



# Heart of the Falls Neighborhood Revitalization



## Property Maintenance Code

## CHAPTER

# 1

## SCOPE AND ADMINISTRATION

### About this chapter.

*Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1-Scope and Application (Sections 101 and 102) and Part 2-Administration and Enforcement (Sections 103- 111). Section 101 identifies which buildings and structures come under its purview and references other 1-Codes as applicable.*

*This code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the property owner and building occupants.*

*Sections 105 and 106 have been extensively reorganized for the 2024 edition. For clarity, the relocation marginal markings have not been included. For complete information, see the Relocations table in the Preface information of this code.*

*A QR code is placed at the beginning of any section that has undergone technical revision. To see those revisions, scan the QR code with a smart device or enter the 7-digit code beneath the QR code at the end of the following URL: [qr.iccsafe.org/](http://qr.iccsafe.org/) (see Formatting Changes to the 2024 International Codes for more information).*

### PART 1 - SCOPE AND APPLICATION

#### SECTION 101-SCOPE AND GENERAL REQUIREMENTS

**101.1 Title.** These regulations shall be known as the *Property Maintenance Code* of Heart of the Falls Neighborhood Revitalization Area, here in after referred to as "this code."

**101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

**101.3 Purpose.** The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a reasonable minimum level of health, safety and general welfare as required herein.

**101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

#### SECTION 102-APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. An owner, owner's authorized agent, operator or occupant shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as

necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*. Except as otherwise specified herein, the *owner* or the *owner's* authorized agent shall be responsible for the maintenance of buildings, *structures* and *premises*.

**102.3 Application of other codes.** Repairs, additions or alterations to a *structure*, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

**102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any *structure* that is *dangerous*, unsafe or insanitary.

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

**102.6 Structural analysis.** Where structural analysis is used to assess a potentially unsafe structural condition, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the *structure* was constructed or in accordance with any subsequent requirement.

**102.7 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or *structures* designated as historic buildings where such buildings or *structures* are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

**102.8.1 Conflicts.** Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**102.8.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

**102.9 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, *structure* or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

**102.10 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.11 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## **PART 2 -ADMINISTRATION AND ENFORCEMENT**

### **SECTION 103-CODE COMPLIANCE AGENCY**

**103.1 Creation of agency.** The **Code Enforcement Department of the City of Wichita Falls** is hereby established and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the enforcement of the provisions of this code.

The **Planning Department of the City of Wichita Falls** is hereby established with the function of implementation and administration of the provisions of this code.

**103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

### **SECTION 104-FEES**

**104.1 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as established by the applicable governing authority.

**104.2 Refunds.** The *code official* is authorized to establish a refund policy.

### **SECTION 105-DUTIES AND POWERS OF THE CODE OFFICIAL**

**105.1 General.** The *code official* is hereby authorized and directed to enforce the provisions of this code.

**105.2 Determination of compliance.** The code official shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of this code's provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code or other applicable codes and ordinances.

**105.2.1 Technical assistance.** To determine compliance with this code, the code official is authorized to require the owner or owner's authorized agent to provide a technical opinion and report.

**105.2.1.1 Cost.** A technical opinion and report shall be provided without charge to the jurisdiction.

**105.2.1.2 Preparer qualifications.** The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**105.2.1.3 Content.** The technical opinion and report shall analyze the properties of the design,

operation or use of the building or premises and the facilities and appurtenances situated thereon to identify and propose necessary recommendations.

**105.2.1.4 Test methods.** Where there is insufficient evidence of compliance with the provisions of this code, the code official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the *code official* shall approve the testing procedures. Such tests shall be performed by a party acceptable to the code official.

**105.2.2 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative is not specifically prohibited by this code and has been *approved*.

**Exception:** Performance-based alternative materials, designs or methods of construction and equipment complying with the *International Code Council Performance Code*.

**105.2.2.1 Approval authority.** An alternative material, design or method of construction shall be approved where the code official finds that the proposed alternative is satisfactory and complies with Sections 105.2.2 through 105.2.2.7, as applicable.

**105.2.2.2 Application and disposition.** Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the code official for approval. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.

