

COMMISSIONERS OF OXFORD

Ordinance No. 2102

Introduced by:

Date:

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

Introduced, read first time, ordered posted, and public hearing scheduled on _____, 2021 at _____ p.m.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2102 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2102

INTRODUCED BY:

DATE OF INTRODUCTION:

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

WHEREAS, Md. Code Ann. Local Government Article § 5-211 confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance 1602, the Town previously adopted the 2015 Edition of the International Building Code; and

WHEREAS, the State of Maryland has adopted the Maryland Building Performance Standards (set forth in COMAR 05.02.07, et. seq.), which include the 2021 Edition of the International Building Code; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to adopt the 2021 Edition of the International Building Code, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07) a copy of which is attached hereto, as further amended by this Ordinance, as the Town of Oxford Building Code, which sets forth regulations governing the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal or demolition of buildings in the Town of Oxford; and to repeal all prior building code ordinances of the Town of Oxford.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF OXFORD, AS FOLLOWS:

SECTION 1. The Commissioners of Oxford hereby adopt the 2021 Edition of the International Building Code, a copy of which is attached hereto, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07) and as further amended by this Ordinance.

SECTION 2. Chapter 3, Article II, of the Oxford Town Code is hereby repealed in its entirety and adopted as follows:

ARTICLE II. BUILDING CODE

Section 3.6 Adoption of standards by reference.

The 2021 Edition of the International Building Code, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Oxford Building Code, for the control of buildings and structures as herein provided. All of the regulations, provisions, terms, and conditions, of the Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in Section 3.7 herein.

Section 3.7 Amendments.

The following sections of the 2021 Edition of the International Building Code are modified as follows:

CHAPTER 1. SCOPE AND ADMINISTRATION

SECTION 101 GENERAL

Section 101.1 Title. These regulations shall be known as the “Town of Oxford Building Code”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

Section 101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception 1. Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

Exception 2. Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply with the Maryland Building Rehabilitation Code set forth in COMAR 05.16.

Exception 3. Maintenance of residential structures and premises shall comply with the State Minimum Livability Code (COMAR 05.02.03) and the

Town’s Property Maintenance Code (Chapter 4, Article 1 of the Oxford Town Code).

Section 101.2.1 Appendices. All of the Appendices are adopted as part of the Oxford Building Code except those in Appendices A, B, D, E, and K.

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**SECTION 104
DUTIES AND POWERS OF BUILDING OFFICIAL**

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Section 104.6 Right of entry. Delete this section in its entirety and substitute the following:

Section 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises is occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

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**SECTION 107
CONSTRUCTION DOCUMENTS**

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Section 107.2.1 Information on Construction documents. Amend Section 107.2.1 to include the following paragraph:

Section 107.2.1 Information on Construction documents. For new buildings, additions and alterations to buildings other than detached one and two family dwellings, the application for the building permit shall be accompanied by: two (2) complete sets of architectural, structural, mechanical (heating, ventilation, air conditioning-HVAC) plumbing and electrical plans, drawn to scale with sufficient clarity and detail to show the nature and character of work to be performed. The plans shall be prepared in compliance with this Code, and shall have the seal and signature of a Maryland state professional engineer or architect affixed to each and every sheet of all sets at least one of which shall bear the original (not reproduced) seal and signature.

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SECTION 109
FEES

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Section 109.6 Refunds. Delete subsection 109.6 and substitute the following:

Section 109.6 Refunds. When an unissued permit has been denied by the building official or withdrawn by property owner or agent, a 50% refund is due on building codes and zoning fees paid. No refund will be given on issued permits.

Section 109.7 Inspection fees. Add a new subsection 109.7, to read as follows:

Section 109.7 Re-Inspection fees. A re-inspection fee may be charged for each re-inspection if the work has to be re-inspected because:

1. The work was not ready for inspection at the pre-arranged time for inspection;
2. The inspector did not have access to the work at the pre-arranged time for inspection; or
3. The inspector discovers a flagrant noncompliance during a requested inspection.

