condemn" means to declare a structure or part thereof, premises, or equipment, unsafe or unfit for use or occupancy.

(8) "Electrical Code" means the National Electrical Code.

(9) "Extermination" means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping, or by any other pest elimination methods which have received all necessary and legally required approvals.

(10) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(11) "Habitable Area" means the space in a structure used for living, sleeping, eating, or cooking including bathrooms and toilet compartments.

(12) "Housing Board of Review" - "Board" means the Mayor and Council to hear waiver requests and appeals and render decisions.

(13) "Housing Unit" means a single unit of a structure providing or intended to provide complete living and sleeping facilities for one or more persons.

(14) "Infestation" means the presence, within or contiguous to, a structure or premises of insects, rodents, vermin or other pests.

(15) "Maintenance" means the repair and other acts intended to prevent a decline in the condition of a structure, premises, or equipment below the standards established by this Code and other applicable statutes, codes and ordinances.

(16) "Occupant" means any individual having possession of a space within a housing unit.

(17) "Operator" means a person who has charge, care or control of a structure or premises which is offered for occupancy.

(18) "Person" includes an individual, partnership, limited partnership, trust, estate, association or corporation.

(19) "Plumbing" means the practice, materials, facilities and fixtures used in the installation, maintenance, extension or alteration of all piping, fixtures, appliances and appurtenances within the scope of the Washington County Plumbing Code.

(20) "Plumbing Fixture" means a receptacle or device which is either permanently or temporarily connected to a water distribution system of the premises, and demands a supply of water therefrom; or discharges used water, liquid-borne waste materials, or sewage either directly of indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge system of the premises.

(21) "Premises" means a lot, plot or parcel of land including the structure thereon.

(22) "Property Owner" means any person having a legal or equitable interest in the premises, including the guardian of the estate of any such person, or the executor or administrator of the estate of such person if ordered to take possession of the premises by a court.

(23) "Rubbish" means refuse composed of paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery, dust and/or other similar materials

as well as the residue from the burning of wood, coal, coke and other combustible materials.

(24) "Structure" means a residential structure for human habitation.

(25) "Tenant" means an occupant other than a property owner.

(26) "Ventilation" means the process of supplying and removing air by natural or mechanical means to or from any space.

(a) Mechanical: Ventilation by power-driven devices.

(b) Natural: Ventilation by opening to outer air, air through windows, skylights, doors, louvers, or stacks without power-driving devises.

§.03 APPLICATION

A. The Livability Code shall apply to residential structures located in the Town of Williamsport used for human habitation except:

(1) Owner-occupied single family housing units;

(2) Any housing exempted by the Mayor and Council of Williamsport.

(3) Any repairs or alterations to a structure, or changes of use therein, which may be caused directly or indirectly by the enforcement of this Code shall be done in accordance with the procedures and provisions of applicable local building code, plumbing code, mechanical code and electrical code, or any other code or standard applicable to housing.

(4) The provisions in the Code shall not abolish or impair any remedies available to the Code Official relating to the removal or demolition of any structures which are deemed to be dangerous, unsafe and unsanitary.

(5) All repairs, maintenance, alterations or installations which are required for compliance with this Code shall be executed an installed in accordance with industry standards so as to secure the results intended by this Code.

§.04 CODE ENFORCEMENT

A. Enforcement: It shall be the duty and responsibility of the Mayor and Council to enforce the provisions of this Code as herein provided.

B. A person may not be displaced by enforcement of this Code unless the structure is deemed unsafe, unsanitary, deficient in adequate exit facilities or which constitutes a fire hazard, or is otherwise dangerous to human life by the Code official. The Code Official shall notify the Mayor and Council and shall make every effort to find alternate housing of comparable affordability for any displaced persons.

§.05 DUTIES AND POWERS OF CODE OFFICIALS

A. General: The Board of County Commissioners shall designate the Code Official to enforce the provisions of this Code except as may otherwise be specifically provided by these regulations.

B. Notices and Orders: The Code Official shall issue all notices and orders necessary to insure compliance with this Code. Such notices and orders shall include the procedure by which the person served may appeal.

C. Inspection: The Code Official is authorized to enter any structure or premises upon invitation by the owner or at any reasonable time upon providing reasonable notice to the occupant and owner, for the purpose of making inspections and performing duties under this Code.