**105.2.2.3 Compliance with code Intent.** An alternative material, design or method of construction shall comply with the intent of the provisions of this code.

**105.2.2.4 Equivalency criteria.** An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

**105.2.2.5 Tests.** Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

**105.2.2.5.1 Fire tests.** Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the building official.

**105.2.2.6 Reports.** Supporting documentation, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 105.2.2.6.1 and

105.2.2.6.2.

**105.2.2.6.1 Evaluation reports.** Evaluation reports shall be issued by an approved agency and use of the evaluation report shall require approval by the code official for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the code official's recognition of the approved agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the code official.

**105.2.2.6.2 Other reports.** Reports not complying with Section 105.2.2.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or specialty organization acceptable to the building official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**105.2.2.7 Peer review.** The code official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is approved by the code official.

**105.2.3 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases, provided that the *code official* shall first find that special individual reasons make the strict letter of this code impractical, and that the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of the written request for and action granting modifications shall be recorded and entered in the files of the department of building safety.

**105.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the *code official* has reasonable cause to believe that there exists in a *structure* or on any *premises* a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the *code official* is authorized to enter the *structure* or *premises* at all reasonable times to inspect or perform the duties imposed by this code. If such *structure* or *premises* is occupied, the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent or other *person* having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to every remedy provided by law to secure entry.

**105.3.1 Warrant.** Where the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent, occupant or person having charge, care or control of the structure or premises shall not fail or neglect, after proper a request is made as herein provided, to permit entry therein by the code official for the purposes of inspection and examination pursuant to this code.

**105.4 Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

**105.5 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code, in accordance with Section 107.

**105.6 Official records.** The *code official* shall keep official records as required by Sections 105.6.1 through 105.6.5. Such official records shall be retained for not less than 5 years or for as long as the building or structure to which such records relate remains in existence, unless otherwise provided by other regulations.

**105.6.1 Approvals.** A record of approvals shall be maintained by the code official and shall be available for public inspection during business hours in accordance with applicable laws.

**105.6.2 Inspections.** The code official shall have the authority to conduct inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

**105.6.3 Code alternatives and modifications.** Application for alternative materials, design and methods of construction and equipment in accordance with Section 105.2.2; modifications in accordance with Section 105.2.3; and documentation of the final decision of the code official for either shall be in writing and shall be retained in the official records.

**105.6.4 Tests.** The code official shall keep a record of tests conducted to comply with Sections 105.2.1.4 and 105.2.2.5.

**105.6.5 Fees.** The code official shall keep a record of fees collected and refunded in accordance with Section 104.

**105.7 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from personal liability for any damage accruing to *persons* or property as a result of an act or by reason of any act or omission in the discharge of official duties.

**105.7.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**105.8 Approved materials and equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

**105.8.1 Materials and equipment reuse.** Materials, equipment and devices shall not be reused unless such elements are in good working condition and approved.

## SECTION 106-MEANS OF APPEALS

**106.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

**106.2 Limitations of authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions

of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

**106.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training on matter pertaining to the provisions of this code and are not employees of the jurisdiction.

**106.4 Administration.** The *code official* shall take action without delay in accordance with the decision of the board.

## 107-VIOLATIONS

**107.1 Unlawful acts.** It shall be unlawful for a *person*, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**107.2 Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 109.4.

**107.3 Prosecution of violation.** Any *person* failing to comply with a notice of violation or order served in accordance with Section 109.4 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability* offense. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the *structure* in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

**107.4 Violation penalties.** Any *person* who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**107.5 Abatement of violation,** the imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, *structure* or *premises*, or to stop an illegal act, conduct, business or utilization of the building, *structure* or *premises*.

## 108-STOP WORK ORDER

**108.1 Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in an unsafe manner, the *code official* is authorized to issue a stop work order.

**108.2 Issuance.** The stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the *person* performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**108.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**108.4 Failure to comply.** Any *person* who shall continue any work after having been served with a stop work order, except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

## 109-UNSAFE STRUCTURES AND EQUIPMENT

**109.1 Unsafe conditions.** When a *structure* or equipment is found by the *code official* to be unsafe, or when a *structure* is found unfit for human *occupancy*, or is found unlawful, such *structure* shall be *condemned* pursuant to the provisions of this code.

