

Discussion – March 22, 2023  
Introduction – April 12, 2023  
Public Hearing – May 10, 2023  
Enacted – May 10, 2023  
Adopted – May 31, 2023

## **ORDINANCE NO. 545**

### **AN ORDINANCE AMENDING CHAPTER 108, “BUILDING CONSTRUCTION”, SECTION 108-7, “CONSTRUCTION STANDARDS” OF THE TOWN CODE, TO ADOPT THE 2018 EDITIONS OF THE VARIOUS BUILDING CODES ADOPTED BY THE CITY.**

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 5-202 and § C-19(A) of the Charter of the Town of St. Michaels, The Commissioners of St. Michaels (the "Town Commissioners") are authorized and empowered to pass ordinances not contrary to the Constitution or laws of the State of Maryland or to the provisions of the Charter for the preservation of peace and order, for securing persons and property from violence, danger, or destruction, and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors to the Town of St. Michaels (the "Town"); and

**WHEREAS**, pursuant to the afore stated authority and the additional authority contained in Md. Code Ann., Local Gov't Art., § 5-206, the Town has enacted Chapter 108, “Building Construction”, of the Town Code; and

**WHEREAS**, the Town Commissioners have, by Ordinance 450, incorporated the latest edition of certain construction industry codes as the Town’s construction standards; and

**WHEREAS**, the Town Commissioners deem the public interest better served by specifying the particular edition of the construction standards codes will be applied to development in the Town; and

**WHEREAS**, the Town Commissioners, having considered alternatives, have determined that the adoption of the 2018 versions of the construction standard codes is best suited to development in the Town.

**SECTION 1. AND BE IT FURTHER ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS** that Chapter 108, “Building Codes”, Section 108-7, “Construction Standards”, of the Code of the Town of St. Michaels shall be and is hereby amended as follows:

#### **§ 108-7. Construction Standards**

No person shall construct, cause to be constructed, or modify any structure within the Town of St. Michaels that is in violation of the International Building Code, latest 2018-EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2018-EDITION, and/or the International Energy Conservation Code, latest 2018 edition, as published by the International Code Council, Inc., which International Building Code and the International Energy Conservation Code are hereby adopted and approved as the standard to which all structures located within the Town of St.

UNDERLINED SMALL CAPS : Indicate matter added to existing law.

Michaels shall be constructed or modified. NOTWITHSTANDING ANYTHING IN EITHER ADOPTED CODE TO THE CONTRARY, APPEALS FROM A DECISION OF THE TOWN'S PERMIT OFFICIAL RELATING TO THE APPLICATION OF SUCH CODES SHALL BE GOVERNED BY SECTION 108-90 OF THIS CHAPTER.

**SECTION 2. AND BE IT FURTHER ORDAINED** if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3. AND BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4. AND BE IT FURTHER ORDAINED** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.


**SECTION 5. AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20) days after adoption, having been introduced on the 12th day of April 2023, and passed by a majority vote of The Commissioners of St. Michaels following a public hearing of The Commissioners of St. Michaels on the 10th day of May, 2023.

|             |            |
|-------------|------------|
| Breimhurst  | <u>Yea</u> |
| Harrod      | <u>Yea</u> |
| DuPont      | <u>Yea</u> |
| Whittington | <u>Yea</u> |
| Mercier     | <u>Yea</u> |

ATTEST:

  
Vickie Sharp, Town Clerk

THE COMMISSIONERS OF ST. MICHAELS

 (SEAL)  
David Breimhurst, President

**I HEREBY CERTIFY** that this Ordinance was passed by a yea and nay vote of The Commissioners of St. Michaels on the 10th day of May, 2023.

**I HEREBY CERTIFY** that an exact copy of the above Ordinance was posted from the **11th** day of **May, 2023**, to the **31st** day of **May, 2023**, on the bulletin board at the St. Michaels Town Office, and that a summary of the above Ordinance, the date of its passage, its effective date, and a statement that the entire text of the Ordinance will appear on the bulletin board of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels.

5/11/23  
Date

Robert Straebel (SEAL)  
Robert Straebel, Town Administrator