

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 16

Bill No. 76-23

Introduced by Mr. Volke

By the County Council, September 18, 2023

Introduced and first read on September 18, 2023  
Public Hearing set for and held on October 16, 2023  
Bill AMENDED on November 6, 2023  
Public Hearing on AMENDED bill set for and held on November 20, 2023  
Bill Expires on December 22, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Construction and Property Maintenance Codes  
2 Supplement – Building Permit Exemptions – Detached Accessory Structures  
3

4 FOR the purpose of exempting certain gazebos, pavilions, pergolas, and decks that are  
5 detached accessory structures from the permit requirements of the Construction Code;  
6 requiring permits for accessory structures located ~~on waterfront properties~~ in the critical  
7 area; and generally relating to the construction and property maintenance codes  
8 supplement.  
9

10 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, § 105.2.1.1  
11 Anne Arundel County Construction and Property Maintenance Codes Supplement,  
12 October 1, 2005 (as amended)  
13

14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
15 *That Section(s) of the Anne Arundel County Construction and Property Maintenance*  
16 *Codes Supplement, October 1, 2005 (as amended) read as follows:*  
17

18 ANNE ARUNDEL COUNTY  
19 CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT  
20 October 1, 2005  
21

22 CONSTRUCTION CODE

EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter deleted from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.  
Underlining indicates matter added to bill by amendment.  
~~Strikeover~~ indicates matter removed from bill by amendment.

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**Chapter 1**  
**Construction Code Administrative Provisions**

**Section 105**  
**Permits**

**105.2 Work exempt from permit.** Exemptions from permit requirements of the Construction Code may not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the Construction Code or any other laws or ordinances of this County. Permits shall not be required for the following:

**105.2.1 Building:**

**105.2.1.1 THE FOLLOWING DETACHED ACCESSORY STRUCTURES:**

**105.2.1.1.1** One-story detached accessory structures used as tool and storage sheds, playhouses, ~~[[and similar uses,]]~~ GAZEBOS, PAVILIONS, AND PERGOLAS, provided THE AVERAGE HEIGHT DOES NOT EXCEED 10 FEET AND the floor area does not exceed 150 square feet if accessory to a residential structure, ~~[[or 64 square feet if accessory to a nonresidential structure]]~~ EXCEPT THAT PERMITS ARE REQUIRED FOR ACCESSORY STRUCTURES LOCATED ~~ON WATERFRONT PROPERTY~~ IN THE CRITICAL AREA.

**105.2.1.1.2** ONE-STORY DETACHED UNOCCUPIED STORAGE SHEDS, PROVIDED THAT THE AVERAGE HEIGHT DOES NOT EXCEED 10 FEET AND THE FLOOR AREA DOES NOT EXCEED 64 SQUARE FEET IF ACCESSORY TO A NONRESIDENTIAL STRUCTURE, EXCEPT THAT PERMITS ARE REQUIRED FOR ACCESSORY STRUCTURES LOCATED ~~ON WATERFRONT PROPERTY~~ IN THE CRITICAL AREA.

**105.2.1.1.3** DECKS NOT EXCEEDING AN AREA OF 200 SQUARE FEET, NOT MORE THAN 30 INCHES ABOVE GRADE AT ANY POINT WITHIN 36 INCHES HORIZONTALLY OF ANY EDGE OF THE DECK, AND ARE NOT ATTACHED TO A DWELLING OR STRUCTURE IF ACCESSORY TO A RESIDENTIAL STRUCTURE, EXCEPT THAT PERMITS ARE REQUIRED FOR DECKS LOCATED ~~ON WATERFRONT PROPERTY~~ IN THE CRITICAL AREA.

SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENT ADOPTED: November 6, 2023


READ AND PASSED this 20<sup>th</sup> day of November, 2023

By Order:




Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 21<sup>st</sup> day of November, 2023

  
Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 29<sup>th</sup> day of November, 2023

  
Steuart Pittman  
County Executive

EFFECTIVE DATE:

JAN 13 2024

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I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 76-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with the first name "Laura" and last name "Corby" clearly distinguishable.

Laura Corby  
Administrative Officer