**109.1.1 Unsafe structures.** An unsafe *structure* is one that is found to be hazardous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is dangerous.

**109.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the *structure* that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or *structure*.

**109.1.3 Structure unfit for human occupancy.** A *structure* is unfit for human *occupancy* whenever the *code official* finds that such *structure* is unsafe, unlawful or, because of the degree to which the *structure* is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the *structure* constitutes a hazard to the *occupants* of the *structure* or to the public.

**109.1.4 Unlawful structure.** An unlawful *structure* is one found in whole or in part to be occupied by more *persons* than permitted under this code, or was erected, altered or occupied contrary to law.

**109.1.5 Hazardous structure or premises.** For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described as follows shall be considered to be hazardous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any building, *structure* or portion thereof that is dangerous.
4. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
5. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to

their danger, becomes a harbor for vagrants, criminals or immoral *persons*, or enables *persons* to resort to the building or *structure* for committing a nuisance or an unlawful act.

- 6. Any building or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- 7. A building or *structure*, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- 8. Any building or *structure*, because of a lack of sufficient or proper fire-resistance rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
- 9. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**109.2 Closing of vacant structures.** If the *structure* is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the *structure* closed up so as not to be an attractive nuisance. Upon failure of the *owner* or *owner's* authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

**109.2.1 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, *structure* or system regulated by this code and the referenced codes and standards set forth in Section 102.8 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or *owner's* authorized agent and *occupant* of the building, *structure* or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, *owner's* authorized agent or *occupant* of the building *structure* or service system shall be notified in writing as soon as practical thereafter.

**109.3 Record.** The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

**109.4 Notice.** Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in

Sections 109.4.1 and 109.4.2 to the *owner* or the owner's authorized agent, for the violation as specified in this code. Notices for *condemnation* procedures shall comply with this section.

**109.4.1 Form.** Such notice shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or *structure* into compliance with the provisions of this code.
5. Inform the property *owner* or *owner's* authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 107.3.

**109.4.2 Method of service.** Such notice shall be deemed to be properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered personally.
2. A copy is sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested.
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the *structure* affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the *person* responsible for the *structure* shall constitute service of notice upon the *owner*.

**109.5 Unauthorized tampering.** Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

**109.6 Transfer of ownership.** It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or *structure* to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the *owner's* authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

**109.7 Placarding.** Upon failure of the *owner*, *owner's* authorized agent or *person* responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard. Such notice shall be posted in a conspicuous place in or about the *structure* affected by such notice. If the notice pertains to equipment, it shall be placed on the *condemned* equipment.

**109.7.1 Placard removal.** The *code official* shall remove the *condemnation* placard whenever the defect or defects upon which the *condemnation* and placarding action were based have been eliminated. Any *person* who defaces or removes a *condemnation* placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**109.8 Prohibited occupancy.** Any occupied *structure condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any *person* who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner or owner's* authorized agent who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

**109.9 Restoration or abatement.** The *structure* or equipment determined to be unsafe by the *code official* is permitted to be restored to a safe condition. The *owner, owner's* authorized agent, *operator* or *occupant* of a *structure, premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action. To the extent that repairs, alterations, or additions are made or a change of *occupancy* occurs during the restoration of the *structure*, such repairs, alterations, additions, or change of *occupancy* shall comply with the requirements of the *International Existing Building Code*.

## 110-EMERGENCY MEASURES

**110.1 Imminent danger.** When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or *structure* that endangers life, or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure*, or when there is actual or potential danger to the building *occupants* or those in the proximity of any *structure* because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or *dangerous* equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forth- with. The *code official* shall cause to be posted at each entrance to such *structure* a notice reading as follows: "This Structure Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for any *person* to enter such *structure* except for the purpose of securing the *structure*, making the required repairs, removing the hazardous condition or of demolishing the same.

