



Introduced and Read: _____, 2016
Adopted: _____, 2016
Posted: _____, 2016
Effective Date: _____, 2016

CITY OF MOUNT RAINIER, MARYLAND

ORDINANCE NO. 2 -2016

(Drafted by: City Attorney and Assistant City Manager)

Introduced by: _____

Amending Chapter 3, Building Code, of the *Mount Rainier Code* to Provide for the Issuance of Permits for Modular Homes.

WHEREAS, a modular home is one that is built off site and the finished building products are covered and transported to a building site where a builder installs and assembles the modular home on a permanent foundation; and

WHEREAS, modular homes are growing in popularity as modular homes are faster to build than traditional on site home construction; modular homes can be customized and vary in size and style; and modular homes are considered a form of green building; and

WHEREAS, there are a number of modular home building projects taking place in the City of Mount Rainier; and

WHEREAS, the Council wants to regulate the transportation, assembly, and construction of modular homes in the City in order to ensure the health and safety of the citizens of the City; and

WHEREAS, the Council desires to amend the *Mount Rainier Code* to require that modular homes obtain a City Building Permit, as well as a Modular Home Road Closure Permit, prior to construction of a modular home in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER, MARYLAND, the *Mount Rainier Code* is amended as follows:

**MOUNT RAINIER CODE
CHAPTER 3, BUILDING CODE**

Section 3-104. Permit Required.

- A. *City Building Permit Required.* Every construction, enlargement, permanent paving, removal or demolition within the City which requires a permit from the Department of Environmental Resources of Prince George’s County (“County building permit”) shall also require a permit from the City of Mount Rainier. All applicable lot coverage,

building height, setback, stormwater management, sediment control, conservation plan, and other requirements of the County zoning and building codes and regulations must be met in order to obtain a City permit. Examples of construction that require a City building permit, whether or nor a County building permit also is required, include, but are not limited to:

1. Paving the surface of a lot, or portion of a lot, with an impervious material such as brick, asphalt or concrete, if the new pavement area will exceed 150 square feet.
2. Stoops or decks that are over eight inches in height.
3. Sheds or gazebos with a floor area of 150 square feet or more.
4. Retaining walls over two feet in height.
5. Structural changes to a building.
6. Demolition of a building or structure with a footprint of 150 square feet or more that is under a permanent roof, including but not limited to portions of buildings and accessory structures. For purposes of this Chapter, "demolition" means to tear down or destroy a building or structure, or part of a building or structure, and includes moving a building or structure substantially intact from or within a site.
7. Construction and installation of a modular home in the City. A modular home is one that is built off site and the finished building products are transported to a building site, where the home is placed on a permanent foundation and assembled by a builder. Modular homes are also called factory-built, system built or prefabricated (prefab) homes.

B. *Form.* Applications for a City building permit, including building permits for modular homes, shall be submitted on forms prescribed by the building inspector.

Section 3-104. Permit Fees.

The following schedule of permit fees is hereby prescribed:

G. Modular Homes. For the transport of the finished building products of a modular home to a building site, the following fees are charged, in addition to the building permit fee and all other applicable permit fees:

1. Road closure fee: for up to 4 hours (1/2 day) \$250.00; for 4-8 hours (1 day) \$500.00.
2. Staging fee (if City right-of-way is used for any part of the delivery and/or assembly of the modular home on a building site): for each day \$250.00.

Section 3-113. Reserved. Modular Home Permits – Transportation.

- A. A City permit to transport a modular home, or the building products of a modular home, on the streets of the City to a building site in the City requires a Modular Home Road Closure Permit.
- B. If City right-of way will be used for any part of the assembly of the finished sections or building products of the modular home and/or for the installation or assembly of the modular home on a foundation, then a Staging Fee must be paid as part of the Modular Home Road Closure Permit.
- C. Form. Applications for a Modular Home Road Closure Permit shall be submitted on forms prescribed by the building inspector.

THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER THIS ____ DAY OF _____, 2016.

Attest:



City Manager
LAWRENCE D. HUGHES

Malinda Miles, Mayor



Jesse Christopherson, Councilmember Ward 1



Tracy Hadden Loh, Councilmember Ward 1



Bryan Knedler, Councilmember Ward 2

Shivali Shah, Councilmember Ward 2

Explanatory Note

- 1. Underlining indicates language added to existing law.
- 2. ~~Strikethrough~~ indicates language that is deleted from existing law.
- 3. **** indicates matter unchanged in existing law, but not set forth in this Ordinance.