D. Alterations and Repairs: The Code Official has the authority to require and approve any alterations or repairs necessary to bring a structure or premises into compliance with this Code. The determination of what may be necessary to bring such premises into compliance shall take into consideration the use of alternatives and equivalent approaches as provided for in this Code. The Code Official shall have authority to approve changes in any alterations or repairs in the field when conditions are encountered which make the originally approved work impractical, provided such changes in approved work can be readily determined to be in compliance with this Code and other applicable codes as outlined in §.03(B) and are requested by the property owner or by his agent, describing the change in work and the reasons and justification for the change, and shall be filed with the permit for the project.

E. Right of Entry: If any property owner, tenant or operator of a structure refuses, impedes, inhibits, interferes with, restricts, or obstructs entry and free access to any part of the structure or premises where inspection authorized by the Code is sought, the Code Official may seek, in a court of competent

jurisdiction, an order that such property owner, tenant, or operator cease and desist from such interference.

F. Access by Property Owner or Operator: A tenant of a structure or premises shall give the property owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable time upon being given reasonable notice for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this Code.

G. Credentials: The Code Official shall disclose his credentials for the purpose of inspecting any structure or premises.

H. Coordination of Enforcement: The inspection of structures and premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the Code Official. Whenever, in the opinion of the Code Official initiating an inspection under this Code, it is deemed necessary or desirable to have inspections by any other governmental official or agency the Code Official shall arrange for the coordination of such inspections so as to minimize the number of visits by inspectors. The Code Official shall confer with the other governmental official or agency for the purpose of eliminating conflicting orders before any are issued. The Code Official shall not, however, cause the delay of the issuance of any orders by any governmental official or agency which the governmental official or agency determines must be issued.

I. Rule Making Authority: The Code Official shall have the power as may be necessary in the interest of public safety, health and general welfare, to promulgate and adopt rules and regulations to interpret and implement the provisions of this Code to further the intent thereof.

§.06 CONDEMNATION

A. General: When a structure or part thereof is found by the Code Official to be unsafe or unfit for human occupancy or use as defined in the Code, the Code Official may condemn the structure or part thereof and may order the structure or part thereof to be placarded and vacated pursuant to the provisions of this Code. The structure or part thereof shall not be reoccupied without approval of the Code Official. Unsafe equipment may be condemned, placarded and placed out of service pursuant to the provisions of this Code.

B. Unsafe Structure: An unsafe structure is one which all or part thereof is found by the Code Official to be dangerous to life, health, property, or the safety of its tenants by not providing minimum protection from fire or because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that it is likely to partially or completely collapse.

C. Unsafe Equipment: Unsafe equipment includes any boiler, heating equipment, cooking equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that it is found by the Code Official to be hazardous to life, health, property or safety of the tenants of the premises of structure. Unsafe equipment may contribute to the finding that the structure is unsafe or unfit for human occupancy or use.

D. Structure Unfit for Human Occupancy: A structure is unfit for human occupancy or use whenever the Code Official finds that it is unsanitary, vermin or rodent infested, contains filth or contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Code.

E. Closing of Vacant Structures: Upon failure of a property owner to close or vacate a premise within the time specified in an order, the Code Official may cause the premises to be closed through any available public agency or by contract or arrangement with private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If the owner fails to repay the Town for expenses incurred, pursuant to this procedure, within thirty (30) days after written demand has been mailed to the last known address, the Code Official shall notify the Town Treasurer and a tax lien in favor of the Town for the amount of the expenses incurred shall be attached to the property. The property may be sold at tax sale to satisfy a lien authorized by this section.

§.07 NOTICES AND ORDERS

A. General: Whenever the Code Official determines that there has been a violation of this Code or has reasonable grounds to believe that a violation has occurred, or whenever the Code Official has determined to condemn any structure or part thereof or equipment under the provisions of §.06, notice shall be given to the property owner, operator or to the tenant in the manner prescribed in this Code. Such notices and orders shall include the procedure by which the person served may appeal. If the Code Official has condemned the structure or part thereof or equipment, the Code Official shall serve prior notice to the property owner or operator and to the tenants of the intent to:

(1) Order the structure or part thereof placarded or vacated; or

(2) Order the equipment placed out of service.

B. Service by Notice: Notice shall be deemed to be properly served upon a property owner, operator or tenant by one of the following methods:

(1) By delivering to the person to be served or his/her agent a copy of the notice and all other necessary papers; or

(2) a) By mailing to the person to be served at his/her last known address or to his/her agent by certified or registered mail with return receipt requested a copy of the notice and all other necessary papers; or

b) If the certified or registered letter is returned with receipt showing that it has not been delivered, by posting a copy thereof in a conspicuous place in or about the structure affected by such notice.