**110.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**110.3 Closing streets.** When necessary for public safety, the *code official* shall temporarily close *structures* and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

**110.4 Emergency repairs.** For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**110.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the

*owner of the premises or owner's authorized agent where the unsafe structure is or was located for the recovery of such costs.*

**110.6 Hearing.** Any *person* ordered to take emergency measures shall comply with such order forthwith. Any affected *person* shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## **111-DEMOLITION**

**111.1 General.** When the code official determines any structure is so old, dilapidated or has become so out of repair and is dangerous, unsafe, insanitary and otherwise unfit for human habitation or occupancy the code official can order either of the following:

1. The code official is permitted to authorize the owner or owner's authorized agent to make the structure safe by repairs in order to make the structure safe and sanitary. Where there has been a cessation of construction repairs of any structure for a period of more than 2 years the structure will be ordered demolished and removed.
2. The code official is permitted to order the owner or owner's authorized agent to demolish and remove any such structure.

**111.2 Notices and orders.** Notices and orders shall comply with Section 109.4.

**111.3 Failure to comply.** If the *owner of a premises or owner's authorized agent* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the *structure* to be demolished and removed, either through an available public agency or by contract or arrangement with private *persons*, and the *cost* of such demolition and removal shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

**111.4 Salvage materials.** Where any *structure* has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the *person* who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

# 2

## DEFINITIONS

**About this chapter:**

*Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.*

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### Section 201-GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

### Section 202-GENERAL DEFINITIONS

**ANCHORED.** Secured in a manner that provides positive connection.

**APPROVED.** Acceptable to the *code official*.

**APPROVED AGENCY.** An established and recognized organization that is regularly engaged in conducting tests, furnishing inspection services or furnishing product evaluation or certification where such organization has been approved by the *code official*.

**BASEMENT.** That portion of a building that is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

**CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

**CONDAMN.** To adjudge unfit for *occupancy*.

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS.** The costs shall include the actual costs of the demolition or repair of the *structure* less revenues obtained if salvage was conducted prior to demolition

or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

**DANGEROUS.** Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under permanent, routine or frequent loads, or under snow, wind, rain, flood, earthquake or other environmental loads when such loads are imminent.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EASEMENT.** That portion of land or property reserved for present or future use by a *person* or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above said lot or lots.

**EMERGENCY ESCAPE AND RESCUE OPENING.** An operable exterior window, door or other similar device that provides for a means of escape and access for rescue in the event of an emergency.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the *structure*.

**EXTERIOR PROPERTY.** The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**HABITABLE SPACE.** Space in a *structure* for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.*

**HISTORIC BUILDING.** Any building or *structure* that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of *Historic Places*, in the National Register of *Historic Places*.
2. Designated as *historic* under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or locally designated *historic* district.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single *habitable space* equipped and intended

to be used for living, sleeping, cooking and eating that does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition that could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a *structure* or *premises* of insects, rodents, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle that cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, *approved* agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the *above-labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY or LET.** To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit, rooming unit*, building, premise or *structure* by a *person* who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**NEGLECT.** The lack of proper maintenance for a building or *structure*.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

**OPERATOR.** Any *person* who has charge, care or control of a *structure* or *premises* that is *let* or offered for *occupancy*.

**OWNER.** Any *person*, agent, *operator*, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such *person*, and the executor or administrator of the estate of such *person* if ordered to take possession of real property by a court.

**PEER REVIEW.** An independent and objective technical review conducted by an approved third party.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

**POWER SAFETY COVER.** A pool cover that is placed over the water area and is opened and closed with a motorized mechanism activated by a control switch.

**PREMISES.** A lot, plot or parcel of land, *easement* or *public way*, including any *structures* thereon.

**PUBLIC WAY.** Any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than 10 feet (3048 mm).

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except *garbage*; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**SAFETY COVER.** A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

**SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**STORM SHELTER.** A building, structure or portion thereof, constructed in accordance with ICC 500, designated for use during hurricanes, tornadoes or other severe windstorms.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed.

**TENANT.** A *person*, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and that shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space on the same lot with a *structure*.

# 3

## GENERAL REQUIREMENTS

**About this chapter:**

*Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.*

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### Section 301-GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**301.2 Responsibility.** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements and the code under which the building was constructed, except as otherwise provided for in this code. The owner or owner's agent shall be responsible to ensure that any repairs, additions or alterations to the building or portion thereof are performed or constructed in accordance with the *International Building Code*, *International Residential Code* or *International Existing Building Code*. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or house-keeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises they occupy and control.

