

## PERMITS AND INSPECTIONS – FREQUENTLY ASKED QUESTIONS

### 1. What are the current Talbot County Building Codes?

#### When do codes change and what is the process when they do?

Maryland's law related to building codes (MD Building Performance Standards) requires each jurisdiction in MD to use the same edition of the same building codes that are the IBC and the IRC and the IECC. Each local jurisdiction in MD may modify these codes to suit local conditions with exception of the IECC – The Energy Code, and MAC – The Accessibility Code. The Energy Code and the Accessibility Code can be made more stringent, but not less stringent by the local jurisdictions. On July 1, 2015 for municipalities who have not heretofore adopted those codes they are set in force. The appendices of the IBC and IRC are not adopted July 1 and are reviewed by Talbot County Permits and Inspections for recommendation to Council for adoption. The following updated codes are being reviewed for recommendation to Council for adoption: 2015 International Plumbing Code, 2015 International Mechanical Code, and the 2015 International Fuel Gas Code.

### 2. What regulations other than the ICC codes and The Talbot County Zoning Code are required?

(see above)

Talbot County Building Construction Code (Chapt 28 of Talbot County Code)

Floodplain Management (Chapt 70 of Talbot County Code)

NFPA 70 National Electrical Code

Stormwater Management (Chapt 164 of Talbot County Code)

Property Maintenance Code (Chapt 117 of Talbot County Code)

Minimum Livability Code (Chapt 88 of Talbot County Code)

Forest Conservation Code (Chapt 73 of Talbot County Code)

Sanitary District (Chapt 138 of Talbot County Code)

Sanitary Sewer Construction Districts (Chapt 139 of Talbot County Code)

Sewer System (Chapt 148 of Talbot County Code)

Shared Sanitary Facilities (Chapt 152 of Talbot County Code)

Zoning, Subdivision and Land Development (Chapt 190 of Talbot County Code)

Enforcement of Code (Chapt 58 of Talbot County Code)

Comprehensive Plan (Chapt 39-in process of update)

MDE regulations

#### Where are the regulations found?

County Code on County website ([www.talbotcountymd.gov](http://www.talbotcountymd.gov))

MDE regulations – MDE/COMAR websites

ICC regulations – [www.iccsafe.org](http://www.iccsafe.org)

#### When is the applicant made aware?

If an applicant contacts Permits and Inspections via phone or email with specific questions, they are made aware of any regulations that apply. If an applicant is using a trained professional they are responsible for reviewing the code(s) and informing the applicant of applicable regulations. If Permits and Inspections is unaware of the full scope of a project they are not responsible for non-disclosure when there are any questions prior to the application being made.

**a. Flood**

Application requires Flood Zone to be identified. Flood Zone is checked at application and flood map (from Talbot County Geocortex) is printed out and made part of file by Permits and Inspections. Planning and Zoning reviews flood zone. Projects located in a Special Flood Hazard Area require an additional \$35.00 fee.

**b. Buffer Management**

Planning and Zoning reviews. Applicant will be notified by Planning and Zoning if a Buffer Management Plan is required. Please contact Elisa DeFlaux, Planning and Zoning for details (410-770-8034). The review and approval process can be followed on Citizen Self Service.

**c. Critical Areas**

Applicant can contact Planning and Zoning or Permits and Inspections or go on County Website ([www.talbotcountymd.gov](http://www.talbotcountymd.gov) – under “Topics of Interest” “Talbot County Maps”) to determine if they are in Critical Area prior to application. When application is submitted Permits and Inspections will check zoning and County Geocortex mapping. If it is Critical Area, Critical Area Lot Coverage Worksheet must be completed by the applicant as part of submission.

**d. Storm Water Management (SWM)**

As part of submission applicant is required to complete either a Critical Area Worksheet or Worksheet of Disturbance outside of Critical Area. Any disturbance 5,000sf or over will require SWM. Applicant will be provided with copies of application and site plan to take to Talbot County Public Works Dept. for review. There is a fee involved. Contact Austin Eckert for more information (410-770-8167). The review and approval process can be followed on Citizen Self Service.

