

ORDINANCE NO. 2906

**AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND SECTIONS 15.04.010, 15.04.020, 15.04.030 AND 15.04.040 OF CHAPTER 15.04 OF THE SALISBURY CITY CODE (BUILDING CODE) AND TO ADD SECTIONS 15.04.025 AND 15.04.035 TO CHAPTER 15.04 IN ORDER TO UPDATE AND AMEND THE CITY'S STANDARD BUILDING CODES.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 15, Buildings and Construction, of the City of Salisbury Municipal Code, demonstrates a need for its periodic review, evaluation and amendment; and

**WHEREAS**, the Mayor and City Council may amend Chapter 15.04, Building Code, pursuant to the authority granted in SC 2-15 of the Salisbury City Charter and §12-501, *et seq.* of the Public Safety Article, Maryland Annotated Code and related COMAR regulations; and

**WHEREAS**, the Mayor and City Council have requested that the Department of Infrastructure and Development periodically review Title 15 in light of existing building trends and practices and code updates; and

**WHEREAS**, the Department of Infrastructure and Development recommends approval of the proposed code changes.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that Title 15 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the language stricken through as follows:

**Section 1.** Section 15.04.010 of the Salisbury City Code, entitled "Adoption of Standards Codes" shall be amended as follows:

**15.04.010 Adoption of Standards Codes**

The City of Salisbury adopts the following Standard Codes:

- A. ~~International Building Code (2018) (IBC)~~ **Maryland Building Performance Standard Regulations;**
- B. ~~International Residential Code (2018) (IRC);~~
- C. ~~International Energy Conservation Code (2018) (IECC);~~
- ~~B.D.~~ **International Mechanical Code (20182021)(IMC);**
- ~~C.E.~~ **International Plumbing Code (20182021) (IPC);**
- ~~D. F.~~ **International Fuel Gas Code (20182021) (IFGC);**
- ~~E. G.~~ **International Existing Building Code (20182021)(IEBC);**
- ~~F. H.~~ **Maryland Accessibility Code;** and
- ~~G. I.~~ **International Green Construction Code, (20182021) (IGCC);** and
- ~~H.~~ **International Solar Energy Provisions (ISEP) 2021.**

**Section 2.** Section 15.04.020 of the Salisbury City Code, entitled "Amendments to the International Building Code" shall be amended as follows:

**15.04.020 Amendments to the International Building Code (2018)**

The following additions and deletions are made to the International Building Code (20182021), **as incorporated in the Maryland Building Performance Standards;**

- A. Chapter 1 ~~delete~~ **amend** Section 101.2.1 Appendices, and replace with the following: Paragraph 101.2.1 Appendix provisions on Appendix B. ~~Building~~ Board of Appeals and Appendix I. Patio Covers are adopted as part of the IBC.
- B. Chapter 1 delete [A] 101.4.4 Property Maintenance.
- C. Chapter 1 amend [A] 102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided for in this code, the International Existing Building Code, City of Salisbury Property Maintenance Code, or the NFPA Life Safety Code 101 **(2021)** ~~(2018)~~.
- D. Chapter 1 delete [A] 105.2 Work exempt from permit: 2. Fences not over 7 feet (2134 mm) high and replace with the following:
  - [A] 105.2 Work exempt from permit.
  - 2. Fences less than fifty (50) lineal feet.
- E. Chapter 1 add [A] 105.2.14 Work exempt from permit: 14. to read as follows: "Replacement windows, doors, vinyl/aluminum siding and custom trim."
- F. Chapter 1 amend [A] 109.4 Work commencing before issuance of a permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to a permit fee two times the amount of the original fee.
- G. Chapter 1 add Section [A] 111.1.1, Change of Use Group, Owner or Tenant. No change in use, group, owner or tenant of a building or structure shall be permitted, wholly or in part, until a new Certificate of Occupancy has been issued by the Building Official certifying compliance with applicable parts of this chapter and other applicable State or local laws, ordinances, and regulations. This provision shall not apply to a change of tenant for R-2, change of owner or tenant for R-3, or change of tenant for R-4 structures. For purposes of this section, "R-2", "R-3" and "R-4" shall be defined in accordance with the International Building Code (2018). Further, this provision shall not apply to any property used for a residential purpose, which shall be defined as a property designed to be lived in or otherwise providing living accommodations.
- H. Add Section [A] 104.1.1. Fire Safety Provisions. The Fire Marshal or the Fire Marshal's authorized representative shall enforce all fire safety provisions of this code. Where references to fire safety provisions in this code indicate the term "Building Official or Code Official," they shall be construed to refer to the Fire Marshal or the Fire Marshal's authorized representative. In any conflict of opinion concerning fire safety of a structure, the decision of the Fire Marshal shall control. In all other matters relating to structures, the decision of the Building Code Official shall control. The Fire Marshal shall be responsible for the final technical interpretation of all fire safety provisions within this code.
- I. **Chapter 1 Amend: [A] 110.5. Inspection requests. ADD: The permit holder or their authorized agent shall be present for all required inspections.**

**Section 3.** Chapter 15.04, Building Code of the Salisbury City Code is hereby amended by the addition of 15.04.025 entitled "Amendments to the International Residential Code" as follows:

**15.04.025 Amendments to the International Residential Code**

**The following additions and deletions are made to the International Residential Code (2021), as incorporated in the Maryland Building Performance Standards:**

- A. Chapter 1 amend [A] 102.7 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change,**

except as otherwise specifically provided for in this code, the International Existing Building Code, City of Salisbury Property Maintenance Code, or the NFPA Life Safety Code 101 (2021).