**301.3 Vacant structures and land.** Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302-EXTERIOR PROPERTY AREAS

**302.1 Sanitation.** Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

**302.2 Grading and drainage.** Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**302.3 Exception:** Approved retention areas and reservoirs.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another tenant.

## SECTION 304-EXTERIOR STRUCTURE

**304.1 General.** The exterior of a *structure* shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**304.1.1 Potentially unsafe conditions.** The following conditions shall be considered to be potentially unsafe, shall be assessed and shall be addressed in compliance with the *International Existing Building Code*, the *International Residential Code* or the *International Building Code*:

1. Structural members have *deterioration* or distress that appears to reduce their load-carrying capacity.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations has *deterioration* or distress that appears to reduce its load-carrying capacity.
3. *Structures* or components thereof have *deterioration* or distress that appears to reduce their load-carrying capacity.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.
5. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
6. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
7. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper *anchorage* and incapable of supporting all nominal loads and resisting all load effects.
8. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects.
9. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
10. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
11. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and hand- rails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
12. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. Where substantiated otherwise by an *approved* method.

2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**304.2 Protective treatment.** Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

**304.4 Structural members.** Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.** Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.** Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper *anchorage* and in a safe condition.

**304.9 Overhang extensions.** Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper *anchorage* and capable of supporting the imposed loads.

**304.11 Chimneys and towers.** Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weathertight.

**304.13.1 Glazing.** Glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.15 Doors.** Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building security.** Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

## SECTION 305-INTERIOR STRUCTURE

**305.1 General.** The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the *structure* that they occupy or control in a clean and sanitary condition. Every *owner* of a *structure* containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential *occupancies*, shall maintain, in a clean and sanitary condition, the shared or public areas of the *structure* and *exterior property*.

**305.1.1 Potentially unsafe conditions.** The following conditions shall be considered to be potentially unsafe, shall be assessed and shall be addressed in compliance with the *International Existing Building Code*, the *International Residential Code* or the *International Building Code*:

1. Structural members have *deterioration* or distress that appears to reduce their load-carrying.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations has *deterioration* or distress that appears to reduce its load-carrying capacity.
3. *Structures* or components thereof have *deterioration* or distress that appears to reduce their load-carrying capacity.
4. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
5. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. Where substantiated otherwise by an *approved* method.

2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**305.2 Structural members.** Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**305.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## SECTION 306-COMPONENT SERVICEABILITY

**306.1 General.** The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Potentially unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be considered to be unsafe and shall be addressed in compliance with the *International Existing Building Code*, the *International Residential Code* or the *International Building Code*:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system.
  - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
  - 1.4. Inadequate soil as determined by a geotechnical investigation.
  - 1.5. Where the allowable bearing capacity of the soil is in doubt.
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. *Deterioration*.
  - 2.2. *Ultimate deformation*.
  - 2.3. Fractures.
  - 2.4. Fissures.
  - 2.5. Spalling.
  - 2.6. Exposed reinforcement.
  - 2.7. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. *Deterioration*.
  - 3.2. Corrosion.
  - 3.3. Elastic deformation.

- 3.4. *Ultimate deformation.*
- 3.5. Stress or strain cracks.
- 3.6. Joint fatigue.
- 3.7. *Detached, dislodged or failing connections.*
4. Masonry that has been subjected to any of the following conditions:
  - 4.1. *Deterioration.*
  - 4.2. *Ultimate deformation.*
  - 4.3. Fractures in masonry or mortar joints.
  - 4.4. Fissures in masonry or mortar joints.
  - 4.5. Spalling.
  - 4.6. Exposed reinforcement.
  - 4.7. *Detached, dislodged or failing connections.*
5. Steel that has been subjected to any of the following conditions:
  - 5.1. *Deterioration.*
  - 5.2. Elastic deformation.
  - 5.3. *Ultimate deformation.*
  - 5.4. Metal fatigue.
  - 5.5. *Detached, dislodged or failing connections.*
6. Wood that has been subjected to any of the following conditions:
  - 6.1. Ultimate deformation.
  - 6.2. Deterioration.
  - 6.3. Damage from insects, rodents and other vermin.
  - 6.4. Fire damage beyond charring.
  - 6.5. Significant splits and checks.
  - 6.6. Horizontal shear cracks.
  - 6.7. Vertical shear cracks.
  - 6.8. Inadequate support.
  - 6.9. *Detached, dislodged or failing connections.*
  - 6.10. Excessive cutting and notching.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