C. Notice to Vacate: When a condemnation order is served on a tenant, the tenant shall be given reasonable time to vacate the structure in accordance with applicable laws.

D. Transfer of Ownership: A property owner who has received a compliance order or upon whom a notice of violation has been served shall not sell, transfer, mortgage, lease or otherwise dispose of the premises until the provisions of the compliance order or notice of violation have been complied with, or until the property owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of the compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, in which he acknowledges the receipt of the

compliance order or notice of violation and states that he fully accepts and assumes the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

E. Removal of Placard: A property owner, operator or tenant shall not deface or remove a condemnation placard without the approval of the Code Official.

§.08 VIOLATIONS

A. Penalty: Any property owner, operator or tenant who willfully violates any provision of this Code is guilty of a misdemeanor and on conviction for each violation is subject to a fine not exceeding $100 for each day that the violation exists or imprisonment not exceeding three months, or both.

B. Other Penalties: Any penalty ordered under this Code is in addition to and is not a substitute for any other penalty authorized under a federal, state or local law.

§.09 RIGHT TO APPEAL

A. Petition: Any person affected by any decision of the Code Official which has been made in connection with the enforcement of any provision of this Code, or of any rule or regulation adopted pursuant to this Code, may request and may be granted a hearing in a manner prescribed by the Mayor and Council of Williamsport. Any person affected desiring a hearing shall make a written request for a hearing within 15 days upon receipt of a Certified letter of violation from the Code Official.

§.10 ENVIRONMENTAL REQUIREMENTS

A. Scope: The provisions of this regulation shall establish the minimum standards for maintenance of premises and structures.

B. Premises Conditions:

(1) Sanitation: All premises shall be maintained in a clean, safe and sanitary condition free from any accumulation of rubbish or garbage.

(2) Insect and Rodent Control: The premises shall be free from infestation of insects, rodents, vermin or other pests.

C. Exterior Structure:

(1) General: The exterior of a structure shall be maintained in good repair, and shall be structurally sound and

maintained in a sanitary condition so as not to pose a threat to the health, safety or welfare of the occupants.

(2) Structural Members: All supporting structural members of a structure shall be kept structurally sound, free of deterioration and maintained capable of safely bearing the dead and live loads imposed upon them in accordance with the Building Code.

(3) Exterior Surfaces: Every foundation, exterior wall, roof, and all other exterior surfaces shall be maintained in good repair and shall be kept in such conditions to exclude rodents and other pests.

(4) Foundation Walls: All foundation walls shall be structurally sound and shall be maintained free from open cracks and breaks.

(5) Exterior Walls: Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied areas of the structure.

(6) Roofs and Drainage: The roof shall be structurally sound, and shall not have defects which might admit rain. Roof drainage shall be adequate to prevent rain water from causing dampness or deterioration in the walls or interior portion of the structure.

(7) Decorative Features: All cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(8) Signs, Marquees and Awnings: All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair, be properly anchored and kept in a safe and sound condition. They shall be protected from the elements and against decay and rust by the periodic application of a weathercoating material such as paint or other protective treatment.

(9) Chimneys: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally sound, safe, properly flashed and caulked and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against

decay or rust by periodic application of weathercoating materials such as paint or similar surface treatment.

(10) Stairs and Porches: Every exterior stair, porch, fire escape balcony and all appurtenances attached thereto shall be safe to use and capable of supporting the anticipated loads and shall be maintained in a safe and sound condition and good repair. Guards and handrails shall be maintained in accordance with the Building Code.

(11) Windows, Doors and Frames: Every window, door and frame shall be maintained so as to exclude rain and rodents as completely as possible, and to substantially exclude wind from entering the structure.

(12) Weathertight: Every window and exterior door shall be fitted reasonably in its frame and be weathertight. Every window shall be free of cracks and holes.

(13) Openable Windows: Every window, other than a fixed window, shall be capable of being easily opened from the inside and shall be capable of being held in position.

(14) Insect Screens: During the period from April 1 to December 1, every door and window or other outside opening use for ventilation purposes shall be supplied with tight fitting insect screens.

(15) Exception: Upon the prior approval of Code Official, screens may not be required for exterior doors or other types of openings which make screening impractical, such as openings equipped with air conditioning units or openings above the fourth floor. The Code Official may approve alternatives to screens.

(16) Door Hardware: Every exterior door and its hardware shall be maintained in good condition. Door locks on all interior and exterior doors entering housing units shall be in good repair and capable of tightly securing the door.

