

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 06-11**

---

**Introduced By:** Mayor Gene Ambrogio

**Date Introduced:** July 18, 2006

**Amendments Adopted:**

**Date Adopted:** August 8, 2006

**Date Effective:** August 24, 2006

---

1 **An Ordinance** concerning

2  
3 **INTERNATIONAL BUILDING CODE 2003**

4  
5 **FOR** the purpose of adopting the International Building Code 2003, with certain modifications and  
6 additions, as the building code for the Town of La Plata, with certain exceptions; providing  
7 for the administration and enforcement of that code; specifying penalties for violations;  
8 providing that the provisions of this Ordinance are severable; and all matters generally related  
9 thereto.

10  
11 \* \* \* \* \*

12  
13 **BY** repealing and reenacting with amendments  
14 Chapter 75 – BUILDING CONSTRUCTION  
15 Article I. Building Code  
16 Sections 75-1, 75-2 and 75-3  
17 Code of the Town of La Plata  
18 (1998 Edition and Supplements)

19  
20 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,** That  
21 Sections 75-1, 75-2 and 75-3 of the Code of the Town of La Plata (1998 Edition and Supplements)  
22 be and they are hereby repealed and reenacted, with amendments, to read as follows:

23  
24 **Chapter 75 – BUILDING CONSTRUCTION**  
25 **Article I. Building Code**

26  
27 **75-1. Adoption of standards; copies on file.**

28  
29 Subject to the provisions of §75-2, there is hereby adopted by the Town of La Plata for the  
30 purpose of establishing minimum standards governing the design, construction, alteration,

31 enlargement, repair, demolition, removal, maintenance and use of buildings and structures in the  
32 town, a certain document entitled the International Building Code ((2000)) 2003, as published by the  
33 International Code Council. Not less than one (1) copy of the International Building Code ((2000))  
34 2003 shall be kept on file in the office of the TOWN Clerk((-Treasurer of the town)).

35  
36 **75-2 Modifications.**

37  
38 The International Building Code ((2000)) 2003, as adopted by §75-1, is modified as set forth  
39 below:

40 \* \* \*

41  
42 C. Section 102.4 on page ((2)) (1) is revised to read as follows:

43  
44 **102.4 ((Other)) REFERENCED codes and standards:** The codes and standards  
45 referenced in this code and listed in Chapter 35 shall be considered part of the requirements of  
46 this code to the prescribed extent of each such reference, except to the extent that any of such  
47 standards have been expressly modified in the Code of the Town of La Plata. The standards  
48 contained in the Maryland Accessibility Code adopted by the Maryland Department of  
49 Housing and Community Development also shall be deemed part of this code. In any  
50 situation where a provision of this code conflicts with the provisions of any such standard, or  
51 with the provision of any other law, ordinance, code or regulation, the provision which  
52 establishes the higher standard for the promotion and protection of the public health, safety  
53 and welfare shall prevail, regardless which may have been enacted first; except that:

54 \* \* \*

55  
56  
57 F. Delete Section 104.8 on page ((3)) 2 in its entirety.

58  
59 G. In the ((tenth)) last line of Section 105.3.1 on page ((5)) 4, delete “issue” and  
60 substitute “authorize the issuance of”; and in that ((the last)) same line ((of that section)),  
61 immediately after “practicable” insert “by the clerk-treasurer of the town”.

62  
63 H. Section 108.2 on page ((7)) 6 is revised to read as follows:

64  
65 **R-108.2 Fee schedule:** The fees for all work for which a permit is required by this Code shall  
66 be as prescribed by resolution adopted by the Town Council from time to time.

67  
68 I. Section 108.6 on page ((8)) 7 is revised to read as follows:

69  
70 **108.6 Fee Refunds:** The building official shall authorize the refunding of the full amount of  
71 any fee that was erroneously paid or collected. The building official shall not authorize the  
72 refunding of any fee paid, except upon written application filed by the original permittee not

73 later ((that)) THAN 180 days after the date of the fee payment.

74

75 J. Section 112.1 on page ((9)) 8 is deleted, and new section 112.1 is substituted, to  
76 read as follows:

77

78 **112.1 General:** The Board of Appeals provided for in Chapter 9 of the Code of the Town of  
79 La Plata may hear and decide appeals of orders, decisions or determinations of the building  
80 official relating to the application and interpretation of this code. The application shall be  
81 filed within 20 days from the date of the order, decision or determination being appealed. All  
82 appeals filed pursuant to this section shall be governed by the provisions of such Chapter 9  
83 and by any rules of procedure adopted by the Board of Appeals pursuant to Chapter 9.

84

85 K. Section 112.3 on page ((10)) 8 is deleted in its entirety.

86

87 L. Section 113.3 on page ((10)) 8 is revised to read as follows:

88

89 **106.4 Prosecution:** In addition to the penalties provided for in Section 113.4 in case of any  
90 unlawful acts the building official, with the approval of the chief executive officer of the  
91 Town, may institute in the name of the Town an appropriate civil action or proceeding against  
92 the person responsible for the violation for the purpose of ordering that person:

93

94 1. To restrain, correct or remove the violation or refrain from further execution of work;

95

96 2. To restrain or correct the erection, installation, maintenance, repair or alternation of  
97 such structure;

98

99 3. To require the removal of work in violation; or

100

101 4. To prevent the occupancy of the structure that is not in compliance with the  
102 provisions of this code.

