

Potential Revisions to State and Local Property Maintenance Codes Under Adoption Processes for 2003 International Property Maintenance Code

International Property Maintenance Code

Chapter 1 - Administration

102.2 Maintenance: In addition to the present requirements for the maintenance of equipment, systems, devices and safeguards of structure or premises in good working order, new provisions would bar owners, operators or occupants from removing, shutting off or discontinuing any service, facility, equipment or utility for any occupied dwelling, except for temporary interruptions necessitated while alterations or repairs are in progress.

This section should be carefully observed for potential amendments on mold-related issues.

106.3 Prosecution of Violations: Establishes that any action taken by the authority having jurisdiction over the premises, shall be charged against the real estate on which the structure is located and shall constitute a lien on that real estate.

107 Notices and Orders: Also is amended to provide for appropriate notices by the code official of violations and of the right of that code official to file a lien on that property.

Chapter 2 – Definitions

Adds definitions for "easement," "housekeeping unit," "inoperable motor vehicle," "premises," and "public way."

Chapter 3 – General Requirements

301.2 General: Clarifies that occupants of a premises, or parts thereof, are responsible for keeping areas they occupy and under their control clean, sanitary and safe.

301.4 Weeds: Provides that owners and agents of a property who fail to cut and destroy weeds will be subject to prosecution under 106.3 and by the local jurisdiction, and where the owner or agent does not comply, allows the jurisdiction to enter on the property to cut and destroy weeds at the owner or agents expense.

302.8 Motor Vehicles: Includes inoperative motor vehicles to classes of such vehicles that may not be parked, kept, stored or under repair at a property.

303.1 & 2 Swimming Pools, Spas and Hot Tubs: Establishes standards for maintaining the repair and safety of these facilities and their enclosures.*

In addition, it is expected that amendments based upon the 2006 IBC may be offered to these subsections on the entrapment of hair in pools and spas.

304.14 Insect Screens: Provides that such screens shall not be required where other "approved means" are employed. *However, there are indications that some jurisdictions will attempt to bar this exception.*

304.18 Building Security: Adds new subsections with requirements that doors, windows and basement hatchways of dwelling units, room units or housekeeping units shall be equipped with specific types of devices designed to provide for security of occupants and the property within.*

306 Handrails and Guardrails: Creates a new section that requires every exterior and interior flight of stairs with more than four risers to have a handrail on one side of the stair, and every other portion of a stair, landing, open balcony, porch, deck, ramp or other walking surface which is more than 30 inches above the floor or grade below shall have guardrails; sets specific height standards for handrails and guardrails. Also provides exception for guardrails where the adopted building code exempts such rails.*

307.2.2 Rubbish And Garbage: Adds new subsection providing that refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

308 Extermination: *should be carefully watched for potential amendments dealing with pest extermination-related matters.*

Chapter 4 – Light, Ventilation and Occupancy Limitations

404.1 Privacy (under Occupancy Limitations): Adds housekeeping units to the existing requirements to maintain privacy and assure separation from adjoining spaces.

Chapter 5 – Plumbing Facilities and Fixture Requirements

503.4 Floor Surface: Adds new subsection that requires, in other than dwelling units, that every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

505.4 Water Heating System (under Water System): Requires that the water heating system be installed, maintained and capable of providing an adequate water supply to all required fixtures at a temperature of not less than 110 ° F (43° C).

505.5.2 *Also, expect some jurisdictions to attempt to insert a requirement in this subsection for testing of backflow prevention assemblies at time of installation.*

Chapter 6 - Mechanical and Electrical Requirements

602.2 Residential Occupancies (under Heating Facilities): Sets new minimum standard for maintaining room temperature at 68° F (20° C), with an exception of those areas where the average monthly temperature is above 30° F (-1° C), a minimum room temperature of 65° F (20° C) shall be maintained. *However, some jurisdictions may attempt to set varying temperatures for differing time periods.*

In addition, some jurisdictions can be expected to attempt to amend this chapter to add various cooling requirements to all buildings (residential or commercial) rented or leased.

*It also may be expected that some jurisdictions will attempt to amend this chapter (as an added protection for residential dwellings) to require that in the IPM adoption process that Arc-Fault (electrical) Circuit Interrupters be retrofitted. These new protection devices are a prospective requirement of the National Electric Code (2002)**

Chapter 7 – Fire Safety Requirements

702.1 General (under Means of Egress): Prescribes that “means of egress” shall comply with the International Fire Code.

702.4 Emergency Escape Openings: Adds new provision that required emergency escape openings shall be maintained in accordance with the code in effect at the

time of construction.

704 Fire Protection Systems: Adds almost entirely new subsections for smoke alarm Installations, their power sources, and interconnections (along with exceptions).