

Subject: Administration - To Provide for
Membership and Procedures of the
St. Mary's County Building Code
Board of Appeals

RESOLUTION

**TO PROVIDE FOR MEMBERSHIP AND PROCEDURES OF
THE ST. MARY'S COUNTY BUILDING CODE BOARD OF APPEALS**

WHEREAS, pursuant to §R112 of the *2015 International Residential Code for One- and Two-Family Dwellings*, §[A]113 of the *2015 International Building Code* and §[A]112 of the *2012 International Existing Building Code*, there is created a Building Code Board of Appeals,

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of St. Mary's County, that:

SECTION I. Membership.

The St. Mary's County Building Code Board of Appeals shall consist of three or more individuals who are either:

1. licensed professional engineers;
2. licensed master electricians, master plumbers, or master natural gas fitters;
3. heating, ventilation, air-conditioning, and refrigeration contractors holding a master license; and
4. individuals with expertise in the building trades.

SECTION II. Terms.

Members of the Board shall serve a three-year term.

SECTION III. Officers.

The Commissioners of St. Mary's County shall appoint a Board Chair for a term of one year. A chair may be re-appointed.

SECTION IV. Powers.

1. The Board shall hear and decide appeals of orders, decisions, or determinations made by a Building Inspector in accordance with the provisions of the applicable code.
2. The Board may grant modifications for individual cases, upon application of the owner or the owner's authorized agent, in accordance with the provisions of the applicable code.

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SECTION V. Procedure.

1. An appeal or application shall be submitted in writing.
2. Three members shall constitute a quorum for hearing and deciding an appeal or granting a modification.
3. The Chair shall designate members to hear and decide a specific appeal or application for a modification.
4. Upon receipt of an appeal or application for a modification, a meeting shall be convened promptly and may be held telephonically, subject to compliance with the St. Mary's County Open Meetings Act.
5. The appeal or application for a modification shall be heard informally upon such written or oral information as the appellant or applicant shall submit, and be decided at the conclusion of the hearing unless additional supporting data is necessary for a decision.
6. A decision shall be in writing and shall be filed with the application for the building permit issued to the appellant or applicant.
7. The appeal or application, any written submissions and the decision shall constitute the record of proceeding.

SECTION VI. Support.

1. The St. Mary's County Department of Land Use and Growth Management shall provide necessary facilities to, and be custodian of the records of, the St. Mary's County Building Code Board of Appeals.
2. The Director of the St. Mary's County Department of Land Use and Growth Management shall review all decisions of the St. Mary's County Building Code Board of Appeals and shall periodically report to the Commissioners of St. Mary's County on the activities of the St. Mary's County Building Code Board of Appeals.

SECTION VII. This Resolution shall be effective upon the date written below.

Those voting Aye: 4

Those voting Nay: 0

Those Abstaining: 0

Date of Adoption: 7/19/16

Effective Date: 8/2/16

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ATTEST:



Rebecca B. Bridgett
County Administrator

Approved as to form and legal
sufficiency:



George R. Sparling
County Attorney

COMMISSIONERS OF ST. MARY'S COUNTY



James R. Guy, Commissioner President



Michael L. Hewitt, Commissioner



Tom Jarboe, Commissioner

— ABSENT —

Todd B. Morgan, Commissioner



John E. O'Connor, Commissioner

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DOCUMENT VALIDATION

LR - Government
Instrument 0.00
Agency Name:
COMMISSIONERS OF ST
MARYS COUNTY
Instrument List: Other
Describe Other:
Resolution
Reference/Control #:
0023/248 MM/COUNTY
COMMISSIONER

=====
Total: 0.00
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Mary's
County/CC07.04.02 -
Register 02

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