**e. Sediment and Erosion Control**

If lot size is under 2 acres and disturbance is 5,000sf or greater, applicant must submit to Soil Conservation Service an Erosion and Sedimentation Control Plan. For lots 2 acres or larger, where disturbance during construction is greater than 21,780sf, applicant must submit to Soil Conservation Service an Erosion and Sedimentation Control Plan. NOTE: Disturbance also includes any demolition that may occur as part of the project. Soil Conservation Contact is 410-822-1577.

**f. State Road Access**

Please contact Michael Mertaugh, Talbot County Public Works 410-770-8172.

**g. Electrical**

The Board of Electrical Examiners makes a recommendation to Council for electrical code update adoptions. Inspections are currently handled by the Middle Department Inspection Agency (MDIA). After the electrical inspection is performed, results are forwarded to Permits and Inspections for input into the County’s MUNIS system. Contact MDIA for more information (410-822-8300).

#### **h. Environmental Health (EH)**

The Talbot County Health Department Office of Environmental Health is required by Code of Maryland Regulation 26.04.02 to review all building permit applications to determine adequacy of water supply wells and sewage disposal systems. The applicant is made aware of this required review by the Office of Permits and Inspections at the time of the submittal of a building permit application. The applicant is directed by Permits and Inspections to provide copies of the proposed construction plans, site plan and application for building permit to the Environmental Health office for review. A building permit review fee is assessed by this office at the time of the submittal of the above referenced information. This office reviews the permit application and corresponding information to determine compliance with COMAR 26.04.02. The applicant may need to submit an application for Sanitary Construction, to expand/upgrade, replace or install a new on-site sewage disposal system depending on the proposed construction and the impact to the existing on-site sewage disposal system. Often times a builder, architect or property owner contacts the Office of Environmental Health prior to the formal submission of the building permit application to inquire about the requirements for on-site sewage disposal based on the proposed construction. Environmental Health encourages this dialogue so that the property owner is aware of the requirements for on-site sewage disposal and any potential delays that may occur if there is a need for the establishment of a Sewage Disposal Area through a wet season soil/site evaluation.

The Office of Environmental Health has access to the MUNIS system and is able to update the system to indicate the status of the review of the pending building permit application. Once the review is complete and the permit is ready to be signed, the Office of Environmental Health has the capability to print a permit copy (for the file only), sign it and submit the copy of the permit to the Office of Permits and Inspection. MUNIS is updated to indicate the date the permit has been signed. Please contact Environmental Health for further information (410-770-6880).

The review and approval process can be followed on Citizen Self Service.

#### **i. All others**

**Substantial Improvement** - See Article VII of Talbot County Floodplain Management Ordinance (70)§70-45 A.(5) (a) through (c). Applicant is advised as soon as possible during the construction document review process.

The review and approval process can be followed on Citizen Self Service.

### **3. What work does not require a Zoning or a Building Permit.**

***\*Note that in any of the following examples Homeowners Covenants or Homeowners Restrictions may apply***

#### **a. Roofing**

On a shingle roof, if only shingles are being replaced – No permit required

On a shingle roof, if sheathing or plywood is being replaced a Building Permit is required

On a metal roof, if metal only is being replaced – No permit required

On a metal roof, if sheathing or plywood is being replace a Building Permit is required

#### **b. Repair – non structural**

e.g. – replacing deck boards on a deck – No permit required.

**c. Siding**

If only siding is being replaced, and vapor barrier or framing is not being touched – No permit required.

**d. Paint**

No permit required

**e. Fence under 4 Ft.**

\*Nothing can be built within the shoreline development buffer.

No permit, no zoning certificate required.

Note that Talbot County Environmental Health does not review fences of any size.