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SECTION 110
INSPECTIONS

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Section 110.3 Required Inspections. Add a new subsection 110.3.1. Replace with the following:

Section 110.3.1 Foundation Inspections. Foundation inspection shall be made when the foundation is complete with all required anchors, vents and termite shield installed.

Section 110.3.3 Lowest Floor Elevation. Delete this section.

Section 110.3.9.1 Coordination of Inspections. Add a new subsection 110.3.9.1 to read as follows:

Section 110.3.9.1 Coordination of inspections. All required inspections shall be made and coordinated with the other trades, building, electrical, plumbing, HVAC and Sprinkler.

Section 110.5 Inspection Request. Amend section to include the following at the end of the first sentence: “forty-eight (48) hours before said work is completed.”

Section 110.7 Withholding of Inspection and Permit. Add a new subsection 110.7 to read as follows:

Section 110.7 Withholding of Inspection and Permit. If the Code official finds that a contractor, developer, or owner has violated the provisions of the Code, or rules or regulations which implement this Code, in connection with the construction, maintenance, alteration, or repair of any building, structures, equipment or land within the Town of Oxford, the Town’s designated building official, after written notice to the violator, and a hearing on the allegations, if applicable, may refuse to grant further inspections or further permits of any kind to the contractor, developer, or owner until all violations have been corrected and all fees have been paid.

. . . .

SECTION 113 BOARD OF APPEALS

Section 113.1 General. Delete this section and replace with the following:

Section 113.1 General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 113.2 Limitations on authority. Delete this section and replace with the following:

Section 113.2 Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance, and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section 113.3 Qualifications. Deleted.

. . . .

SECTION 114 VIOLATIONS

Section 114 Violations. Delete this section in its entirety and substitute the following:

Section 114.1 Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 114.2 Notice of violation. The building official or other authorized designee of the Town of Oxford is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section 114.3 Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Oxford is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Town Attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this Code.

Section 114.4 Violation penalties. A violation of this code shall constitute a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation, or in the alternative, to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article § 6-102, et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town

may seek injunctive or other relief as necessary.

Section 114.5 Unpaid expenses as a lien against real estate. Whenever, pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

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SECTION 115 STOP WORK ORDER

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Section 115.2.1 Stop Work Order, Posting. Add a new subsection 115.2.1 to read as follows:

Section 115.2.1 Stop Work Order, Posting. The posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford's designated code official.

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CHAPTER 9. FIRE PROTECTION SYSTEMS

901.1 Scope. ADDITIONAL NOTE: Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article §§ 6-101 – 6-102, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official. In the event of a conflict between these provisions and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

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CHAPTER 10. MEANS OF EGRESS

1001.1 General. ADDITIONAL NOTE: Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§ 6-101 – 6-102, Annotated Code of Maryland and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official. In the event of a conflict between these provisions and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

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CHAPTER 11. ACCESSIBILITY

Chapter 11 of the IBC related to accessibility requirements is hereby replaced with the Maryland Accessibility Code set forth in COMAR 05.02.02.

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CHAPTER 16. STRUCTURAL DESIGN

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Section 1607.14.2. Minimum Roof Live Loads. Delete this section and replace with the following:

Section 1607.14.2. Minimum Roof Live Loads. Roofs shall be designed for a minimum live load of 20 pounds per square foot or designed for the minimum snow load, whichever is greater.

