

**ORDINANCE NO. 6-2021**

INTRODUCED BY: Diefenderfer

**AN ORDINANCE OF THE TOWN OF TRAPPE 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 TRAPPE**

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 8-2016 the Town previously adopted portions of the 2015 Edition of the International Energy Conservation Code, which is codified in Section 11, Article III of the Trappe 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 Council of Trappe has 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 Trappe 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 COUNCIL OF TRAPPE AS FOLLOWS:

**SECTION 1.** The Council of Trappe hereby adopts 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**SECTION 2.** Section 11, Article III, of the Trappe Town Code is hereby repealed and adopted as follows:

**Section 11.7. 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 Trappe 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 collection of fees therefor; 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 11.8. 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 Trappe 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 posting of a stop work order at the job site shall constitute adequate notification by the Town of Trappe'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 C108.4 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 according as provided in Chapter 1, Article I.

**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 Trappe Board of Zoning Appeals established by the Trappe 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 Trappe 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 Trappe 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 Trappe'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 according as provided in Chapter 1, Article I.

### **SECTION R110 BOARD 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 Trappe Board of Zoning Appeals established by the Trappe 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 Trappe Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

#### **Section 11.9. Copies on file.**

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

**SECTION 3.** All prior ordinances or parts of ordinances in conflict herewith are hereby repealed, except that in any case in which the Trappe Zoning ordinance and this Ordinance conflict, the Trappe Zoning Ordinance shall control.

**SECTION 4.** 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 Council of Trappe 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 5.** 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 20<sup>th</sup> day of June, 2021.

COUNCIL OF TRAPPE:



Nicholas Newnam



Robert Diefenderfer, Jr.



Walter Chase



Tonya Fritchett



Brian Schmidt

I hereby certify that the above Ordinance was adopted by a ye and nay vote of the Council this 20<sup>th</sup> day of June, 2021.



Erin Braband, Town Administrator/Town Clerk