**f. Sidewalks/patio's**

\*Nothing can be built within the shoreline development buffer

\*\*In all cases below Planning & Zoning should be consulted to be sure that allowable lot coverages are not exceeded

Patios (at grade) do not require a Building Permit or Zoning Certificate

Patios above grade require a Building Permit

Sidewalks do not require a Building Permit or a Zoning Certificate

Driveways – Do not require a Building Permit or Zoning Certificate

**THE FOLLOWING DO NOT REQUIRE A BUILDING PERMIT OR ZONING CERTIFICATE**

Playground equipment and swings

In-kind replacement windows

Interior and exterior in-kind doors

Repair of leaking pipes, fixtures

Kitchen cabinet replacements (does not count appliances)

Floor coverings such as carpet, tile or hardwood

Window awnings (supported by an exterior wall which do not project more than 54-inches from the exterior wall, and do not require additional support)

**4. What requires a zoning certificate?**

From the Talbot County Code: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 300-square feet.

Fences four feet and up to six feet high.

Prefabricated swimming pools accessory to a group R-3 occupancy and are installed entirely above ground.

Piers and docks and living shorelines.

Farm buildings; housing farm animals, farm equipment, farm storage.

Demolition (No fee)

Signs – Regulated by Planning & Zoning

**a. Marine Construction, ( pier, bulkhead, rip-rap, etc.) - see above**

**b. Shed – see above**

- c. **Fence** – see above
- d. **Any others**  
 Propane Tanks  
 Generators  
 Wind Turbines  
 Solar Panels  
And see above

**...and what is the procedure for filing?**

Currently the Building/Zoning Permit form and Checklist are used, which is available on Permits & Inspections' website. This must be accompanied by four (4) site plans. Construction "documents" are specific to the job e.g. nothing for a fence; picture of shed style. Marine construction may require ACE and MDE permits. In some cases photographs are required. Fee (\$35.00 check). Forms must be completely filled out. Projects located in a Special Flood Hazard Area require an additional \$35.00 fee.

**What inspections are required?**

Zoning stake-out inspection required *prior to issuance of Permit.*  
 Electrical, fuel gas and plumbing inspections may be required (rough and/or final)  
 Final Building Inspection and Certificate of Completion issued

**5. What requires a building permit and what is the procedure for filing? What inspections are required?**

- a. **New Home** - Yes
- b. **Addition** - Yes
- c. **Renovation** - Yes
- d. **Shed** – Yes (floor area in excess of 300 s.f.)
- e. **Deck** - Yes
- f. **Remodel** – Yes, See below
- g. **Swimming pool, inground/ aboveground (permanent)** - Yes
- h. **Any others** – See below

Per Talbot County Code §105.1 Required.

*Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system regulated by this code, or to cause any such work to be done, shall first make an application to the building official and obtain the required permit. A building permit or application shall not be transferred from one applicant's name to another's without the express approval of the building official.*

Per Talbot County Code §109.3 Required inspections.

*The building official, upon notification shall make the inspection set forth in Section 109.3.3 through 109.3.6.4 (sic).*

*Also applicable are sections 109.3.7 through 109.3.12.4. Inspections required are included in review letters.*

## **\*\* PERMITTING**

**Talbot County Bill No. 1111**, A BILL TO ADOPT THE 2003 INTERNATIONAL MECHANICAL CODE®, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS MINIMUM MECHANICAL STANDARDS FOR COMMERCIAL CONSTRUCTION, AND CHAPTERS 12-24 OF THE INTERNATIONAL RESIDENTIAL CODE®, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS MINIMUM MECHANICAL STANDARDS FOR RESIDENTIAL CONSTRUCTION, AND TO ADOPT THE 2002 EDITION OF THE NATIONAL FUEL GAS CODE, ANZI Z223.1 NFPA 54 A MINIMUM GAS INSTALLATION STANDARDS FOR COMMERCIAL AND RESIDENTIAL CONSTRUCTION took effect in February 2008.