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Section 1612.3 Establishment of Flood Hazard Areas. Amend subsection 1612.3. as follows:

Section 1612.3. Establishment of Flood Hazard Areas. The Town of Oxford has established flood hazard areas, which have been identified by the Federal Emergency Management Agency as reflected in the Flood Insurance Rate Map for Talbot County, Town of Oxford, Map Number 24041C0283C, Community-Panel Numbers 240068 and 240066, 0283 C, effective date: August 5, 2013, and Flood Insurance Rate Map for Talbot County, Town of Oxford, Map Number 24041C0291C, Community-Panel Numbers 240068 and 240066, 0291 C, effective August 5, 2013, and related supporting data along with any revisions thereto, which shall apply to any construction within flood hazard areas, in addition to all other applicable ordinances related to flood plain regulations and storm water management.

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CHAPTER 18. SOILS AND FOUNDATIONS

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Section 1809.5. Frost Protection. Amend subsection 1809.5 to read as follows:

Section 1809.5. Frost Protection. Except where erected upon solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings or structures 120 square feet or larger in area or 10 feet in height shall extend below the front line of 24" below

finished grade, and spread footings of adequate size shall be provided where necessary to properly distribute the load within the allowable load bearing value of soil. Alternatively, such structures shall be supported on piles where solid earth or rock is not available. Footings shall not bear on frozen soils unless frozen condition is of a permanent nature.

Exception: Sheds under 300 square feet shall be permitted to be erected upon six (6) inches of compacted gravel base, provided they are not anchored with approved anchors on all four corners.

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CHAPTER 24. GLASS AND GLAZING

The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section 2406 of the IBC related to safety glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail.

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CHAPTER 27. ELECTRICAL

2701.1 Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

CHAPTER 28. MECHANICAL SYSTEMS

2801.1 Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the mechanical systems, refer to the local mechanical code and the mechanical code adopted pursuant to the provision of Business Regulation Article, §9A-205, Annotated Code of Maryland.

CHAPTER 29. PLUMBING SYSTEMS

2901.1 Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the plumbing systems,

refer to the local plumbing code and the plumbing code adopted pursuant to the provision of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS

The provisions of Chapter 30 of the IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland prevail.

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CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION

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Section 3306.10. Accessibility During Construction Operations. Add new subsection 3306.10 to read as follows:

Section 3306.10. Accessibility During Construction Operations. During construction operations the contractor shall maintain at all times a vehicular roadway that will permit the unimpeded movement of emergency vehicles from the improved street to within 200 feet of the most remote building under construction on the site. The vehicular access roadway surface shall be either crusher run, stone base, black top or other suitable compacted surface material approved by the Town’s code official or designee.

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Section 3.8 Repealer.

All prior building code ordinances or parts of building code ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.9 Copies on File.

The Clerk-Treasurer of the Town of Oxford shall maintain two (2) copies of the Building Code on file in the Town office.

Section 3.10 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the

remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2021.

COMMISSIONERS OF OXFORD:

John Pepe, President

Gordon Fronk, Commissioner

Jimmy Jaramillo, Commissioner

I hereby certify that the foregoing Ordinance Number 2102 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

ATTEST:

Cheryl Lewis
Clerk-Treasurer

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

COMMISSIONERS OF OXFORD

Ordinance No. 2103

Introduced by:

Date:

AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE RESIDENTIAL CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEARWITH

Introduced, read first time, ordered posted, and public hearing scheduled on _____, 2021 at _____ p.m.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2103 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2103

INTRODUCED BY:

DATE OF INTRODUCTION:

AN ORDINANCE OF THE TOWN OF OXFORD TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE RESIDENTIAL CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

WHEREAS, Md. Code Ann. Local Government Article § 5-211 confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance 1601, the Town adopted the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings; and

WHEREAS, the State of Maryland has adopted the Maryland Building Performance Standards (set forth in COMAR 05.02.07), which include the 2021 Edition of the International Residential Code for One- and Two-Family Dwellings; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to adopt the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), as further amended by this Ordinance, as the Town of Oxford Residential Building Code, which sets forth regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, and addition to one- and two-family dwellings and townhouses in the Town of Oxford; and which provides for the issuance of permits; and to repeal all prior residential building code ordinances of the Town of Oxford.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF OXFORD, AS FOLLOWS:

SECTION 1. The Commissioners of Oxford hereby adopts the 2021 Edition of the International Residential Code for One- and Two-Family Dwellings, a copy of which is attached hereto, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07) and as further amended by this Ordinance.