D. Interior Structure:

(1) General: The interior of a structure and its equipment and facilities shall be maintained in good repair, structurally sound and in a sanitary condition so as not to pose a threat to the health, safety or welfare of the occupants.

(2) Structural Members: All supporting structural members of a structure shall be kept structurally sound, free of deterioration and maintained capable of

safely carrying the loads imposed upon them in accordance with the Building Code.

(3) Interior Surfaces: Floors, walls (including windows and doors), ceilings and other interior surfaces shall be maintained in good repair and in clean, safe and sanitary condition.

(4) Bathroom and Kitchen Floors: Every toilet, bathroom and kitchen floor shall be maintained so as to be substantially impervious to water to permit such floor to be easily kept in a clean and sanitary condition.

(5) Sanitation: The interior of a structure shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. Rubbish or garbage shall not be allowed to accumulate or be stored in public halls or stairways.

(6) Insect and Rodent Harborage: A structure shall be kept free from any infestation, and where infestation is found, the area shall be promptly exterminated by processes which will not be harmful to human health. Continuing or repeated incidents of infestation, as determined by the Code Official, shall require the installation of rodent and vermin-proof walls. The rodent and vermin-proof walls shall be installed in accordance with the Building Code.

(7) Exit Doors: Every door available as an exit shall be capable of being opened easily from the inside.

(8) Exit Facilities: All interior stairs and railings and other exit facilities of a structure shall be maintained in sound condition and good repair. Every interior stair used for exit shall be maintained so as to be safe to use and capable of supporting the anticipated loads.

(9) Lead Paint Abatement: All surfaces such as walls, ceilings, doors, trim molding, window frames, radiators, stair banisters in a deteriorated condition which present a potential health hazard due to lead paint shall have the painted surfaces abated by and in accordance with the Maryland Department of the Environment Regulations Title 26, Subtitle 02, "Procedures for Abating Lead Containing Substances from Buildings", effective August 8,1988.

§.11 LIGHT AND VENTILATION REQUIREMENTS

A. General

(1) Scope: The provisions of this regulation shall govern the minimum standards for basic equipment and facilities used for light and ventilation of a structure.

(2) Alternative Methods and Devices: In place of the means for natural light and ventilation herein prescribed, alternative arrangement of windows, louvers or other devices or methods that will provide the equivalent minimum performance requirements shall be permitted in order to comply with the Building Code.

A. Light:

(1) General: All areas in a structure shall be provided sufficient light so as not to endanger health and safety. All areas in a structure shall be provided with natural light or equipment to accommodate artificial light of sufficient intensity and distributed so as to permit the maintenance of sanitary conditions and the safe use of the area and the appliances, equipment and fixtures.

(2) Common Halls and Stairways: Every common hall and stairway in a structure, other than one and two-family structures, shall be adequately lighted at all times with an illumination equivalent to the foot candles provided by at least a 60-watt standard incandescent light bulb for each 200 square feet of floor area, provided that the spacing between lights shall not be greater than 30 feet. Every exterior stairway shall be illuminated.

B. Mechanical Ventilation:

Where mechanical ventilation is provided in lieu of natural ventilation, such mechanical ventilating system shall be maintained in operation during the occupancy of the structure or portion thereof. When part of the air provided by a mechanical ventilation system is recirculated, the portion or volume of air recirculated shall not be recirculated to a different habitable area.

§.12 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

A. Scope:

The provisions of this regulation shall govern the minimum standards for plumbing facilities and fixtures.

B. Required Plumbing Facilities:

Every housing unit shall include its own plumbing facilities which shall be maintained in proper operating condition, can be used in privacy, and are adequate for personal cleanliness and the disposal of human waste. The following minimum plumbing facilities shall be supplied and maintained in a sanitary and safe working condition:

(1) Water Closet and Lavatory: Every housing unit shall contain within its walls, a room separate from other habitable areas, which provides a water closet supplied with cold running water and which affords privacy. A lavatory shall be placed in the same room as the water closet or located in another room, in close proximity to the door leading directly into the room in which said water closet is located. The lavatory shall be supplied with hot and cold running water;

(2) Bathtub or Shower: Every housing unit shall contain a room which is equipped with a bathtub or shower supplied with hot and cold running water and which affords privacy; and

(3) Kitchen Sink: Every housing unit shall contain a kitchen sink apart from the lavatory required under Subsection (1), and such sink shall be supplied with hot and cold running water.

C. Alternative Plumbing:
Alternative plumbing facilities and fixtures for use in housing units may be allowed as approved on a case-by-case basis by the Code Official.

