

Building Permit Regulations
DRAFT February 4, 2019

Ordinance No: 2019-02
Introduced by Town Council: xx/xx/2019
Public Hearing: xx/xx/2019
Enacted: xx/xx/2019
Effective: xx/xx/2019

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

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

WHEREAS, a public hearing was held on Xxxxxx xx, 2019. At this hearing concerned residents testified. The record was left open for this ordinance until Xxxxxxxx xx, 2019. 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, ~~or~~ 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.

CAPS : Indicate matter added to existing law.
[Brackets] : Indicate matter deleted from law.
Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Ordinance
Italics (bold) : Indicate matter added after Introduction.
[Brackets Italics bold] : Indicate matter deleted after Introduction.

~~[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 exitway 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.]~~

ORDINARY MAINTENANCE AND REPAIRS TO BUILDINGS MAY BE MADE WITHOUT A BUILDING PERMIT, I.E., THE MINOR ROUTINE ACTIVITIES NEEDED TO KEEP A BUILDING OR STRUCTURE IN, OR RETURN IT TO, WORKING OR USABLE CONDITION. THESE ACTIVITIES TYPICALLY INVOLVE GENERAL RECONSTRUCTION, REPLACEMENT OR RENEWAL OF ANY PART OF AN EXISTING BUILDING WITH IN-KIND MATERIALS. FOR A HISTORIC PROPERTY, SUCH ACTIVITIES TYPICALLY DO NOT DIMINISH THE INTEGRITY OF THE PROPERTY'S CHARACTER-DEFINING FEATURES, WHICH MAKE THE PROPERTY A CONTRIBUTING RESOURCE TO THE NATIONAL REGISTER HISTORIC DISTRICT. MAJOR ALTERATIONS (E.G., ADDITIONS THAT SUBSTANTIALLY INCREASE THE SQUARE FOOTAGE OF A BUILDING OR STRUCTURE) RE NOT CONSIDERED ORDINARY MAINTENANCE AND REPAIRS.

ORDINARY MAINTENANCE AND REPAIRS TO FENCES MAY BE MADE WITHOUT A BUILDING PERMIT, I.E., THE MINOR ROUTINE ACTIVITIES NEEDED TO KEEP A FENCE IN, OR RETURN IT TO, WORKING OR USABLE CONDITION. THESE ACTIVITIES TYPICALLY INVOLVE REPLACEMENT OR RENEWAL OF A PART OF AN EXISTING FENCE WITH IN-KIND MATERIALS AND MAY INCLUDE REPLACEMENT OF A PRE-ASSEMBLED FENCE PANEL OF IDENTICAL DIMENSION AND MATERIAL. MAJOR ALTERATIONS (E.G., INVOLVING ANY SIGNIFICANT CHANGE TO FENCE HEIGHT OR LOCATION) ARE NOT CONSIDERED ORDINARY MAINTENANCE AND REPAIRS.

PART 2. 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 _____ DAY OF _____, 20__.

TOWN OF WASHINGTON GROVE

Mayor

ATTEST:

Town Clerk

Date

CAPS

[Brackets]

Asterisks * * *

Italics (bold)

[Brackets-Italics-bold]

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