

CITY OF OAK RIDGE, TENNESSEE PROPERTY MAINTENANCE CODE

ORIGINALLY PASSED SEPTEMBER 9, 2001
AMENDED FEBRUARY 7, 2008

Achieving Excellence



OAK RIDGE CITY CODE

TITLE 13
PROPERTY MAINTENANCE REGULATIONS

CHAPTER 2
OAK RIDGE PROPERTY MAINTENANCE CODE

SECTION

- 13-201. Generally.
- 13-202. Amendments.
- 13-203. Code enforcement organization.
- 13-204. Board of building and housing code appeals.
- 13-205. Structures unfit for human occupation or use.
- 13-206. Notice of violation.
- 13-207. Right to appeal.
- 13-208. Failure to comply with notice or order; penalty.
- 13-209. Miscellaneous.

13-201. Generally.

- (1) Title. The provisions within this chapter shall be known and may be called as the "Oak Ridge Property Maintenance Code."
- (2) International Property Maintenance Code adopted. The International Property Maintenance Code, 2003 edition, as published by the International Code Council, Inc., is hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, except as such code may be in conflict with other provisions of this chapter, in which event such other provisions of this chapter shall prevail.

13-202. Amendments.

- (1) Generally. The International Property Maintenance Code (IPMC) adopted by § 13-201 is hereby amended as set out in this section.
- (2) Deletions.
 - (a) Section 101.1 of the IPMC, titled "Title," is hereby deleted in its entirety.
 - (b) Section 103 of the IPMC, titled "Department of Property Maintenance Inspection," is hereby deleted in its entirety.
 - (c) Section 106 of the IPMC, titled "Violations," is hereby deleted in its entirety.
 - (d) Section 107 of the IPMC, titled "Notices and Orders," is hereby deleted in its entirety.
 - (e) Section 108 of the IPMC, titled "Unsafe Structures and Equipment," is hereby deleted in its entirety.
 - (f) Section 109 of the IPMC, titled "Emergency Measures," is hereby deleted in its entirety.
 - (g) Section 110 of the IPMC, titled "Demolition," is hereby deleted in its entirety.
 - (h) Section 111 of the IPMC, titled "Means of Appeal," is hereby deleted in its entirety.

- (i) Section 302.2 of the IPMC, titled "Grading and drainage," is hereby deleted in its entirety.
- (j) Section 302.8 of the IPMC, titled "Motor Vehicles," is hereby amended by deleting the phrase "or unlicensed."
- (k) Section 303.2 of the IPMC, titled "Enclosures," is hereby deleted in its entirety.
- (l) Section 304.3 of the IPMC, titled "Premises identification," is hereby deleted in its entirety.
- (m) Section 507 of the IPMC, titled "Storm Drainage," is hereby deleted in its entirety.
- (n) Section 602.2 of the IPMC, titled "Residential occupancies," is hereby modified by deleting the words "based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*" in its entirety.
- (o) Section 602.3 of the IPMC, titled "Heat supply," is hereby modified by deleting the following sentence "The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*" in its entirety.
- (p) Chapter 7 of the IPMC, titled "Fire Safety Requirements," is hereby deleted in its entirety.

(3) Insertions.

- (a) Section 202 of the IPMC, titled "General Definitions," is hereby amended by adding the following new definitions:
 - (1) **ABANDONED MOTOR VEHICLE.** A motor vehicle that is four (4) years old and left unattended on public property for more than thirty (30) days; is in an obvious state of disrepair and is left unattended on public property for more than ten (10) days; has remained illegally on public property for a period of more than forty-eight (48) hours; has remained on private property without the consent of the owner or person in control of the property for more than forty-eight (48) hours; or has been stored, parked, left in a garage, trailer park, or any type of storage or parking lot for more than thirty (30) consecutive days.
 - (2) **ANTIQUE MOTOR VEHICLE.** A motor vehicle over twenty-five (25) years old with a non-modified engine and body which is used for participation in club activities, exhibits, tours, parades and similar uses as a collector's item, but in no event used for general transportation.
 - (3) **COMBUSTIBLE WASTE MATERIAL.** Magazines; books; trimmings from lawns, trees, and flower gardens; pasteboard boxes; rags; paper; straw; sawdust; packing material; and shavings.
 - (4) **MOTOR VEHICLE.** Any self-propelled vehicle which is designed for use upon the highway, including trailers and semitrailers.
- (b) May 1 is hereby inserted into the first blank space and November 1 is hereby inserted into the second blank of Section 303.14 of the IPMC, titled "Insect screens."
- (c) November 1 is hereby inserted into the first blank space and May 1 is hereby inserted into the second blank of Section 602.3 of the IPMC, titled "Heat supply."
- (d) November 1 is hereby inserted into the first blank space and May 1 is hereby inserted into the second blank of Section 602.4 of the IPMC, titled "Occupiable work spaces."