D. Plumbing Fixtures:

(1) General: All plumbing fixtures shall be maintained in a safe and usable condition. All plumbing fixtures shall be of nonabsorbent material and shall have received all necessary and legally required approvals.

(2) Connections: Water supply lines, plumbing fixtures, vents and drains shall be properly installed, connected and maintained in working order and shall be kept free from obstructions, leaks and defects and shall be capable of performing the function for which they are designed. All repairs and installations shall be made in accordance with the provisions of the Building Code or Plumbing Code.

(3) Maintenance: All plumbing fixtures shall be maintained in a clean and sanitary condition so as not

to breed insects and rodents, or produce dangerous of offensive gases or odors.

(4) Access for Cleaning: Plumbing fixtures shall be installed to permit easy access for cleaning the fixture and the area around it.

E. Water System:

(1) General: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing facility shall be properly connected to either a public water system or to a private water system which has received all necessary and legally required approvals.

(2) Contamination: The water supply shall be maintained free from contamination. All water inlets for plumbing fixtures shall be located above the overflow rim of the fixture.

(3) Water Supply: The water supply system shall be installed and maintained to provide at all times a supply of water to plumbing facilities, fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable them to function satisfactorily.

(4) Water Heating Facilities: Water heating facilities shall be installed in a manner which has received all necessary and legally required approvals, properly maintained with emergency relief valves in accordance with the Plumbing Code, and properly connected with hot water lines to the fixtures required to be supplied with the hot water. Water heating facilities shall be capable of heating water to such a temperatures so as to permit an adequate amount of water to be drawn at every kitchen sink, lavatory basin, bathtub, shower and laundry facility or other similar facilities, at a temperature of not less than 100 degrees F.

F. Sewage System:

(1) General: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing facility shall be properly connected to either a public sewer system or private sewage disposal system which has received all necessary and legally required approvals.

(2) Maintenance: Every plumbing stack, waste and sewer line shall be installed and maintained so as to function properly and shall be kept free from obstructions,

leaks and defects to prevent structural deterioration or health hazards. All repairs and installations shall be made in accordance with the provisions of the Building Code or Plumbing Code.

§.13 MECHANICAL AND ELECTRICAL REQUIREMENTS

A. General:

(1) Scope: The provisions of this regulation shall govern the minimum standards for mechanical and electrical facilities and equipment.

A. Heating Facilities:

(1) Residential Structures: Every housing unit shall be supplied with sufficient heat or heating equipment capable of supplying sufficient heat during the period from October 1 to May 15, to maintain a room temperature of not less than 65 degrees F. in all habitable areas during the hours between 6:30 a.m. and 10:30 p.m. of each day and maintain a temperature of not less than 60 degrees F. during other hours. The temperature shall be measured at a point 3 feet above the floor and 3 feet from exterior walls. EXCEPTION: When the exterior temperature falls below 0 degrees F. and the heating system is operating at its full capacity, a minimum room temperature of 60 degrees F. shall be maintained at all times.

(2) Cooking and Heating Equipment: All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and water flow obstructions, and kept functioning properly so as to be free from fire, health and safety hazards. All installations and repairs shall be made in accordance with the provisions of the Building Code, Electrical Code, or other applicable laws or ordinances thereto. Portable cooking equipment employing flame is prohibited, except for residential type food trays or salvers which are heated by a candle or alcohol lamp and which have received all necessary and legally required approvals.

(3) Installation: All mechanical equipment used for heating and cooking shall be properly installed and safely maintained in good working condition, and

shall be capable of performing the function for which it was designed and intended.

(4) Fuel-Burning Equipment: All fuel-burning equipment shall be connected to a chimney, flue or vent in accordance with applicable local or State codes or per manufacturer's instructions in cases where no local or State codes apply.

(5) Clearances: All necessary and legally required clearances to combustible materials shall be maintained in accordance with the Building Code.

(6) Safety Controls: All safety controls for fuel-burning equipment shall be maintained in effective operation in accordance with applicable local or State codes, or per manufacturer's instructions in cases where no local or State codes apply.

(7) Combustion Air: A supply of air for complete combustion of the fuel and for ventilation of the space be provided for fuel-burning equipment.

(8) Unauthorized Devices: Devices purporting to reduce gas consumption by attachment to a gas appliance, the gas supply line thereto, or the vent outlet or vent piping therefrom shall not be used unless labeled for such use and the installation has specifically received all necessary and legally required approvals.

(9) Fireplaces: Fireplaces, and other construction and devices intended for use similar to a fireplace, shall be stable and structurally safe and connected to chimneys which have received all necessary and legally required approvals.

