

COMMISSIONERS OF RIDGELY

ORDINANCE No. 2023-391



AN ORDINANCE concerning

CHAPTER 75 – BUILDING CONSTRUCTION

FOR the purpose of amending Chapter 75 – Building Construction of the Code of the Town of Ridgely to define “renovated one- and two-family residential dwellings” and provide that all renovated one- and two-family residential dwellings shall be equipped with an interior fire sprinkler system; providing that the title of this Ordinance shall be deemed a fair summary; and generally relating to property maintenance in the Town of Ridgely.

RECITALS

WHEREAS, pursuant to § 5-211 of the Local Government Article of the Annotated Code of Maryland, the Commissioners of Ridgely (the “Commissioners”), as the legislative body of the Town of Ridgely (the “Town”) are authorized and empowered to adopt regulations regarding the erection of buildings and signs in the Town, including a building code and requirements for building permits; and

WHEREAS, pursuant to § 37 of the Charter of the Town of Ridgely (the “Charter”), the Commissioners are authorized and empowered to pass ordinances as they may deem necessary for the good government of the town to preserve the health, peace, and safety and well-being of the inhabitants, and the protection of property thereof; to make reasonable regulations in regard to buildings to be erected in the Town and to grant building permits for the same; to formulate a building code and to appoint a building inspector; to require a reasonable fee for the issuance of building permits; to regulate and restrict the height, number of stories, and size of buildings and other structures, the size of yards, courts, and other open spaces, and the location and use of buildings, structures, and land for trade and industry, residence, or tanks, pumps, or other fixtures; and

WHEREAS, pursuant to §§ 12-503(c) and 12-505(a)(1)(i) of the Public Safety Article of the Annotated Code of Maryland, the Maryland Building Performance Standards (the “MBPS”) (COMAR 09.12.51.01, et seq.) apply to each building or structure in the State, and each local jurisdiction is required to enforce the most current version of the MBPS and any local amendments thereto; and

WHEREAS, pursuant to § 12-503(a) of the Public Safety Article of the Annotated Code of Maryland and COMAR 09.12.51.02, the State of Maryland adopted the International Building Code (the “IBC”), the International Residential Code for One- and Two-family Dwellings (the “IRC”), and the International Energy Conservation Code (the “IEEC”), with certain modifications incorporated by the Maryland Department of Labor, as the MBPS; and

WHEREAS, pursuant to § 12-504 of the Public Safety Article of the Annotated Code of Maryland, the Commissioners are authorized and empowered to adopt local amendments to the MBPS; and

WHEREAS, the Commissioners have adopted the MBPS, subject to certain local amendments, as set forth in Chapter 75 of the Code of the Town of Ridgely (the “Town Code”); and

WHEREAS, the Commissioners find that amending Chapter 75 of the Town Code to define “renovated one- and two-family residential dwellings” and provide that all renovated one- and two-family residential dwellings shall be equipped with an interior fire sprinkler system would be in best interest of the health, safety, and welfare of the citizens of the Town.

NOW, THEREFORE BE IT HEREBY ORDAINED AND ENACTED by the Commissioners of Ridgely that:

SECTION 1. Chapter 75 – Building Construction of the Code of the Town of Ridgely is hereby amended as follows:

CHAPTER 75
Building Construction

§ 75-1. Purpose.

The Commissioners of Ridgely deem it beneficial to the public health, safety and welfare of the citizens of Ridgely to establish minimum standards governing materials and methods of building construction.

§ 75-2. Building Code.

* * *

C. Interior automatic fire sprinkler systems.

- (1) In addition to the provisions of the IRC as adopted by the Commissioners of Ridgely, all new **and renovated** one- and two-family residential dwellings shall be equipped with an interior fire sprinkler system. **For purposes of this Subsection C, a “renovated” dwelling shall mean a one- or two-family residential dwelling for which fifty percent (50%) or more of the dwelling is rebuilt, refurbished, renovated, or altered.**
- (2) The requirement for interior automatic fire sprinkler systems shall apply to all new one- and two-family dwellings (including modular homes) for any existing lot for which a building permit has not been issued and to any new subdivision which has not received final plat approval as of the effective date hereof.
- (3) The requirements shall not apply to:

- (a) **Except as set forth in Subsection C(1) above, the** The rebuilding, refurbishment, renovation, or alteration of a residence in existence as of the effective date of this Subsection C, unless such existing structure is razed and is to be replaced by a new principal structure.
- (b) Accessory or uninhabitable structures (e.g., detached carports, detached garages with no habitable space, and sheds).
- (4) Automatic fire sprinkler systems required by this Subsection C must be connected to the municipal water supply serving the residence, provided the water supply is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler system requirements, and property backflow valves are installed.
- (5) Interior automatic fire sprinkler systems shall be installed and maintained in all new **and renovated** one- and two-family dwellings in accordance with the most recent version of Standard 13D, "Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes," as promulgated by the National Fire Protection Association (NFPA), and as modified and adopted by the Maryland State Fire Prevention Code, Maryland Code Annotated, Public Safety Article, Title 9, as amended from time to time.

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type and deleted text is crossed out and enclosed in brackets.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Ridgely that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

This Ordinance was introduced at a public meeting of the Commissioners of Ridgely, held on the 10th day of March, 2023 and having been reviewed and considered for final action, was duly passed and adopted on the 3rd day of April, 2023.

AND BE IT FURTHER ENACTED BY THE COMMISSIONERS OF RIDGELY, that this Ordinance shall become effective on the 24th day of April, 2023.

VOTE

YEAS 3

NAYS _____

ABSTAINING _____



Anthony Casey, President




John Hurley, Commissioner



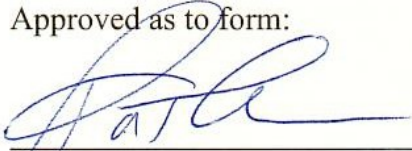
Leonard John Buckle, Commissioner

Attest:



Stephanie Berkey, Town Clerk-Treasurer

Approved as to form:



Patrick W. Thomas, Town Attorney