- (4) Code references. All references to the following codes within the IPMC shall as follows:
- (a) ICC Electrical Code shall become the National Electrical Code.
 - (b) International Zoning Code shall become the Zoning Ordinance of the City of Oak Ridge, Tennessee.

(5) Exceptions to IPMC Section 604.2 and 605.2.

Section 604.2, titled "Service," and Section 605.2, titled "Receptacles," of the IPMC shall not apply to dwelling units disposed of under the Atomic Energy Disposal Law of 1955 (Public Law 221) unless and until structural changes, repairs or renovations for the dwelling unit of a value exceeding fifty percent (50%) of its then physical value are undertaken.

13-203. Code enforcement organization.

- (1) Enforcement officer. The city manager or the city manager's duly authorized designee shall be responsible for enforcement of the Oak Ridge Property Maintenance Code. Whenever the Oak Ridge Property Maintenance Code refers to the "code official," public official" or the "city manager," it shall be read to mean the city manager or the city manager's duly authorized designee.
- (2) Rules and regulations. The city manager is hereby empowered to promulgate such rules and regulations as necessary to implement, carry out and enforce the provisions of the Oak Ridge Property Maintenance Code. Such rules and regulations shall be approved by city council and any amendments thereto shall be similarly approved. A copy of such rules and regulations shall be kept on file with the city clerk.
- (3) Conflict of interest. No city employee having investigative or enforcement responsibilities under the Oak Ridge Property Maintenance Code shall be financially benefited or involved in the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or in the making of plans or specifications thereof, unless he or she is the owner of such building.
- (4) Records. The city shall keep or cause to be kept a record of inspections, communications or actions taken pursuant to the Oak Ridge Property Maintenance Code.
- (5) Powers. The city manager is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of the Oak Ridge Property Maintenance Code, including the following powers in addition to others herein granted, to:
 - (a) Investigate conditions in the city in order to determine which structures therein are unfit for human occupation or use;
 - (b) Administer oaths, affirmations, examine witnesses and receive evidence;
 - (c) Enter upon premises for the purpose of making examinations; provided, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;
 - (d) Appoint and fix the duties of such officers, agents and employees as the city manager deems necessary to carry out the purposes of the Oak Ridge Property Maintenance Code; and

- (e) Delegate any of the city manager's functions and powers under the Oak Ridge Property Maintenance Code to such officers and agents as the city manager may designate.

13-204. Board of building and housing code appeals.

(1) Board of building and housing code appeals: appointment.

- (a) There is hereby created a board of building and housing code appeals consisting of seven (7) members, which shall be residents of the City of Oak Ridge and shall consist of the following: one physician or person from a health-related field; one architect or engineer; one building-related contractor or building supply dealer; one realtor; and three members from the public at large; provided that, if no individuals meeting these criteria apply for appointment, city council may appoint persons who do not possess such qualifications.
- (b) Appointment to the board shall be for staggered three (3) year terms, provided the terms of members of the initial board shall be as follows:
 - (i) Three members from the public at large 3 years
 - (ii) Physician or other member from health related field and architect or engineer 2 years
 - (iii) Realtor and building-related contractor building supply dealer 1 year
- (c) Members of the board may be removed by city council for good cause shown.
- (d) Vacancies on the board shall be filled by city council for the unexpired term of such vacancy.
- (e) The members of the board shall serve without compensation.
- (f) As soon as practical after appointment, the members of the board shall meet and organize by electing a chairperson, vice-chairperson and secretary. Thereafter, officers of the board shall be elected by the members at the first annual meeting of the board. Four (4) members shall constitute a quorum and the affirmative vote of at least four (4) members shall be required to take any action, except to continue a meeting where no quorum is present. A member shall not act in a case in which such member or his or her family member or his or her employer has a personal or financial interest. The board shall establish such other written rules and regulations for its own procedure not inconsistent with the provisions of the Oak Ridge Property Maintenance Code and a copy shall be kept on file with the city clerk.
- (g) Any reference in any provision of the Code of Ordinances, City of Oak Ridge, Tennessee to the board of building code appeals or the board of housing appeals shall be deemed to refer to the board of building and housing code appeals.