SECTION 2. Chapter 3, Article I, of the Oxford Town Code is hereby repealed in its

entirety and adopted as follows:

ARTICLE 1. One- and Two-Family Dwellings

Section 3.1 Adoption of standards by reference.

The 2021 Edition of the International Residential Code for One- and Two-Family Dwellings, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Oxford Residential Code for One and Two Family Dwellings (sometimes referred to as the “Residential Code”). The Residential Code shall regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (town houses) no more than three stories in height with separate means of egress in the Town of Oxford. All of the regulations, provisions, terms, and conditions, of the Residential Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.02.07 and as further set forth in Section 3.2 herein.

Section 3.2 Amendments.

The following sections of the 2021 Edition of the International Residential Code for One- and Two- Family Dwellings are modified, deleted, substituted, or added as follows:

CHAPTER 1-SCOPE AND ADMINISTRATION

**SECTION R101
GENERAL**

Section R101.1 Title. These regulations shall be known as the “Town of Oxford Residential Building Code for One- and Two-Family Dwellings”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

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**SECTION R102
APPLICABILITY**

Section R102.5 Appendices. All the provisions in the Appendices are adopted as part of the IRC except those in Appendices E, J and L.

. . . .

**SECTION R112
BOARD OF APPEALS**

Section R112.1. General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section R112.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance, and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .

Section R.112.3. Qualifications. Deleted.

**SECTION R113
VIOLATIONS**

Section 113. Delete this section in its entirety and substitute the following:

Section R113.1. Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section R113.2. Notice of violation. The building official or other authorized designee of the Town of Oxford is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a structure in violation of the

provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section R113.3. Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Oxford is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Town Attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this code.

Section R113.4. Violation penalties. Violation of this code shall be a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation, or in the alternative to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article § 6-102, et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town may seek injunctive or other relief as necessary.

Section R113.5. Unpaid expenses as a lien against real estate. Whenever pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

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CHAPTER 3. BUILDING PLANNING

SECTION R301 DESIGN CRITERIA

Section R301.2 Climatic and geographic design criteria. This subsection

shall be amended as follows:

**Table R301.2(1)
Climatic and Geographic Design Criteria**

Ground Snow Load	25PSF
Roof Snow Load	20PSF
Wind Speed (c)	90/100 MPH
Seismic Design	0
Weathering (a)	Severe
Front Line Depth (b)	24"
Termite	Moderate
Decay	Slight to Moderate
Winter Design Temp.	75 degrees F
Flood Hazards	The Oxford Flood Hazard Areas, which have been identified by the Federal Emergency Management Agency, as amended or revised by the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), in addition to other applicable ordinances related to flood plain regulation and stormwater management

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from this code. The grade of masonry units shall be determined from ASTM C 34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1).
- c. Wind exposure category shall be determined on a site specific basis in accordance with Section R301.2.1.4.

CHAPTER 12. MECHANICAL ADMINISTRATION

Section M.1201.1 Scope. The subject matter of chapters 12 through 24 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements

concerning the mechanical systems, refer to the mechanical code adopted pursuant to the provisions of Business Regulation Article, §9A-205, Annotated Code of Maryland.

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CHAPTER 25. PLUMBING ADMINISTRATION

Section P.2501.1 Scope. The subject matter of chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the plumbing systems, refer to the plumbing code adopted pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

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CHAPTER 34. ELECTRICAL - GENERAL REQUIREMENTS

Section E3401.2 Scope. The subject matter of chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

Section 3.3 Copies on file.

The Clerk-Treasurer of the Town of Oxford shall maintain two (2) copies of the Town Residential Code on file in the Town Office.

