

EXHIBIT A

IBC § 3601

BALTIMORE CITY REVISED CODE

CHAPTER 36 “VISITABILITY” REQUIREMENTS FOR PUBLICLY ASSISTED DWELLINGS

SECTION 3601 SCOPE

3601.1 General. This Chapter applies to every single-family dwelling, whether detached, semi-detached, or attached, and to all ground-floor dwelling units of any 2-family dwelling or of any multiple-family dwelling that contains 4 or fewer dwelling units, that:

1. is newly constructed on a vacant lot, and
2. receives funding or other assistance from the City or any City agency (including the Housing Authority of Baltimore City) by any one of the following methods:
 - a. a building contract or similar agreement that involves any Federal, State, or City funds,
 - b. acquisition, by gift, purchase, lease, or otherwise, of any real property for less than its appraised value, as determined by a certified appraiser,
 - c. preferential tax treatment, such as payments in lieu of taxes, tax increment financing, or similar benefit,
 - d. bond proceeds or issuance assistance, a loan, or similar financial benefit,
 - e. receipt under City authority of Federal or State construction funds, including Community Development Block Grant funds, and
 - f. except as otherwise specified in this section, receipt of any other form of funding or financial benefit from the City or a City agency.

3601.2 Exclusions. This Chapter does not apply to:

1. additions to or remodelings of existing buildings, or
2. new construction for which City funding or assistance is limited to either or both:
 - a. a property tax credit under City Code Article 28, § 10-5 {“Newly constructed buildings”}, and
 - b. waiver of a City lien on property where the lien exceeds the value of the property.

SECTION 3602 ACCESSIBLE ENTRY

3602.1 Requirements. Every dwelling that is subject to this Chapter must provide at least 1 entrance that:

1. is accessible to, and usable by, a person with a mobility disability,

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2. does not include steps,
3. has a level change (including any level change at threshold) that does not exceed $\frac{1}{2}$ inch and, if the level change exceeds $\frac{1}{4}$ inch, is beveled, and
4. is located on a continuous unobstructed path that, through the use as necessary or appropriate of curb ramps, parking access aisles, walks, ramps, elevators, lifts, and the like:
 - a. connects the lot entrance to the dwelling entrance, and
 - b. can be negotiated by a person with a disability who uses a wheelchair, by a person with a disability who does not require use of a wheelchair, and by a person without a disability.

SECTION 3603 ACCESSIBLE INTERIOR

3603.1 "Entry level" defined. In this § 3603, "entry level" means the level at which an accessible entrance is provided under § 3602.1 {"Requirements"}.

3603.2 Interior doors. On the entry level of the dwelling, each door designed to allow passage must have an unobstructed opening of at least 32 inches when the door is open at a 90-degree angle.

3603.3 Environmental controls.

3603.3.1 "Environmental control" defined. In this § 3603.3, "environmental control" means any switch or device that controls or regulates lights, temperature, fuses, fans, doors, security systems, or similar features included in the construction of the dwelling unit.

3603.3.2 Requirements. On the entry level of the dwelling, each environmental control must be located:

1. no higher than 48 inches above the floor and no lower than 15 inches above the floor, and
2. if an environmental control is located directly above a counter, sink, or appliance, no higher than 3 inches above the counter, sink, or appliance.

3603.4 Habitable space. The entry level of the dwelling must contain at least 1 interior room that:

1. has an area of not less than 108 sq. ft., and
2. contains no side or dimension narrower than 9 feet.

3603.5 Bathroom. The entry level of the dwelling must contain at least 1 bathroom that contains:

1. a toilet,
2. a sink,

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3. reinforced walls at the toilet, to allow for future installation of grab bars, and
4. the following minimum dimensions:
 - a. 30"-by-48" of clear floor space outside of the door swing,
 - b. 30"-by-48" of clear floor space parallel to and centered on the sink, and
 - c. 48"-by-56" of clear floor space at the toilet for a side approach.

SECTION 3604 WAIVERS

3604.1 General. The Building Official may grant a waiver from one or more of the requirements of this Chapter if:

1. the cost of grading the terrain to meet the requirement is disproportionately expensive in relation to the value of the dwelling,
2. the width of the lot is less than 16 feet, or
3. compliance with the requirement is precluded or limited because of the lot's location in a Federal, State, or City historic district.

3604.1.1 "Disproportionately expensive" defined. For purposes of this section, "disproportionately expensive" means that the cost of grading the terrain to meet the requirement exceeds 5% of the fair market value of the unimproved property.

SECTION 3605 RELATIONSHIP TO OTHER LAWS

3605.1 Federal and state laws. Federal and state laws also govern multiple-family dwellings and public accommodations. Newly constructed multiple-family dwellings may also be subject to the federal Americans with Disabilities Act and the federal Fair Housing Act and their respective guidelines.

3605.2 City law. This Chapter applies to some dwellings that are not covered by federal or state law, such as newly-constructed single-family dwellings.

3605.3 More restrictive law controls. To the extent that the provisions of this Chapter are not identical to federal or state laws, the more restrictive law controls.

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