(2) Board of building and housing code appeals to hear appeals. All appeals from the Oak Ridge Property Maintenance Code shall be heard by the board of building and housing code appeals.

(3) Duties of the board of building and housing code appeals.

- (a) The board shall meet monthly to hear cases of structures unfit for human occupation or use and shall hear appeals of notices for housing violations, if any have been filed, but in

any event shall meet within fifteen (15) days after receipt of a notice of appeal if so requested by the city manager or by the appellant.

- (b) At such hearings, the board shall hear and receive such relevant testimony and evidence as presented by the city manager or by the appellant.
- (c) The board shall determine whether the structure is unfit for human occupation or use, whether a violation exists, whether the city manager's notice of violation is proper and/or whether a request for an extension of time or waiver shall be granted.

Extensions of time may be granted only upon a showing of undue hardship, or that such is necessary to complete the abatement of violation, and shall not exceed ninety (90) days from the date of the board's decision. One additional extension, not to exceed ninety (90) days, may be granted by the board, after a hearing, if requested at least thirty (30) days prior to the expiration of the initial extension, provided such additional extension shall only be granted where the owner shows that he or she has been making a good faith effort and progress toward completing the abatement of violation, and that such additional time is necessary.

Anything herein to the contrary notwithstanding, no more than one thirty (30) day extension of time may be granted to complete repairs or demolition to any residential structure that constitutes an imminent or immediate threat to the health, safety or general welfare of any person or to the public. As a condition of granting such extension, the board may impose restrictions on the owner to secure the property or to take other measures to protect the health, safety and general welfare of the public.

- (d) Upon application, the board is empowered to grant a waiver from specific minimum requirements of this ordinance, provided however, waivers shall be granted only for unique or special conditions of the dwelling or that imposition of the minimum requirement to the applicant would impose an extreme and undue hardship; and that waiver of the particular requirement would not endanger the health, safety or welfare of the occupants or the general public, or would not cause or threaten an imminent deterioration of property values in the area in which such structure is located. It is the intent of this provision that waivers are not to be liberally granted, but rather are intended only for the purposes specifically enumerated herein. Economic hardship alone shall be insufficient reason for the granting of a waiver.
- (e) The board shall issue a written decision upholding or dismissing the notice of the city manager, or modifying the notice to the extent the board determines the order was improper, or granting or denying an extension of time for compliance or granting or denying a waiver, or declaring a structure unfit for human occupation or use. Copies of all such decisions shall be given to the city manager and the appellant, and filed with the city clerk.
- (f) The board shall also hear appeals under the building code or any other city code wherein the board is designated to hear appeals.
- (g) The board shall further have the duty, in accordance with § 11-105 of the Code of Ordinances, City of Oak Ridge, Tennessee, to receive and investigate complaints of discrimination in housing, and to recommend ways of eliminating any injustices caused thereby.

13-205. Structures unfit for human occupation or use.

- (1) Definitions. As used in this section, the following words and phrases have the meanings ascribed to them, unless the context otherwise requires:
 - (a) "Dwelling" means any building or structure, or part thereof, used and occupied for human occupation or use or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith;
 - (b) "Owner" means the holder of the title in fee simple and every mortgagee of record;
 - (c) "Parties in interest" means all individuals, associations, corporations and others who have interests of record in a structure and any who are in possession thereof;
 - (d) "Place of public accommodation" means any building or structure in which goods are supplied or services performed, or in which the trade of the general public is solicited;
 - (e) "Structure" means any dwelling or place of public accommodation or vacant building or structure suitable as a dwelling or place of public accommodation.
- (2) Reasons for unfitness; power to repair, vacate or demolish. Under Tennessee Code Annotated, §13-21-102, the city has the power to exercise its police powers to repair, vacate or demolish structures found to be unfit for human occupation or use due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such structures unsafe or unsanitary, or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of the city, in the manner herein provided.
- (3) Unfit for human occupation or use; defined. A structure is unfit for human occupation or use if any or all of the following conditions, which are dangerous or injurious to the health, safety, morals or general welfare of the occupants of such structure, the occupants of neighboring structures or other residents of the city, exist:
 - (a) Defects in the structure which increase the hazards of fire, accident or other calamities;
 - (b) Structural defects, including but not limited to: those whose interior vertical walls or other vertical structural members list, lean or buckle to such an extent that a plumbline passing through the center of gravity falls outside the middle third of its base; or those which exclusive of the foundation show thirty-three percent (33%) or more of damage or deterioration of the supporting member(s) or fifty percent (50%) or more of damage or deterioration of the nonsupporting portions of the structure or outside walls or coverings; or those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used
 - (c) Lack of adequate ventilation, light, air, heat or sanitary facilities;
 - (d) Dilapidation or decay;
 - (f) Disrepair, including having parts which are so attached that they may fall and injure persons on or off the property; and
 - (g) Lack of adequate facilities for egress in case of fire or panic, or those having insufficient stairways, elevators, fire escapes or other means of egress in the case of an emergency.