Section 3.4 Repealer.

All prior residential code ordinances or parts of residential code ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.5 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2021.

COMMISSIONERS OF OXFORD:

John Pepe, President

Gordon Fronk, Commissioner

Jimmy Jaramillo, Commissioner

I hereby certify that the foregoing Ordinance Number 2103 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

ATTEST:

Cheryl Lewis
Clerk-Treasurer

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

COMMISSIONERS OF OXFORD

Ordinance No. 2104

Introduced by:

Date:

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE ENERGY CONSERVATION CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

Introduced, read first time, ordered posted, and public hearing scheduled on _____, 2021 at _____ p.m.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2104 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2104

INTRODUCED BY:

DATE OF INTRODUCTION:

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AS MODIFIED BY THE MARYLAND BUILDING PERFORMANCE STANDARDS, AND AS FURTHER AMENDED BY THIS ORDINANCE, AS THE ENERGY CONSERVATION CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

WHEREAS, Md. Code Ann. Local Government Article § 5-211 confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance 1603 the Town previously adopted portions of the 2015 Edition of the International Energy Conservation Code, which is codified in Chapter 3, Article III of the Oxford Town Code; and

WHEREAS, the State of Maryland has adopted the Maryland Building Performance Standards (set forth in COMAR 05.02.07), which include the 2021 Edition of the International Energy Conservation Code; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to adopt the 2021 Edition of the International Energy Conservation Code, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), as further amended by this Ordinance, as the Town of Oxford Energy Conservation Code, to regulate minimum energy conservation requirements for all aspects of energy uses in both commercial and residential construction, including heating and ventilating, lighting, water heating, and power usage for appliances and building systems.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF OXFORD, AS FOLLOWS:

SECTION 1. The Commissioners of Oxford hereby adopt the 2021 Edition of the International Energy Conservation Code, a copy of which is attached hereto, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07) and as further amended by this Ordinance.

SECTION 2. Chapter 3, Article III, of the Oxford Town Code is hereby repealed in its entirety and adopted as follows:

ARTICLE III. ENERGY CODE.

Section 3.11. Adoption of standards by reference.

The 2021 Edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), and as further amended by this Ordinance, be and is hereby adopted as the Energy Conservation Code of the Town of Oxford for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code, with the additions, insertions, deletions and changes, if any, prescribed herein.

Section 3.12. Amendments.

The following sections of the 2021 Edition of the International Energy Conservation Code are modified, deleted, substituted, or added as follows:

**SECTION C101
SCOPE AND GENERAL REQUIREMENTS**

Section C101.1 Title. This code shall be known as the Energy Conservation Code of Oxford for Commercial Buildings.

Section C101.2 Scope. This Code applies to commercial buildings and the building sites and associated systems and equipment. Additional requirements concerning energy conservation for buildings and structures may be required by Energy Conservation Building Standards, Public Utility Companies Article §§ 7-401 – 7-408 of the Annotated Code of Maryland, as amended.

. . . .

**SECTION C109
STOP WORK ORDER**

. . . .

Section C109.2 Issuance. Delete section C109.2 and substitute the following:

Section C109.2 Issuance. The stop work order shall in writing and the stop work order shall in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford's designated code official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason

for the order, and the conditions under which the cited work will be permitted to resume.

Section C109.4 Failure to comply. Delete section C109.4 and substitute the following:

Section C109.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, Section 1.10B of the Town Code.

**SECTION C110
BOARD OF APPEALS**

Section C110 Board of Appeals. Delete section C110 Board of Appeals and substitute the following:

Section C110 Board of Appeals. For the purposes of this code, the board of appeals shall be the Oxford Board of Zoning Appeals established by the Oxford Zoning Ordinance. All provisions governing the board of appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the board of appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .

