



Ordinance No:	<u>2018-05</u>
Introduced by Town Council:	<u>05/21/18</u>
Public Hearing:	<u>07/09/18</u>
Enacted:	<u>08/13/18</u>
Effective:	<u>09/13/18</u>

ORDINANCE
ADOPTING AMENDMENTS TO THE WASHINGTON GROVE CODE OF ORDINANCES
ARTICLE IV BUILDING PERMIT REGULATIONS
TO MODIFY AND CLARIFY REQUIREMENTS FOR BUILDING PERMITS

WHEREAS, the Planning Commission has recommended that Article IV, Building Permit Regulations, be amended to modify and clarify requirement for building permits as presented below; and

WHEREAS, a public hearing was held on July 9, 2018. At this hearing concerned residents testified. The record was left open for this ordinance until August 13, 2018. After consideration of the public record, the Town Council concludes the following amendments should be enacted.

PART 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town of Washington Grove, Maryland that Article IV, Building Permit Regulations, Section 1, Building Permit Required, is hereby amended to read as follows:

Section 1. Building Permit Required; Meanings Of Words And Phrases

For the purposes of this Article, the following words and phrases have the meanings stated in this article or in the Washington Grove Zoning Ordinance, Article VII, unless the context clearly indicates otherwise.

Unless otherwise provided in this Article, every person before commencing work must obtain a building permit from the Washington Grove Planning Commission and, pursuant to Article XIII of the Code, Montgomery County, if that person:

- (a) erects or causes to be erected a building or other structure (as defined in the Washington Grove Zoning Ordinance, Article VII);
- (b) makes any structural alterations to a building or structure;
- (c) moves, demolishes, removes, or replaces any existing building or structure *or* fence;
- (d) encloses a porch;
- (e) installs a swimming pool; or
- (f) makes any exterior alteration to an historic integrity feature of that portion of a structure that is the subject of an easement granted for use of Town-owned land under Section 10 of this article.

Structural alterations to an existing building or structure, and one who moves any existing building or structure, shall include any partial or total demolition of any building or structure, thereby requiring a building permit from the Washington Grove Planning Commission.

Ordinary repairs to buildings may be made without a building permit; but such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any

structural beam or bearing support or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the exit way requirements.

Ordinary repairs to fences may be made without a building permit; and such repairs may include replacement of a pre-assembled fence panel of identical dimension and material.

PART 2. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town of Washington Grove, Maryland that Article IV, Building Permit Regulations, Section 5, Special Structures; Permits, is hereby amended to read as follows:

Section 5. Special Structures; Permits

- (a) No building permit is required from either the Town or Montgomery County for the following structures:
 - 1. Trellis and other similar frame structures without walls and roof, made to support climbing plants, and no more than seven (7) feet in height.
 - 2. Clotheslines
 - 3. Patios
 - 4. Pergola under ten (10) feet in height
- (b) A permit from the Town, but not Montgomery County, is required if the building or structure:
 - 1. is no more than 7 feet in height, and
 - 2. contains no more than 32 square feet of floor area, and
 - 3. has no hookup with water or electrical service, and
 - 4. is for the sole purpose of storage, a playhouse or as a shelter for pets.
- (c) This section does not exempt any structure from the provisions of the Washington Grove Zoning Ordinance.

PART 3. EFFECTIVE DATE: This Ordinance shall become effective thirty (30) days from the date of enactment hereof in the absence of a petition by qualified voters as set forth in Section 15 of the Charter of the Town.

ADOPTED THIS 13th DAY OF August, 2018.

TOWN OF WASHINGTON GROVE

Mayor

ATTEST:

Town Clerk

Date