- (4) Nuisance. All structures which are unfit for human occupation or use within the terms of §13-205(3) are hereby declared unlawful and a public nuisance, and shall be repaired, vacated, demolished or otherwise abated as provided herein or by other applicable law.
- (5) Standards for repair, vacation or demolition. The following standards shall be followed in substance by the board of building and housing code appeals in ordering repair, vacation or demolition of a structure unfit for human occupation or use:
- (a) If the structure can reasonably be repaired, altered or improved so that it will no longer exist in violation of the provisions of the Oak Ridge Property Maintenance Code, it shall be ordered repaired, altered or improved to render the structure fit for human occupation or use or to vacate and close the structure as a place of human occupation or use.
 - (b) If the structure is fifty percent (50%) or more damaged, decayed or deteriorated from its original condition or value, it shall be ordered vacated and demolished or removed.
 - (c) In any case where the structure is in such a condition as to make it dangerous to the health, safety or general welfare of its occupants or the general public, it shall also be ordered vacated and the board of building and housing code appeals may additionally order the structure and the property to be secured in such a manner to protect the health, safety or general welfare of the public or persons on the property until such repairs or demolition has been completed, or may order other immediate actions reasonably necessary.
- (6) Duties of the city manager.
- (a) Whenever a petition is filed with the city manager by at least five (5) residents of the city that a structure is unfit for human occupation or use or is in violation of the Oak Ridge Property Maintenance Code, or whenever it appears to the city manager (upon the city manager's own motion) that a structure is unfit for human occupation or use, the city manager shall, if the city manager's preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner and parties in interest of such structure a complaint stating the specific charge(s) and containing a notice that a hearing will be held before the board of building and housing code appeals at a place fixed therein, no less than ten (10) days and no more than thirty (30) days after serving the notice; provided that by mutual agreement the time for the hearing may be lessened or extended. Such notice shall state that:
 - (i) The owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and to give testimony at the hearing.
 - (ii) The rules of evidence prevailing in a court of law or equity shall not be controlling at the hearing.
 - (b) If, after such notice and hearing, the board of building and housing code appeals determines that the structure is unfit for human occupation or use, the board shall issue written findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order to repair, vacate or demolish the structure, in accordance with § 13-205(5), and shall provide for a reasonable time for compliance not to exceed ninety (90) days.
 - (c) If the owner fails to comply with an order to repair or to vacate and close the structure, the board of building and housing code appeals may cause such structure to be repaired or to be vacated and closed and shall cause to be posted at the main entrance to the structure so closed a placard stating:

"This building is unfit for human occupation or use. The use or occupation of this building for human occupation or use is prohibited and unlawful."

- (d) If the owner fails to comply with an order to demolish or remove the structure, the city manager may cause such structure to be demolished or removed.
- (e) For any structure that has been ordered vacated during the repairs or demolition of the structure, the owner of the structure shall cause to be posted at the main entrance to the structure a placard stating:

"This structure has been found to be unfit for human occupation or use. This notice is to remain posted conspicuously on the property until the structure is repaired or demolished."

- (7) Complaints, notices or orders; service and filing. Complaints, notices or orders issued by the city manager or the board of building and housing code appeals shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the city manager or the board in the exercise of reasonable diligence, and the city manager or the board shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) consecutive weeks in a newspaper printed and published in the city. A copy of such complaint, notice or order shall be posted in a conspicuous place on the premises affected by the complaint, notice or order. A copy of such complaint, notice or order shall also be filed for record in the office of the register of deeds of the county in which the structure is located, and such filing of the complaint, notice or order shall have the same force and effect as other lis pendens notices provided by law.

13-206. Notice of violation.