**CHAPTER 1
SCOPE AND ADMINISTRATION – RESIDENTIAL PROVISIONS**

**SECTION R101
SCOPE AND GENERAL REQUIREMENTS**

Section R101.1 Title. Delete Section R101.1 and substitute with the following:

Section R101.1 Title. This code shall be known as the Energy Conservation Code of Oxford for Residential Buildings.

. . . .

**SECTION R109
STOP WORK ORDER**

. . . .

Section R109.2 Issuance. Delete Section R109.2 and substitute with the following:

Section R109.2 Issuance. The stop work order shall in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford’s designated code official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

. . . .

Section R109.4 Failure to Comply. Delete Section R109.4 and replace with the following:

Section R109.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, Section 1.10B of the Town Code.

**SECTION R110
MEANS OF APPEALS**

Section R110 Board of Appeals. Delete Section R110 and replace with the following:

Section R110 Board of Appeals. For the purposes of this code, the board of appeals shall be the Oxford Board of Zoning Appeals established by the Oxford Zoning Ordinance. All provisions governing the board of appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the board of appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section 3.13. Copies on file.

The Clerk-Treasurer of the Town of Oxford shall maintain one copy of the Town Energy Conservation Code on file in the Town Office.

Section 3.14. Repealer.

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.15. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2021.

COMMISSIONERS OF OXFORD:

John Pepe, President

Gordon Fronk, Commissioner

Jimmy Jaramillo, Commissioner

I hereby certify that the foregoing Ordinance Number 2101 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

ATTEST:

Cheryl Lewis
Clerk-Treasurer

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

COMMISSIONERS OF OXFORD

Ordinance No. 2105

Introduced by: _____

Date: _____

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AS AMENDED BY THIS ORDINANCE, AS THE EXISTING BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

Introduced, read first time, ordered posted, and public hearing scheduled on _____, 2021 at _____ p.m.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2105 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2105

INTRODUCED BY: _____

DATE OF INTRODUCTION: _____

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AS AMENDED BY THIS ORDINANCE, AS THE EXISTING BUILDING CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

WHEREAS, Md. Code Ann. Local Government Article § 5-211 confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance No. 1605 the Commissioners of Oxford previously adopted portions of the 2015 Edition of the International Existing Building Code, which is codified in Chapter 3, Article IV of the Oxford Town Code; and

WHEREAS, the State of Maryland has adopted the Maryland Building Rehabilitation Code (set forth in COMAR 05.16.01), which includes the 2021 Edition of the International Existing Building Code; and

WHEREAS, the Commissioners of Oxford deem it desirable and in the public interest to adopt the 2021 Edition of the International Existing Building Code, a copy of which is attached hereto, and as amended by this Ordinance, as the Town of Oxford Existing Building Code, for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings; providing for the issuance of permits therefor.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

SECTION 1. The Commissioners of Oxford hereby adopt the 2021 Edition of the International Existing Building Code, a copy of which is attached hereto, as amended by the State of Maryland as the Maryland Building Rehabilitation Code (set forth in COMAR 05.16.01) and as further amended by this Ordinance.

SECTION 2. Chapter 3 of the Oxford Town Code is hereby amended to include Article IV, titled Existing Building Code, as follows:

ARTICLE IV. EXISTING BUILDING CODE

Section 3.16 Adoption of standards by reference.

The 2021 Edition of the International Existing Building Code, as published by the International Code Council, as amended by the Maryland Building Rehabilitation Code, is hereby adopted as the Town of Oxford Existing Building Code (sometimes referred to as the “Existing Building Code”). The Existing Building Code shall regulate and govern the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings; providing for the issuance of permits therefor. All of the regulations, provisions, terms, and conditions, of the 2021 Edition of the International Existing Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.16.01, as well as the amendments, deletions and insertions set forth in Section 3.17 herein.

Section 3.17 Amendments.