## SECTION 307-HANDRAILS AND GUARDRAILS

**307.1 Handrails.** Stairs having more than four risers shall have a handrail on one side of the stair.

**307.1.1 Height.** Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces.

**307.2 Guards.** Guards shall be provided along open-sided walking surfaces, including balconies, porches, decks, stairs, ramps and landings, that are more than 30 inches (762 mm) above the floor or grade below.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

**307.2.1 Height.** *Guards* shall be not less than 30 inches (762 mm) high.

## SECTION 310-ACCESSIBILITY

**310.1 General.** A facility that is required to be accessible shall be maintained accessible during *occupancy*.

**310.1.1 Maintenance.** The accessible features of a facility shall be maintained in good repair, in a clean, structurally sound and sanitary condition, and free from impediments to accessibility.

**About this chapter:**

Chapter 4 sets forth requirements to establish the minimum environment for occupiable and habitable buildings by establishing the minimum criteria for light and ventilation and Identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding.

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**SECTION 401-GENERAL**

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a *structure*.

**401.2 Responsibility.** The *owner* of the *structure* shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A *person* shall not occupy as *owner-occupant*, or permit another *person* to occupy, any *premises* that do not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

**SECTION 402-LIGHT**

**402.1 Habitable spaces.** Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a *structure* face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, or not less than 25 square feet (2.33 m<sup>2</sup>), whichever is greater. The exterior glazing area shall be based on the total floor area being served.

**402.2 Common halls and stairways.** Every common hall and stairway in residential *occupancies*, other than in one-and two-family dwellings, shall be lighted at all times with not less than a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential *occupancies*, interior and exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with not less than 1 footcandle (11lux) at floors, landings and treads.

**402.3 Other spaces.** Other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

## SECTION 403-VENTILATION

**403.1 Habitable spaces.** Every *habitable space* shall have not less than one openable window. The total *openable area* of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but not less than 25 square feet {2.33 m<sup>2</sup>}. The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

**403.2 Bathrooms and toilet rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

**403.3 Cooking facilities.** Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

**Exceptions:**

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the *structure* in accordance with the manufacturer's instructions.

**Exception:** listed and *labeled* condensing (ductless) clothes dryers.

## CHAPTER

# 5

## PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### *About this chapter.*

*Chapter 5 establishes minimum sanitary and clean conditions in occupied buildings by containing requirements for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal systems and related plumbing fixtures. Chapter 5 includes requirements for providing potable water to a building and the basic fixtures to effectively utilize and dispose of that water.*

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### SECTION 501-GENERAL

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The *owner* of the *structure* shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *structure* or *premises* that does not comply with the requirements of this chapter.

### SECTION 502-REQUIRED FACILITIES

**502.1 Dwelling units.** Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**502.2 Rooming houses.** Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

### SECTION 503-TOILET ROOMS

**503.1 Privacy.** *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

**503.2 Location.** *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

**503.4 Floor surface.** In other than *dwelling units*, 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.

## SECTION 504-PLUMBING SYSTEMS AND FIXTURES

**504.1 General.** Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

## SECTION 505-WATER SYSTEM

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bath- tubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

**505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an *approved* atmospheric-type vacuum breaker or an *approved* permanently attached hose connection vacuum breaker.

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom*, *toilet room*, *bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

## SECTION 506-SANITARY DRAINAGE SYSTEM

**506.1 General.** Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

**506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

## SECTION 507-STORM DRAINAGE

**507.1 General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

***About this chapter.***

*Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.*

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**SECTION 601-GENERAL**

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The *owner* of the *structure* shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *premises* that does not comply with the requirements of this chapter.

