

Department of Legislative Services  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**

Senate Bill 948

(Senator Glassman, *et al.*)

Education, Health, and Environmental Affairs

Environmental Matters

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**Harford County - One or Two Family Dwellings Constructed as Industrialized Buildings - Sprinkler System Requirement**

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This emergency bill specifies that an automatic sprinkler system is not required in a one- or two-family dwelling constructed as an industrialized building in Harford County if the date of the application for a building permit, or date that the manufacturer affixed the required insignia, was before January 1, 2011.

The bill terminates June 30, 2011.

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**Fiscal Summary**

**State Effect:** The bill is not anticipated to materially affect State operations or finances.

**Local Effect:** Potential minimal increase in the workloads of local building code enforcement units and fire response agencies in Harford County. However, the bill is not anticipated to materially affect local finances.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law/Background:** The Department of Housing and Community Development (DHCD) is required to adopt the Maryland Building Performance Standards (MBPS) and the Model Performance Code (MPC) under Title 12 of the Public Safety Article. The MBPS and the MPC are based on two International Code Council (ICC) publications – the International Building Code (IBC) and the International Residential Code. The 2009 MBPS and MPC were adopted by DHCD on January 1, 2010.

The 2009 update to these building codes requires that a residential fire sprinkler system be installed in all residential one- and two-family dwelling modular buildings, on and after January 1, 2011. Between the code's adoption on January 1, 2010 and the sprinkler requirement effective date of January 1, 2011, DHCD communicated with, and provided training for, local jurisdictions, modular home manufacturers, and other companies regarding the installation of sprinkler systems. On October 28, 2010, DHCD transmitted a memorandum to all relevant local jurisdictions advising on installation and inspection processes and the responsibilities of local jurisdictions to ensure compliance with the new requirements.

A local jurisdiction may adopt local amendments to MBPS if the local amendments do not prohibit the minimum implementation and enforcement activities required by State law, or weaken the energy conservation and efficiency provisions. If a local amendment conflicts with MBPS, the local amendment prevails in the local jurisdiction.

The MPC regulates industrialized/modular buildings in Maryland. An industrialized building is defined as a building assembly or system of building subassemblies manufactured in its entirety, or in substantial part, off site and transported to a site for installation or erection, with or without other specified components, as a finished building or as part of a finished building that comprises two or more industrialized building units; the definition includes the electrical, plumbing, heating, ventilating, insulation, and other service systems of the building assembly or system of building subassemblies if the service systems are installed at the off-site manufacture or assembly point. Local jurisdictions cannot adopt amendments to the MPC.

IBC was established by ICC. ICC was established in 1994 as a nonprofit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. IBC has been adopted by all 50 states as well as thousands of local jurisdictions.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Harford County, Department of Housing and Community Development, Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2011  
ncs/lgc

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