The following sections of the 2021 International Existing Building Code are hereby modified, deleted, substituted, added, or revised as follows:

**SECTION 101
GENERAL**

Section 101.1 Title. These regulations shall be known as the “Town of Oxford Existing Building Code”, (sometimes hereinafter referred to as the “Existing Building Code” or “this code.”). Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

....

**SECTION 103
DEPARTMENT OF BUILDING SAFETY**

....

Section 103.1 Deleted.

Section 103.2 Appointment. The code official shall be the Town Clerk-Treasurer, or any person or entity designated or appointed by the Commissioners of Oxford to serve as code official. The code official shall have full enforcement authority of this Code.

....

**SECTION 104
DUTIES OF THE CODE OFFICIAL**

....

Section 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

....

SECTION 112 MEANS OF APPEALS

Section 112.1 General. Delete Section 112 in its entirety and replace with the following.

Section 112.1 General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

....

112.3 Qualifications. Deleted.

SECTION 113 VIOLATIONS

....

Section 113.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 113.2 shall be deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant

thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

....

**SECTION 114
STOP WORK ORDER**

....

Section 114.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

....

Section 3.18 Repealer.

All prior ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning Ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.19 Copies on file.

The Town Clerk shall maintain two copies of the Existing Building Code on file in the Town Office.

Section 3.20 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. This ordinance and any rules, regulations, provisions, requirements, orders and matters established and adopted pursuant hereto hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2021.

COMMISSIONERS OF OXFORD:

John Pepe, President

Gordon Fronk, Commissioner

Jimmy Jaramillo, Commissioner

I hereby certify that the foregoing Ordinance Number 2105 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

ATTEST:

Cheryl Lewis
Clerk-Treasurer

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

COMMISSIONERS OF OXFORD

Ordinance No. 2106

Introduced by: _____

Date: _____

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED BY THIS ORDINANCE, AS THE PROPERTY MAINTENANCE CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

Introduced, read first time, ordered posted, and public hearing scheduled on _____, 2021 at _____ p.m.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number 2106 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2106

INTRODUCED BY: _____

DATE OF INTRODUCTION: _____

AN ORDINANCE OF THE TOWN OF OXFORD ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED BY THIS ORDINANCE, AS THE PROPERTY MAINTENANCE CODE OF THE TOWN OF OXFORD, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

WHEREAS, Md. Code Ann. Local Government Article § 5-211 confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance 1606 the Town previously adopted portions of the 2015 Edition of the International Property Maintenance Code, which is codified in Chapter 4 of the Oxford Town Code; and

WHEREAS, the Commissioners of Oxford deem it desirable and in the public interest to adopt the 2021 Edition of the International Property Maintenance Code, a copy of which is attached hereto, and as amended by this Ordinance, as the Town of Oxford Property Maintenance Code, which sets forth the minimum regulations governing the conditions and maintenance of all property, buildings and structures, provides the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and sets forth the procedure for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

SECTION 1. The Commissioners of Oxford hereby adopt the 2021 Edition of the International Property Maintenance Code, a copy of which is attached hereto and incorporated by reference herein, as amended by this Ordinance.

SECTION 2. Chapter 4, Article I, of the Oxford Town Code is hereby repealed in its entirety and adopted as follows:

CHAPTER 4. PROPERTY MAINTENANCE

Section 4.1. Adoption of standards by reference.

The 2021 Edition of the International Property Maintenance Code, as published by the International Code Council, Inc. is adopted as the Oxford Property Maintenance Code, and is incorporated into this Code by reference as if fully set forth herein, subject to the amendments set forth in Section 4.2.

Section 4.2. Amendments.

The following sections of the 2021 International Property Maintenance Code are hereby modified as follows:

**SECTION 101
GENERAL**

Section 101.1. Title. These regulations shall be known as the “Town of Oxford Property Maintenance Code”, hereinafter referred to as “this code.”

....