**SECTION 602-HEATING FACILITIES**

**602.1 Facilities required.** Heating facilities shall be provided in *structures* as required by this section.

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from October to March, to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October to March, to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

## **SECTION 603-MECHANICAL EQUIPMENT**

**603.1 Mechanical equipment and appliances.** Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**603.2 Removal of combustion products.** Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances that are *labeled* for unvented operation.

**603.3 Clearances.** Required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** Safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

**603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

## **SECTION 604-ELECTRICAL FACILITIES**

**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240-volt, single-phase electrical service having a minimum rating of 60 amperes.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-volt- age fuses, luminaires, ballasts, motors and electronic

control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exceptions:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

**604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## SECTION 605-ELECTRICAL EQUIPMENT

**601.1 Installation.** Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

**602.2 Receptacles.** Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection.

All receptacle outlets shall have the appropriate faceplate cover for the location.

**605.3 Luminaires.** Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

**605.4 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

## SECTION 607-DUCT SYSTEMS

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

**607.2 Clothes dryer exhaust duct system maintenance.** The lint trap, mechanical and heating components, and the exhaust duct system of a clothes dryer shall undergo periodic removal of accumulations of lint in accordance with the manufacturer's operating instructions to prevent obstruction of exhaust air and products of combustion.

## CHAPTER

# 8

## REFERENCED STANDARDS

### *About this chapter.*

*This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard. This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.8.*

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### **ASME**

American Society of Mechanical Engineers  
Two Park Avenue, New York, NY 10016-5990

#### **ASME A17.1-2022/CSA 844-2022: Safety Code for Elevators and Escalators**

606.1

#### **ASME A17.3-2020: Safety Code for Existing Elevators and Escalators**

606.3.3

### **ASTM**

ASTM International

100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959

#### **FI346-1991 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs**

303.2

### **ICC**

International Code Council

500 New Jersey Avenue, NW 6th Floor, Washington, DC 20001

#### **IBC-24: International Building Code•**

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1, 604.3.2.1, 702.3, 704.4.2

#### **ICC 500-2020: ICC/NSSA Standard for the Design and Construction of Storm Shelters**

202, 311.1, 311.2, 311.3

#### **IEBC-24: International Existing Building Code•**

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1

#### **IECC-24: International Energy Conservation Code•**

102.3

#### **IFC-24: International Fire Code•**

102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1, 704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1

#### **IFGC-24: International Fuel Gas Code•**

102.3, 201.3

#### **IMC-24: International Mechanical Code•**

102.3, 201.3

#### **IPC-24: International Plumbing Code•**

102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3

**IRC-24: International Residential Code•**

102.3, 201.3

**IZC-24: International Zoning Code•**

102.3, 201.3

## APPENDIX

# A

## BOARDING STANDARDS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### *About this appendix.*

Appendix A provides minimum specifications for boarding a structure. This can be utilized by a jurisdiction as a set of minimum requirements in order to result in consistent boarding quality. These requirements also provide a reasonable means to eliminate having to approve numerous methods or materials for the boarding and securing of a structure. It is important to note that the provisions of Appendix A are not mandatory unless specifically referenced in the adopting ordinance of the authority having jurisdiction.

### *Code development reminder:*

Code change proposals to sections in this appendix will be considered by the IPMC Code Development Committee during the 2025 (Group B) Code Development Cycle.

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## SECTION A101-GENERAL

**A101.1 General.** Windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing *structure*.

## SECTION A102-MATERIALS

**A102.1 Boarding sheet material.** Boarding sheet material shall be minimum  $\frac{1}{2}$ -inch-thick (12.7 mm) wood structural panels complying with the *International Building Code*.

