

**ORDINANCE NO. 22-02**

**Introduced By: Bryon Callahan, Commissioner**

**AN ORDINANCE OF THE TOWN OF QUEENSTOWN 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 QUEENSTOWN, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND TO RECODIFY THE GREEN BUILDING DESIGN STANDARDS AS ARTICLE VI OF THE TOWN CODE**

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. 16-08, the Commissioners of Queenstown previously adopted portions of the 2015 Edition of the International Energy Conservation Code, which is codified in Chapter 8, Article V of the Queenstown 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 Queenstown 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 Queenstown 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 QUEENSTOWN, AS FOLLOWS:**

**SECTION 1.** The Commissioners of Queenstown 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 8 of the Queenstown Town Code is hereby amended to include Article V, titled “Energy Conservation Code”, as follows:

**ARTICLE V. ENERGY CONSERVATION CODE.**

**Section 8.17 Adoption 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 Queenstown 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 8.18 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 Queenstown 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.

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**SECTION C109  
STOP WORK ORDER**

. . . .

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

**Section C109 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 Queenstown’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 C109 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 Queenstown Board of Zoning Appeals established by the Queenstown 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 Queenstown Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

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**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 Queenstown 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 Queenstown'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.

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**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 BOARD OF APPEALS**

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

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### **Section 8.19 Copies on file.**

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

### **Section 8.20 Repealer.**

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed, except that in any case in which the Queenstown Zoning ordinance and

this Ordinance conflict, the Queenstown Zoning Ordinance shall control.


**Section 8.21 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 Queenstown 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.

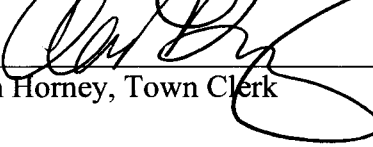
**SECTION 3.** This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this 27 day of July, 2022.

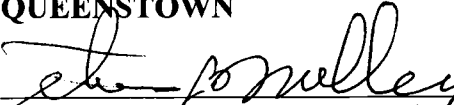
**WITNESS:**

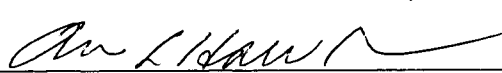
  
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Aaron Horney, Town Clerk

  
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**THE TOWN COMMISSIONERS OF  
QUEENSTOWN**

  
\_\_\_\_\_  
Thomas B. Willis, Jr., Commissioner

  
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Alton Hardee, Commissioner

  
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Bryon Callahan, Commissioner