(10) Climate Control: When facilities for interior climate control (heating, cooling and humidity) are integral functions of housing units, such facilities shall be maintained and operated in accordance with the designed capacity.

B. Electrical Facilities:

(1) Facilities Required: Provided that there is usable electric service available from a power line not more than 300 feet away, a structure shall be adequately and safely provided with an electrical system in compliance with the requirements of this section.

(2) Receptacles: Each habitable area in a housing unit shall contain at least one receptacle outlet. Each

laundry area and bathroom shall contain at least one GFCI protected receptacle. Any receptacle within 6'0" of a plumbing fixture shall be GFCI protected.

(3) Lighting Fixtures: Every public hall, interior stairway, water closet compartment, bathroom, laundry room and furnace room shall contain at least one electric lighting fixture.

(4) Service: When the electrical system requires modification to correct a violation of this section, the service shall be corrected to a minimum of 60 ampere, three wire service.

(5) Installation: All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with the Electrical Code. All electrical equipment shall be of a type which has received all necessary and legally required approvals.

§.14 FIRE SAFETY REQUIREMENTS

A. Scope:

The provisions of this regulation shall govern the minimum standards for fire safety facilities and equipment. All structures shall be constructed and maintained to prevent and avoid fire hazards, and in a manner conducive to fire safety.

B. Means of Egress:

(1) General: A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to the exterior as a street, yard, court, or passageway leading to a public open area at grade.

(2) Direct Exit: Every housing unit shall have access directly the outside or to a common area that leads directly to the outside.

(3) Doors: All doors in the required means of egress shall be easily opened from the inner side.

(4) Fire Escapes: All fire escapes shall be maintained in working condition and structurally sound.

(5) Exit Signs: All exit signs shall be illuminated and visible in accordance with the Building Code.

(6) Emergency Escapes: Every sleeping room located in a basement shall have at least one openable window and exterior door for emergency egress or rescue in accordance with the Building Code which has received all necessary and legally required approvals or shall have access to two separate exits which have

received all necessary and legally required approvals in accordance with the Building Code.

C. Accumulations and Storage:

(1) General: Garbage or rubbish shall not be allowed to accumulate or be stored overnight in stairways, passageways, doors, windows, fire escapes or other means of egress.

(2) Flammable Matter: Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible rubbish such as waste paper, boxes and rags, shall not be accumulated or stored on premises except in reasonable quantities consistent with normal usage.

(3) Residential Unit: A housing unit shall not be located within a structure containing an establishment handling, dispensing or storing flammable liquids with a flash point of 100 degrees F. or lower, except as provided for in the Building Code.

D. Fire Resistance Ratings:

Floors, walls, ceilings, and other elements and components which are required by the Fire Code to comply with a fire resistance rating shall be maintained so that the respective fire resistance rating of the enclosure, separation, or construction is preserved.

E. Fire Protection Systems:

(1) General: All fire protection systems and equipment shall be maintained in proper operating condition at all times.

(2) Smoke Detectors: All housing units shall be provided with a minimum of one single station smoke detector in the vicinity of each sleeping area. The smoke detectors shall be installed and maintained in accordance with the Building and Electrical Codes. When actuated, the smoke detector shall provide an alarm suitable to warn the occupants within the unit.

(3) Fire Suppression System: Fire suppression systems in housing units so equipped shall be maintained in good condition, free from mechanical defect. Sprinkler heads shall be kept clean and free of corrosion and paint, and shall not be bent or damaged.

(4) Fire Extinguisher: All portable fire extinguishers in housing units so equipped shall be visible and

accessible, and maintained in an efficient and safe operating condition.

F. Fire Doors:

All necessary and legally required fire resistance rated doors or smoke barriers shall be maintained good working order, including all hardware necessary for the operation thereof. The use of door stops, wedges and other hold-open devices which have not received all necessary and legally required approvals or which have been denied approval is prohibited.

§.15 RESPONSIBILITIES OF PERSONS

A. Scope:

The property owner, operator or tenant shall be responsible for compliance with the provisions of this Code, and may be cited for violations thereof, except as provided in this regulation. A person shall not rent or lease to another person for occupancy or use any housing unit unless the structure and premises comply with the provisions of this Code.

B. General:

A property owner or operator may not be cited for a violation of this Code that is caused by the negligent, wrongful or malicious acts or omissions of a tenant, provided that the property owner's acts or omissions have not contributed in any way to cause the violation.