- (1) Notice to owner or responsible person(s). Except for complaints of structures unfit for human occupation or use which are addressed in § 13-205 above, when the city manager determines that there has been a violation of the Oak Ridge Property Maintenance Code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person(s) responsible therefore in the manner set forth in this section.
- (2) Form of notice. Such notice shall be in accordance with the following:
 - (a) Be in writing;
 - (b) Include a description of the property sufficient for identification;
 - (c) Include a statement of the violation(s);
 - (d) Include a reasonable time frame for compliance; and
 - (e) Inform the person of their right to appeal the notice to the appropriate department or board.
- (3) Service of notice. Such notice shall be delivered either in person or by registered mail, return receipt requested, addressed to the last known address. If the notice is returned undelivered, a copy of the notice shall be conspicuously placed on the property affected by the notice.

13-207. Right to appeal.

- (1) Right to appeal a notice. Any person receiving or aggrieved by a notice issued by the city manager pursuant to the Oak Ridge Property Maintenance Code, except environmental violations (including but not limited to weeds, motor vehicles, and accumulation of rubbish and garbage) which appeals are handled by the community development department, may appeal such notice to the board of building and housing code appeals. The appeal may contest the fact of the violation(s) set forth in the notice or may request additional time to comply with the notice.
 - (a) Form. The appeal shall be made on a form prescribed by the board or the city, which form shall minimally identify the name of the appellant, the property on which the violation(s) is said to occur, the date of the notice and shall contain a statement of why the appeal is made and what relief is sought.
 - (b) Timeframe. Such appeal must be filed with the city manager within ten (10) days of the receipt of the notice, or within three (3) days of the receipt of the notice to environmental violations.
 - (c) Extension of time to complete. If the owner has undertaken in good faith to correct the violation as set forth in the notice, the owner may request an extension of time to complete the cleanup, repairs or demolition provided the owner files such a request with the city manager at least ten (10) days prior to the date such cleanup, repairs or demolition were ordered to be completed. While the board may waive this ten (10) day requirement for good cause shown, no request for an extension of time shall be filed after the expiration of the time of completion set forth in the notice. The decision made by the community development department will be final and an extension of time will not be granted.
- (2) Right to appeal an order declaring a structure unfit for human occupation or use.
 - (a) As set forth in state law, any person affected by an order declaring a structure to be unfit for human occupation or use may file a bill in the chancery court for an injunction restraining the board of building and housing code appeals from carrying out the provisions of the order, and the court may, upon the filing of such bill, issue a temporary injunction restraining the board pending the final disposition of the cause; provided, that within sixty (60) days after the posting and service of the order of the board, such person shall file such bill in the court.
 - (b) The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings, the findings of the board as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies, and no person affected by an order of the board shall be entitled to recover any damages for action taken pursuant to any order of the board, or because of noncompliance by such person with any order of the board.

13-208. Failure to comply with notice or order; penalty.

- (1) Penalty. It shall be unlawful for an owner, lessee, occupant or any other person, corporation or other entity to fail to comply with any notice or order by the city manager or the board of building and housing code appeals. Failures to comply with such notice or order may be punishable as provided in §1-107 of this code of ordinances. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. Each day such failure to comply continues beyond the date fixed for compliance constitutes a separate offense.

- (2) Recovery of cost. If any person fails to comply with any order or notice given under the Oak Ridge Property Maintenance Code, the city manager may cause such structure to be repaired, altered, improved, vacated and closed or demolished or removed and the cost of the same shall be assessed against the owner and shall, upon filing of a notice of lien on the property in the office of the register of deeds in the county in which the property is located, constitute a lien on the property in favor of the city, second only to liens of the state, county and municipality for taxes, or any other special assessments and any other valid lien, right or interest in such property duly recorded or duly perfected prior to the filing of such notice. These costs shall be placed upon the tax roll of the city as a lien, and shall be added to the property tax roll to be collected at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected, and shall be subject to the same penalty and interest as delinquent property taxes. Any cost recovered by the sale of any of the materials of a structure demolished or removed hereunder shall be credited to the cost of demolition or removal, and any balance remaining shall be deposited in the chancery court and shall be disbursed by such court to such person(s) found to be entitled thereto. Nothing in this section shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.
- (3) Legal action. The city attorney or the city attorney's duly authorized designee may institute appropriate legal action to compel necessary repairs, vacating or demolition as provided by notice or order of the city manager or the board of building and housing code appeals under the Oak Ridge Property Maintenance Code.
- (4) Removal of notice. It shall be unlawful for any person to remove an official notice or order issued under the Oak Ridge Property Maintenance Code.

13-209. Miscellaneous.

