

# THE BOARD OF GARRETT COUNTY COMMISSIONERS

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## Board of Commissioners

Paul C. Edwards  
Ryan S. Savage  
S. Larry Tichnell

## County Administrator

Kevin G. Null

## County Attorney

Gorman E. Getty III

## MECHANICAL CODE ORDINANCE

Adoption of the 2018 International Mechanical Code & establishment of Mechanical Permits and Inspections.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND, A BODY POLITIC AND CORPORATE AND A POLITICAL SUBDIVISION OF THE STATE OF MARYLAND, CREATING THE GARRETT COUNTY MECHANICAL CODE (THE "MECHANICAL CODE") TO THE PROVISIONS OF THE GARRETT COUNTY, MARYLAND CODE OF ORDINANCES; REGULATING AND PROVIDING MINIMUM STANDARDS GOVERNING THE INSTALLATION OF HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION SYSTEMS; PROVIDING FOR THE ISSUANCE OF MECHANICAL PERMITS, FEES AND INSPECTIONS; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

### EXPLANATION

**WHEREAS**, Title 9A of the Maryland Business Regulations has created a State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors and established a licensing program and standards for individuals who provide or assist in providing heating, ventilation, air-conditioning, and refrigeration services, and

**WHEREAS**, the Code of Maryland Regulations, Subtitle 15, Chapter 09.15.05 specifies that the Mechanical Code in the State of Maryland shall be the 2018 International Mechanical Code (IMC-18), and

**WHEREAS**, the Board of County Commissioners of Garrett County, Maryland (the "County") has determined that the adoption and implementation of this Mechanical Code is necessary to promote the health, safety and welfare of the citizens of Garrett County; and

**WHEREAS**, the County has determined what local amendments to the 2018 International Mechanical Code are necessary or desirable for Garrett County and have reviewed the comments on these amendments received in writing and at public hearing.

**NOW, THEREFORE**, be it enacted and ordained by the Board of County Commissioners of Garrett County, Maryland, a body politic and Corporate and a political subdivision of the State of Maryland do hereby enact the following ordinance with amendments to be included within the County Code of Ordinance, Title XV, Chapter 150, Section 150.07.

### ARTICLE I. ADOPTION OF THE INTERNATIONAL MECHANICAL CODE BY REFERENCE

The International Mechanical Code 2018 (herein referred to as the "Code") published by the International Code Council is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein save and except such changes, amendments, revisions, deletions, substitutions and/or additions as are specified in this chapter. If conflicts arise between this Code and other codes adopted by the State or County, the more restrictive provision shall govern. At least one copy of this code and supplements thereto shall be on file and open for public use, examination, and inspection in the Office of the Clerk to the Board of County Commissioners.

#### Section 1. Modifications to the International Mechanical Code

- (1) **Chapter 1, Section 101.1 Title** is amended to add "Garrett County" as the "[NAME OF JURISDICTION]".
- (2) **Chapter 1, Section 103.1 General** is deleted and the following inserted in lieu thereof: "103.1 General: The code official shall be the authorized employee(s) within the Garrett County Department of Community

Development, Permits & Inspections Division administering and enforcing mechanical codes in Garrett County.”

- (3) **Section 106.4.3 Expiration** is amended by deleting “commenced within 180 days” and inserting “commenced within one year” and by deleting “for a period of 180 days” and inserting “for a period of one year”.
- (4) **Section 106.4.4 Extensions** is amended by deleting “for a period not exceeding 180 days” and inserting “for a period not exceeding one year”
- (5) **Section 106.5.2 Fee schedule** is amended to read as follows “106.5.2 Fee schedule. The fees for mechanical work shall be paid as established by the fee schedule adopted by the Board of Garrett County Commissioners.”
- (6) **Section 106.5.3 Fee refunds** is deleted.
- (7) **Section 108.4 Violation penalties** is deleted and the following inserted in lieu thereof: “Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine established by the fee schedule adopted by the Board of Garrett County Commissioners. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”
- (8) **Section 108.5 Stop work orders** is amended by deleting “of a fine of not less than [AMOUNT] dollars or worth more than [AMOUNT]” and inserting “of a fine established by the fee schedule adopted by the Board of Garrett County Commissioners”
- (9) **Section 109.1 Application for appeal** is amended by replacing “board of appeals” with “the Building Code Board of Appeals as appointed by the Garrett County Commissioners”
- (10) **Section 109.2 Membership of board** regarding Membership of board is deleted in its entirety
- (11) **Section 1101.10 Locking access port caps** is deleted in its entirety.

## **ARTICLE II. SAVING CLAUSE**

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceedings impending in any Court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or effected by this ordinance.

**NOW, THEREFORE**, be it further enacted that this act shall become effective on the 20<sup>th</sup> day of August 2024.

**WITNESS** the corporate name of the **BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND**, by Paul C. Edwards, its Chairman, attested to by Kevin G. Null, its County Administrator, this 20<sup>th</sup> day of August, 2024.

**BOARD OF COMMISSIONERS OF  
GARRETT COUNTY, MARYLAND**

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**PAUL C. EDWARDS**, Chairman

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**RYAN S. SAVAGE**, County Commissioner

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**S. LARRY TICHNELL**, County Commissioner

(SEAL)

ATTEST:

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**KEVIN G. NULL**  
County Administrator