- B. Chapter 1 delete 105.2 Work exempt from permit: 2. Fences not over 7 feet (2134 mm) high and replace with the following:**

**105.2 Work exempt from permit.**

- 2. Fences less than fifty (50) lineal feet.**

- C. Chapter 1 add to 105.2 Work exempt from permit: 11. to read as follows: "Replacement windows, doors, providing the rough opening framing is not altered. Exception: All newly created sleeping rooms or existing sleeping rooms where window rough opening framing is altered, shall require at least one code compliant Emergency Egress Rescue Opening (EERO)."**

- D Chapter 1 add 105.2 Work exempt from permit: 12. to read as follows: "vinyl/aluminum siding and custom trim provided no structural elements are compromised or need to be replaced."**

- E Chapter 1 amend 105.2 Work exempt from permit: 1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 120 square feet.**

- F. Chapter 1 amend 105.2 Work exempt from permit: 10. Decks not exceeding 120 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4.**

- G. Chapter 1 amend 108.6 Work commencing before issuance of a permit. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to a permit fee two times the amount of the original fee.**

- H. Chapter 1 amend 109.3 Inspection requests. ADD: The permit holder or their authorized agent shall be present for all required inspections.**

**Section 4.** Section 15.04.030 of the Salisbury City Code, entitled "Amendments to the International Plumbing Code" shall be amended as follows:

**15.04.030 Amendments to the International Plumbing Code (20182021).**

The following additions and deletions are made to the International Plumbing Code (20182021):

- A. Chapter 1 delete [A] 106.1 Where Required in its entirety and replace with the following: Any Master Plumber who desires to construct, enlarge, alter, repair, move, demolish or to erect, install, enlarge, alter, repair, remove, convert or replace any plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the Department of Infrastructure & Development. No work regulated by this chapter shall be commenced without a permit issued by the Department of Infrastructure & Development approved by the Plumbing Inspector or Building Official. Licenses and Permits or, in the case of septic installers, shall be issued by the Wicomico County Health Department. Only a Master Plumber shall be eligible to apply for permits authorized by this chapter.**

- B. Chapter 1 Amend [A] 112.2. Required inspections and testing. ADD: The permit holder or their authorized agent shall be present for all required inspections.**

- C. Chapter 10 delete Chapter 10 Traps, Interceptors and Separators in its entirety and replace with the following:**

The 2019 Washington Suburban Sanitary Commission Fats, Oils and Grease Requirements.

**Section 5.** Chapter 15.04, Building Code of the Salisbury City Code is hereby amended by the addition of 15.04.035 entitled “Amendments to the International Fuel Gas Code” as follows:

**15.04.035 Amendments to the International Fuel Gas Code 2021.**

**The following additions and deletions are made to the International Fuel Gas Code 2021:**

- A. Chapter 1 delete [A] 106.1 Where Required in its entirety and replace with the following: Any Master Plumber or Master Natural Gas Fitter who desires to erect, install, enlarge, alter, repair, remove, convert or replace an installation regulated by this code, or to cause such work to be performed, shall first make application to the Department of Infrastructure & Development. No work regulated by this chapter shall be commenced without a permit issued by the Department of Infrastructure & Development approved by the Plumbing Inspector or Building Official. Only a Master Plumber, Master Natural Gas Fitter, or on site utility contractor shall be eligible to apply for permits authorized by this chapter.**
- B. Chapter 1 amend [A] 112.2. Required inspections and testing. ADD: The permit holder or their authorized agent shall be present for all required inspections.**

**Section 6.** Section 15.04.040 of the Salisbury City Code, entitled “Reference Standards” shall be amended as follows:

**15.24.040 – Referenced standards.**

- A. Where the following codes are referenced within this Code, they shall be considered part of the requirements of this Code to the prescribed extent of each such reference:
1. International Building Code (~~2018~~**2021**) (IBC);
  2. International Residential Code (~~2018~~**2021**) (IRC);
  3. International Energy Conservation Code (~~2018~~**2021**) (IECC);
  4. International Mechanical Code (~~2018~~**2021**) (IMC);
  5. International Plumbing Code (~~2018~~**2021**) (IPC);
  6. International Fuel Gas Code (~~2018~~**2021**) (IFGC);
  7. International Existing Building Code (~~2018~~**2021**) (IEBC);
  8. Maryland Accessibility Code;
  9. National Electrical Code (~~2014~~**2017**); and
  10. International Green Construction Code (~~2018~~**2021**) (IGCC).

**Section 7.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.


**Section 8.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

**Section 9.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 9.

**Section 10.** This Ordinance become effective as of January 1, 2025

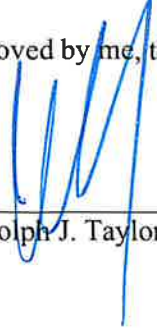
**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 9 day of December, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 16 day of December, 2024.

ATTEST:

  
Julie A. English, City Clerk

  
D'Shawn M. Doughty, City Council President

Approved by me, this 19 day of December, 2024.

  
Randolph J. Taylor, Mayor