Section 101.2 Scope. The provisions of this Code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. Notwithstanding anything to the contrary herein, the provisions of the Property Maintenance Code that govern the interior condition of a residential structure shall not apply to an owner-occupied housing unit. Only the provisions of this Code governing the exterior condition of a structure shall apply to an owner-occupied housing unit.

....

Section 102.3. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance the applicable building codes of the Town of Oxford, including the International Building Code,

the International Building Code for One- and Two-Family Dwellings, the International Energy Code, and the International Existing Building Code, as those codes have been adopted and/or amended by the Town of Oxford and incorporated into the Oxford Town Code. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the Oxford Building Code.

....

102.6. Historic Buildings. Where a property which is the subject of this Ordinance is located within the Oxford Historic District, the Oxford Historic District Commission may notify the Town Clerk of any violation of the Property Maintenance Ordinance, including any condition considered to be demolition by neglect. The Town Clerk shall consult with the Oxford Historic District Commission prior to undertaking any enforcement action under this Ordinance. Prior to taking enforcement action, the Oxford Town Clerk shall also invite and encourage a property owner to consult with the Oxford Historic District Commission to come up with an acceptable remediation plan.

**SECTION 103
CODE COMPLIANCE AGENCY**

....

Section 103.2. Appointment. The code official shall be the Town Clerk, or any person or entity designated or appointed by the Commissioners of Oxford to serve as code official.

....

**SECTION 104
FEES**

....

Section 104.1. Fees. The fees for activities and services performed under this Ordinance shall be set forth in a fee schedule adopted by the Commissioners of Oxford.

....

**SECTION 105
DUTIES AND POWERS OF THE CODE OFFICIAL**

....

Section 105.3. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable

cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

. . . .
SECTION 107
MEANS OF APPEAL

Section 107. Means of Appeal. Delete Section 107 in its entirety and replace with the following.

Section 107.1. Application for appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 107.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established by the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .
SECTION 109
VIOLATIONS

. . . .

Section 109.3. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be

deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

....

**SECTION 110
STOP WORK ORDER**

....

Section 110.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

....

**CHAPTER 2
DEFINITIONS**

SECTION 202 GENERAL DEFINITIONS. The following definition is added to the definitions set forth in this Chapter:

DEMOLITION BY NEGLIGENCE. This definition applies to any structure located within the Oxford Historic District, and includes any willful neglect in the maintenance and repair of a structure, other than the appurtenance and environmental setting of a structure, that: (1) is not due to a financial inability to maintain and repair the structure; and (2) threatens to result in a substantial deterioration of the exterior features of the structure.

....

**SECTION 302
EXTERIOR PROPERTY AREAS**

. . . .

Section 302.4. Weeds. All premises and exterior property shall be maintained from weeds or plant growth in excess of six inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of notice of violation, they shall be subject to prosecution in accordance with Section 109.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

. . . .

**SECTION 304
EXTERIOR STRUCTURE**

. . . .

Section 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property in compliance with 911.

. . . .

Section 304.14 Insect screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

. . . .

Section 304.20 Demolition by Neglect. No property owner in the Historic District shall allow their property fall into disrepair in a manner that is considered demolition by neglect.

. . . .

Section 4.3. Repealer.

All prior property maintenance ordinances or parts of property maintenance ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning Ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 4.4. Copies on file.

The Town Clerk shall maintain two copies of the Property Maintenance Code on file in the Town Office.

Section 4.5. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4.6. Exemptions.

The provisions of the property maintenance code relating to the interior condition of a residential structure shall not apply to an owner-occupied housing unit.

SECTION 3. This ordinance and any rules, regulations, provisions, requirements, orders and matters established and adopted pursuant hereto hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2021.

COMMISSIONERS OF OXFORD:

John Pepe, President

Gordon Fronk, Commissioner

Jimmy Jaramillo, Commissioner

I hereby certify that the foregoing Ordinance Number 2106 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2021.

ATTEST:

Cheryl Lewis
Clerk-Treasurer

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