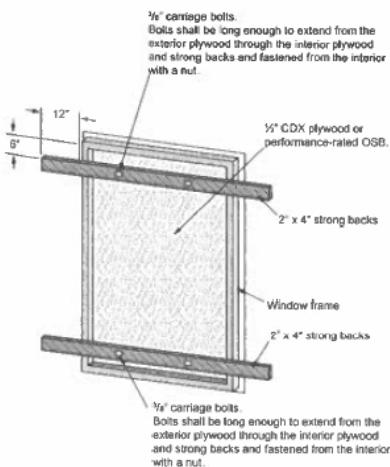
**A102.2 Boarding framing material.** Boarding framing material shall be minimum nominal 2-inch by 4-inch (51mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

**A102.3 Boarding fasteners.** Boarding fasteners shall be minimum  $\frac{3}{8}$ -inch-diameter (9.5 mm) carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

## SECTION A103-INSTALLATION

**A103.1 Boarding installation.** The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

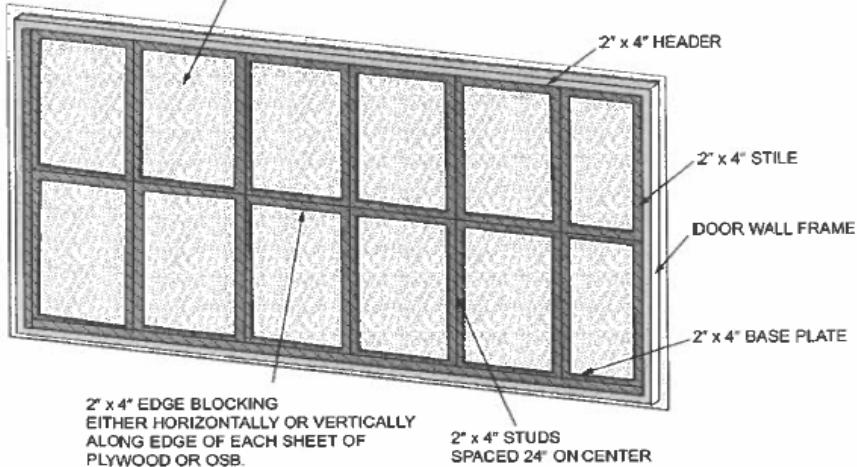
FIGURE A103.1(1)—BOARDING OF DOOR OR WINDOW



For SI: 1 inch=25.4 mm.

**FIGURE A103.1(2)—BOARDING OF DOOR WALL**

**1/2" CDX PLYWOOD OR PERFORMANCE-RATED OSB SHALL BE SECURED TO HEADER, BSE PLATE, STUDS, STILES, AND EDGE BLOCKING USING ALTERNATE SCREWS AND NAILS AT A MAXIMUM OF 6" O.C.**



For SI: 1 inch = 25.4 mm.

**A103.2 Boarding sheet material.** The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

**A103.3 Windows.** The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches (152 mm) minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

**A103.4 Door walls.** The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at a maximum of 24 inches (610 mm) on center. Blocking shall also be secured at a maximum of 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches (152 mm) on center.

**A103.5 Doors.** Doors shall be secured by the same method as for windows or door openings. One door to the *structure* shall be available for authorized entry and shall be secured and locked in an *approved* manner.

## SECTION A104-REFERENCED STANDARD

**A104.1 Referenced standards.** Table A104.1 lists the standard that is referenced in various sections of this appendix. The standard is listed herein by the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.8.

**TABLE A104.1-REFERENCED STANDARD**

STANDARD ACRONYM	STANDARD NAME	SECTIONS HEREIN REFERENCED
IBC-24	<i>International Building Code</i>	A102.1, A102.2, A102.3

## APPENDIX

# B

## BOARD OF APPEALS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

*About this appendix.*

*Appendix B provides criteria for Board of Appeals members. Also provided are procedures by which the Board of Appeals should conduct its business.*

*Code development reminder:*

*Code change proposals to this appendix will be considered by the Administrative Code Development Committee during the 2025 (Group B) Code Development Cycle.*

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**B101.1 Scope.** The Construction Board of Adjustment is hereby established within the jurisdiction for the purpose of hearing applications for modification of the requirements of this code pursuant to the provisions of Section 106 (Means of Appeals). The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants and the *code official* pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

**B101.2 Application for appeal.** Any person shall have the right to appeal a decision of the *code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the *code official* within 20 days after the notice was served.

**B101.2.1 Limitation of authority.** The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**B101.2.2 Stays of enforcement.** Appeals of notice and orders, other than *Imminent Danger* notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.