C. Sanitary Conditions:

(1) The tenant shall be responsible for keeping that part of the structure or premises which the tenant occupies, controls or uses in a clean and sanitary condition. Every property owner of a structure containing two or more housing units shall maintain, in a clean and sanitary condition, the common areas of the structure and premises.

(2) Disposal and Storage of Rubbish and Garbage: The tenant shall be responsible for the storage and disposal of rubbish and garbage in a clean and sanitary manner as may be required by applicable laws or ordinances.

(3) Supplied Fixtures and Equipment: The tenant shall be responsible for keeping owner-supplied equipment and fixtures clean and sanitary, and for the exercise of reasonable care in their proper use and operation. The property owner shall be responsible for maintaining

such equipment and fixtures in good and proper operating condition.

(4) Furnished by Tenant: The tenant shall be responsible for the maintenance of equipment and fixtures furnished by the tenant. Such equipment and fixtures shall be properly installed, and shall be maintained in good working condition, kept clean and sanitary, and free of defect, leaks or obstructions.

D. Extermination:

(1) All Structures: If necessary, the property owner, operator or tenant shall be responsible for extermination within the structure and on the premises prior to renting or leasing the structure.

(2) Single Occupancy: The tenant of a structure containing a single housing unit shall be responsible for the extermination of any insects, rodents or other pests in the structure or on the premises.

(3) Multiple Occupancy: Every property owner or operator of a structure containing two or more housing units shall be responsible for the extermination of any insects, rodents or other pests in the structure or on the premises except where infestation within a housing unit is caused by a failure of the tenant to take reasonable action to prevent such infestation within the housing unit.

E. Fire Safety:

Responsibility for installing and maintaining in good working order any smoke detector installed pursuant to this Code shall be in accordance with the State Fire Prevention Code, Annotated Code of Maryland, Smoke Detection Systems.

§.15 SEVERABILITY

The provisions of these regulations are severable. A judgment by any court of competent jurisdiction finding or declaring that any provisions of these regulations or the application of any provision to any person or circumstance in invalid does not affect the validity of the remaining provisions of the regulations or any other application of these regulations, and the remaining regulations shall have full force and effect as if no judgment has been entered.

SECTION 4. APPLICABILITY.

All portions of any of the above ordinances referred to shall be construed and be applicable within the geographical confines of the Town of Williamsport, Maryland.

Where appropriate and in the sense of understanding where proper the Mayor and Council of Williamsport, and/or Town of Williamsport is hereby inserted and made applicable.

SECTION 5. ENFORCEMENT.

This ordinance shall be enforced by the Board of County Commissioners of Washington County pursuant to the provisions of Article 23A, §2B of the Annotated Code of Maryland unless otherwise indicated and determined by resolution of the Mayor and Council of the Town of Williamsport as its duly constituted legislative body.1

Any person or agency designated throughout this ordinance as the building official(s), inspector, building inspector, code official, and/or code enforcement official, or other equivalent position shall be any person or persons designated by the Board of County Commissioners of Washington County, Maryland, from time to time unless otherwise designated by the Mayor and Council of the Town of Williamsport.

SECTION 6. APPEALS.

Any appeals under this Code, unless otherwise specifically set forth, shall be taken to the appropriate agency designated in each of the Codes adopted herein. If not specifically set forth in said Code, then any appeal shall be taken to the Mayor and Council of Town of Williamsport within thirty (30) days of the Building Official(s) decision. If a person is aggrieved by the decision by any determinative agency pursuant to the provisions of the Codes adopted herein,

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1 December 1988 the Mayor and Council enacted a Resolution appointing a Code Official designating the County Commissioners as the enforcement agency for the Town of Williamsport Building Code (original Chapter 21). This was reenacted on September 11, 1989. Section 5 of this Ordinance provides that the Board of County Commissioners shall enforce this Building Code. In addition thereto from a historical standpoint, the Mayor and Council enacted a "Resolution to Appoint Code Enforcement Official-Livability Code" and designated the Board of County Commissioners of Washington County or their respective delegated officer as the enforcement agency for said Code. It was reenacted September 11, 1989 and was originally recorded in Liber 2, folio 493. Copies of both Resolutions are attached to the Addendum.

and/or the decision of the Mayor and Council if applicable, said person shall have the right to appeal the decision to the Circuit Court for Washington County, Maryland in accordance with the Maryland Rules of Administrative Procedure as they now exist and as from time to time may be amended.

SECTION 7. CONFLICT.

If this ordinance as adopted, conflicts in any way with any federal, state, county or municipal act, ordinance or regulation applicable to any of the matters contained herein, then and in said event then the regulation, ordinance or statute or act which contains the more stringent regulations shall take precedence and control.