**6. When is a Plumbing Permit needed?** As adopted by Talbot County Council Bill No. 1111

**7. When is an HVACR permit needed?** As adopted by Talbot County Council Bill No. 1111

**8. When is a gas permit needed?** As adopted by Talbot County Council Bill No. 1111

**\*\*When is an Electrical permit needed?** As adopted by Talbot County Council Bill No. 1111  
PER INTERNATIONAL RESIDENTIAL CODE §R105 Permits, R105.1 Required. *Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.* (Code should be consulted for further details)

PER INTERNATIONAL BUILDING CODE §[A] 105.1 Required. *Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.* (Code should be consulted for further details).

### **9. What is the fee schedule for all permits?**

The Talbot County Council adopts Fee Schedules as part of the yearly Budget Process. The Fee Schedule is available on the Permits and Inspections website. Permit fee must be paid the day the permit is applied for. Currently Permits and Inspections can only accept checks or money orders; no cash or credit cards.

### **10. What is the procedure on taking a permit application? What level of review is done at the counter with the applicant before a permit application is accepted?**

Neither Building or Zoning permit applications may be filed by mail – only in person. Per the Talbot County Code §105.3 application for permit, the applicant shall first file an application on the appropriate form supplied by the Office of Permits and Inspections. Forms are available on their website or may be picked up at the office during regular business hours, Monday through Friday 8i:00a.m. – 4:30 p.m. It should be noted that applications are not accepted after 4:00p.m. The application shall include all information regarding the land on which the proposed work is to be done per the above referenced section of the code. As a Checklist is to be completed and submitted with all applications, staff checks basic information, checks appropriate number of site and construction plans and any other pertinent information germane to the application.

**11. How is the application distributed to other departments?**

**What, if any, are time constraints to approve or disapprove the application?**

If, at the time an applicant comes in to submit a permit, reviews are needed by other agencies (Environmental Health, Public Works, Soil Conservation), the applicant is provided with the necessary information (usually copy of site plan and application) and, if necessary, provided directions to those other agencies.

Once the application is entered into the County's MUNIS system, the plan file is forwarded by Permits and Inspections to Planning and Zoning for their review.

Per Talbot County Code 105.3.1 Action on Application. *The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to requirements of this code or other law, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, and all other agencies have approved and signed off on the proposed project including but not limited to the following: Office of Planning and Zoning, State Fire Marshal, Environmental Health, Soil Conservation, Public Works, Maryland Department of the Environment and the Department of Permits and Inspections, the building official shall issue a permit therefore as soon as practicable. The building official may impose conditions, restrictions, and limitations on the permit that are necessary or required pursuant to this code.*

**12. What is the procedure for plan reviews ?**

Per Talbot County Code §105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to requirements of this code or other law, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, and all other agencies have approved and signed off on the proposed project including but not limited to the following: Office of Planning and Zoning, State Fire Marshal, Environmental Health, Soil Conservation, Public Works, Maryland Department of the Environment and the Department of Permits and Inspections, the building official shall issue a permit therefore as soon as practicable. The building official may impose conditions, restrictions and limitations on the permit that are necessary or required pursuant to this code.

**a. Is their more than one reviewer ?** (SEE above)

**b. Are there time constraints on reviews ?** (SEE above. Other reviewing agencies may have different timelines. Please check with the individual agency.)

**13. When can I pick up my permit once it is issued?**

The Applicant, or person who is designated as the main contact on the application, will be called or emailed (if we are supplied with the email address) to pick up the permit during regular business hours. If requested, your permit can be mailed. Under no circumstances must work commence until the permit is picked up and all required information is posted on site.