103

104 M. Section 113.4 on page ((10)) 8 is deleted and new Section 113.4 is substituted to read  
105 as follows:

106

107 **113.4 Violations and penalties:**

108

109 1. Knowing and intentional violations of this code, failures to comply with this code, or  
110 refusals or failures to comply with a notice issued pursuant to Section 107 of this code, are  
111 declared to be misdemeanors. Any person who knowingly and willfully commits any of these  
112 acts shall, upon conviction, be subject to a penalty as set forth in Chapter 1, Article III, and  
113 particularly §1-21, of the Code of the Town of La Plata (1998). Each day that one of these  
114 acts continues is a separate offense.

115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156

2. Except as provided in paragraph 1 above, violations of this code, failures to comply with this code, or refusals or failures to comply with a notice issued pursuant to Section 107 of this code, are declared to be municipal infractions, and shall be subject to the penalties and procedures as provided in Chapter 1, Article III, and particularly §1-22, of the Code of the Town of La Plata (1998). These acts are strict liability offenses. Each day that one of these acts continues is a separate offense.

N. In the last line of Section 114.3 on page ((10)) 9, delete “law” and substitute “section 113.4.1”.

O. The definition of “building official” as contained in Section 202 on page ((11)) 12 is revised to read as follows:

**Building Official:** The Director of the Department of Inspections of the Town, or such other person as the Town’s Chief Executive Officer may designate.

P. New Section ((907.2.12.2.3)) 907.9.2.1 is added to Section 907.9.2 on page 197, to read as follows:

**((907.2.12.2.3)) 907.9.2.1 Audible outside building:** In addition to being audible in the ((terminal areas)) LOCATIONS specified in this Section 907, the ALARM signaling system, or a supplemental alarm signaling system, shall be audible on the exterior of the building.

Q. ((New ))Section ((1006.2.3)) 1017.2.2 on page 213 is revised to read as follows:

**((1006.2.3 Exit Doors)) 1017.2.2 Arrangement:** ((All required exit access doors for uses in all use categories except Use Group R shall open towards a yard, court or open space.)) Exterior exit doors shall lead directly to the exit discharge to the exit discharge or the public way, EXCEPT THAT ALL REQUIRED EXIT ACCESS DOORS FOR USES IN ALL USE CATEGORIES EXCEPT USE GROUP R SHALL OPEN TOWARDS A YARD, COURT OR OPEN SPACE.

R. Section ((1005.2.2)) 1018.2 on page ((235)) 214 is deleted in its entirety.

S. In the first through fourth lines of Section ((3904)) 3410.2 on page ((665)) 570, in the space labeled “[DATE TO BE INSERTED BY THE JURISDICTION((J))] NOTE: IT IS RECOMMENDED THAT THE DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION]” insert “the date of adoption of this code.”

T. New Section 3110 is added to Chapter 31, Special Construction, to follow

157 immediately after Section 3109 on page ((654)) 559, to read as follows:

158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195

**SECTION 3110**  
**SPECIAL CONSTRUCTION PRECAUTIONS**

**3110.1 General:** In any construction area of more than for (4) single dwelling units or any commercial unit, shopping center, office building, multifamily dwelling, school, etc., fire protection and fire prevention fixtures shall be required as provided in Sections 3110.2, 3110.3 and 3110.4.

**3110.2 Serviceable road:** Prior to the framing of the building, a serviceable all-weather road shall be installed so that all normal access that will be available when the building is open will be available to fire prevention and suppression authorities while the building is under construction.

**3110.3 Adequate water supply:** All underground waterlines shall be installed prior to framing, and adequate fire hydrants and water supply for fire fighting shall be provided.

**3110.4 Telephone:** Prior to framing, a telephone or some other means of transmitting an alarm of fire shall be installed.

**75-3 Illumination Standards.**

A. The American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90-75 for Illumination Standards for Commercial, Industrial and Multifamily Dwellings is hereby adopted as a part of the Town of La Plata Building Code.

B. Violations of this standard are subject to the provisions and penalties set forth in Section 113.4 of the International Building Code ((2000)) 2003 as adopted in Sections 75-1 and 75-2 of this Code.

**SECTION 2. AND BE IT FURTHER ENACTED,** That if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

**SECTION 3. AND BE IT FURTHER ENACTED,** That this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

**SEAL: COUNCIL OF THE TOWN OF LA PLATA**

\_\_\_\_\_  
Gene Ambrogio, Mayor

\_\_\_\_\_  
R. Wayne Winkler, Councilman

\_\_\_\_\_  
C. Keith Back, Councilman

ATTEST:

\_\_\_\_\_  
Paretta D. Mudd, Councilwoman

\_\_\_\_\_  
Judith T. Frazier, Town Clerk

\_\_\_\_\_  
Vic E. Newman, Councilman

Date: \_\_\_\_\_

<p style="text-align: center;"><b>EXPLANATION:</b></p> <p>CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.        ((Double Parenthesis)) indicate matter deleted from existing law.  <u>Underlining</u> indicates amendments to bill.  <del>Strike Out</del> indicates matter stricken from bill by amendment or deleted from the law by amendment.</p>
--