SECTION 8. SEVERABILITY.

If any portion of this ordinance shall be deemed invalid by a court of competent jurisdiction, all remaining portions of this ordinance shall remain in full force and effect.

Effective December 12, 1980, re-enacted September 11, 1989, revised and re-enacted March 1, 2005.

CHAPTER 5 in 1989 Codification

Copies of the Ordinances passed by the Board of County Commissioners of Washington County, Maryland referred to in §3 Codes, BOCA National Building Code, CABO and Two Family Dwelling Code, The International Mechanics Code, The BOCA National Fire Prevention Code, The National Electrical Code, The International Plumbing Code, and The Code for the Handicapped are attached hereto and incorporated herein by reference.

ADDENDUM TO AN ORDINANCE PERTAINING TO MINIMUM STANDARDS GOVERNING CONSTRUCTION AND MAINTENANCE OF BUILDINGS/STRUCTURES

Section 3 sets forth certain codes adopted by Washington County which are incorporated in this Ordinance by reference.

Those contained herein for reference purposes are as follows:

A. The 1996 BOCA National Building Code, Thirteenth Edition, 1996 as published by the Building Officials and Code Administrators International, Inc., and as adopted by the Board of County Commissioners of Washington County, Maryland, on October 7, 1997, with an effective date of October 7, 1997, and amended January 4, 1999, effective July 1, 1999, amended June 8, 1999, and amendments adopted October 19, 2004, effective November 1, 2004.

B. The 1995 edition of CABO One and Two Family Dwelling Code, in its entirety as adopted by the Board of County Commissioners of Washington County, Maryland effective on October 7, 1997, and amended October 4, 1997, July 1, 1999, June 8, 1999, October 19, 2004, effective November 1, 2004.

C. The 1996 International Mechanical Code, First Printing, with local amendments, as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of October 7, 1997, amended and effective January 1, 1998, and amendments October 19, 2004 effective November 1, 2004.

D. The National Electrical Code as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of 1994, amended October 7, 1997. with amendments effective October 1, 2002.

E. The International Plumbing Code as adopted by the Board of County Commissioners of Washington County, Maryland, with an effective date of October 7, 1997, amendments adopted November 4, 1997, effective amendment July 1, 1998, amendments October 19, 2004 effective November 1, 2004.

Note: All of the amendments adopted by the Board of County Commissioners of Washington County, Maryland, are attached hereto and made a part hereof for reference purposes. The current codes as adopted in this Ordinance and as may be amended from time to time by the Board of County Commissioners and on file with the County are intended and shall be the applicable codes within the corporate limits of the Town of Williamsport.

ADDENDUM TO AN ORDINANCE PERTAINING TO MINIMUM STANDARDS GOVERING CONSTRUCTION AND MAINTENANCE OF BUILDINGS/STRUCTURES

The Mayor and Council, as the duly constituted legislative body, have determined that it is in the best interest of the Town of Williamsport and the citizenry in general to implement certain administrative fees in connection with permit fees.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED that Chapter 7, An Ordinance Pertaining to Minimum Standards Governing Construction and Maintenance of Buildings/Structures shall include a Section 10 which shall read as follows:

In addition to any permit fees charged by Washington County or any other agency and/or person, for the review, inspection and issuance of permits there shall be a fee of Twenty ($20.00) Dollars payable to the Town of Williamsport, Maryland.

Be it further **RESOLVED, ENACTED** and **ORDAINED** that all other provisions of Chapter 7 shall remain in full force and effect except as set forth herein and this Amendment to same shall not be in derogation thereof.

DATE OF INTRODUCTION: June 11, 2005
DATE OF PASSAGE: June 24, 2005
EFFECTIVE DATE: July 15, 2005

Amended.07.11.05

RESOLUTION

AN AMENDMENT TO CHAPTER 7
AN ORDINANCE PERTAINING TO MINIMUM STANDARDS GOVERING CONSTRUCTION AND MAINTENANCE OF BUILDINGS/STRUCTURES

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WITNESS AND ATTEST
AS TO CORPORATE SEAL

Bonnie Errico
Clerk

MAYOR AND COUNCIL OF THE
TOWN OF WILLIAMSORT, MARYLAND

By: James D McCleaf II
James McCleaf
Mayor

DATE OF INTRODUCTION: June 11, 2005
DATE OF PASSAGE: June 24, 2005
EFFECTIVE DATE: July 15, 2005

Record and return to: Town Clerk
Town of Williamsport
P. O. Box 307
Williamsport, MD 21795