#### **14. What is the procedure for requesting inspections?**

Talbot County has a *dedicated* Inspection Request Line. This was set up to eliminate missed calls. Call comes in on Permits and Inspections line requesting an inspection. Caller is transferred to the Inspection Request Line. Caller hears the following:

*Welcome to the Inspection Request Line. Please listen to the message and after the tone leave your request.*

*Inspections are not performed the same day you call in. They are scheduled for the next business day if you call before 3:30 p.m.*

*Inspections requested after 3:30 p.m. will not be scheduled for the next business day. Please call back to re-schedule.*

*Please provide the following information:*

*Permit number*

*Type of Inspection you are requesting*

*Owner's name and location Example: Cordova, St. Michaels, Oxford, Wittman, etc. We do not need the street address*

*Contact name and telephone number*

*Advise how access will be provided. If we do not have access your inspection will be failed.*

*We do not schedule inspections for a.m. or p.m. except for footers or first floor framing, and then you may only request "a.m." or "p.m." no specific time.*

*If more information is needed or we have questions, you will be contacted, otherwise your inspection will be performed.*

*Please remember you are required to keep copies of approved, stamped plans, construction card and permit(s) on site.*

*Thank you.*

Shortly after 3:30p.m. each workday a Permits and Inspections staff person takes the inspection requests off of the line. When the call is made, each request shows up on the computer *so that no calls are missed*. If someone hangs up during the "greeting", the computer records "Missed Call". If someone hangs up *after the beep, or in the middle of their request*, the caller's information is recorded (in text) on the computer. Once all requests are logged in, staff goes to each Permit on our electronic system, checks for viability of the request and creates the inspection sheet for the inspector. The MUNIS system logs all of the information relating to the requested inspection. After inspections are performed the Inspectors log the results into the system, noting any conditions or other notes, and the forms are filed with each individual permit file. It should be noted that the inspectors are no longer taking files out into the field. All inspections are loaded onto a "Toughbook" or tablet. The review letter, and cover letter that are sent out both state that the construction card, all plans and copies of any other permits must be kept on site.

##### **a. What hours can inspection requests be submitted? Is there flexibility?**

As the Inspection Request Line is an extension line, calls must be taken in person and forwarded to the extension, and are taken Monday-Friday, 8:00 a.m. until 3:30 p.m. Calls that come in after 3:30 p.m. are logged on the computer, but not scheduled for the next day; they are rolled over until the following business day. The Inspection Request Line can take requests for inspection for any number of "days out" (not the next day), the caller must note the day they want to schedule the inspection.



**b. How are holidays handled, can inspections be done the day before and after when a special need is necessary ?**

The greeting on the Inspection Request Line is changed *in advance* to let callers know about County holidays. If a holiday is upcoming, prior to transfer to the Inspection Request Line, staff will notify the caller we are closed. It is also updated to allow for weather events and the greeting can be changed remotely.

Every effort is made to accommodate a special need. Each request is considered on its own merit.

**15. What is the procedure for appealing a failed inspection and who is the final decision maker ?**

First contact is the inspector to discuss. If there is no resolution the inspector will contact the Manager of the Office of Permits and Inspections. Manager will discuss with Inspector; may visit the site or arrange a meeting with the applicant to discuss. An applicant can contact the Manager of Permits and Inspections if there is no resolution with the Inspector.

**16. Are the inspectors restricted to what inspections they can do or can they perform zoning inspections such as trash and grass complaints when in the area?**

Inspectors are *Building, Inspection and Codes Compliance Officers*.

**17. When is the Certificate of Occupancy (or Completion) Issued?**

A Certificate of Occupancy or Certificate of Completion is only issued after all outstanding items, including final inspections, have been satisfied. The applicant may request a Temporary Certificate, which can be found on the Permits and Inspections website (forms), which must be notarized. Temporary Certificates are not considered if any safety inspections are not completed (i.e. fire marshal, environmental health, electrical) Each request is considered on its own merit.

**18. How are zoning complaints handled?**

Zoning complaints with regard to area and bulk requirements should be reported to Planning and Zoning (410-770-8030). Complaints regarding illegal construction, trash, weeds, etc. should be reported to the Code Compliance Officer (410-770-8035).