- (1) Administrative liability. No officer, agent or employee of the city shall render himself or herself personally liable for any damage that may occur to persons or property as a result of any act required or permitted by the discharge of his or her duties under the housing code, and the city shall defend any such suit on behalf of such officer, agent or employee.
- (2) Presumption. There is hereby created a rebuttable presumption that the person listed upon the most recent city tax roll as the owner of a dwelling or dwelling unit is the owner for purposes of enforcement of the housing code.

CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of [NAME OF JURISDICTION], hereinafter 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, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and 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 minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *International Existing Building Code*.

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. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. 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. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or 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 designated 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 Existing Building Code*. 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 which is dangerous, unsafe and insanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which 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 installation instructions.

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

102.7 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. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.8 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.

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

103.1 General. The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.

103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction; and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

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

ADMINISTRATION

deputy code official, other related technical officers, inspectors and other employees.

➔ **103.4 Liability.** The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit 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 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; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All 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 is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

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

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

104.8 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION 105 APPROVAL

105.1 Modifications. Whenever 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 the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

SECTION 106 VIOLATIONS

106.1 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.

106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, 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.

106.4 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.

106.5 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.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. 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 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 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 of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice 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.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.5 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 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.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. 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.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous 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 so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 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 which 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.

108.1.3 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.

108.1.4 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.

108.2 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 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 may be collected by any other legal resource.

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner 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.

108.4.1 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.

108.5 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 any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which 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 forthwith. 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.

109.2 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.

109.3 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.

109.4 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.

109.5 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 where the unsafe structure is or was located for the recovery of such costs.

109.6 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.

SECTION 110 DEMOLITION

110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out

of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises 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.

110.4 Salvage materials. When 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 at the highest price obtainable. 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.

SECTION 111 MEANS OF APPEAL

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. 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 the requirements of this code are adequately satisfied by other means.

111.2 Membership of board. The board of appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

111.2.1 Alternate members. The chief appointing authority shall appoint two or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

111.2.2 Chairman. The board shall annually select one of its members to serve as chairman.

111.2.3 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

111.2.4 Secretary. The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

111.2.5 Compensation of members. Compensation of members shall be determined by law.

111.3 Notice of meeting. The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

111.4 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

111.4.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.5 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.6 Board decision. The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

111.6.1 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

111.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

111.8 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 appeals board.

CHAPTER 2 DEFINITIONS

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 Fire Code, City of Oak Zoning Ordinance, International Plumbing Code, International Mechanical Code, International Existing Building Code, ICC Electrical Code or in State Law*, such terms shall have the meanings ascribed to them as in those codes.

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

ABANDONED MOTOR VEHICLE. A motor vehicle that is four (4) years old and left unattended on public property for more than thirty (30) days; is in an obvious state of disrepair and is left unattended on public property for more than ten (10) days; has remained illegally on public property for a period of more than forty-eight (48) hours; has remained on private property without the consent of the owner or person in control of the property for more than forty-eight (48) hours; or has been stored, parked, left in a garage, trailer park, or any type of storage or parking lot for more than thirty (30) consecutive days.

ANTIQUÉ MOTOR VEHICLE. A motor vehicle over twenty-five (25) years old with a non-modified engine and body which is used for participation in club activities, exhibits, tours,

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

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.

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

CODEMN. To adjudge unfit for occupancy.

COMBUSTIBLE WASTE MATERIAL. Magazines, books, trimmings from lawns, trees, and flower gardens, pasteboard boxes, rags, paper, straw, sawdust, packing material, and shavings.

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.

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

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

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

GUARD. A building component or 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

parades and similar uses as a collector's item, but in no event used for general transportation

APPROVED. Approved by the code official.

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

IMMINENT DANGER. A condition which 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, rats, vermin or other pests.

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

LABELED. Devices, equipment, appliances, or materials to which have affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by those whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building 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.

MOTOR VEHICLE. Any self-propelled vehicle which is designed for use upon the highway, including trailers and semitrailers.

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.

similar areas are not considered habitable spaces.

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 which does not contain, within such unit, a toilet, lavatory and bathtub or shower.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

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.

STRICT LIABILITY OFFENSE. An offense in which the prosecution is 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 or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner or 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.

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;

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

e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

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

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

OWNER. Any person, agent, operator, firm or corporation having a 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.

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

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

CHAPTER 3

GENERAL REQUIREMENTS

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, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All 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. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All 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.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property

in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

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 upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

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.

304.2 Protective treatment. All 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. All 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. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all 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.

[F] 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 a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All 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. All 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. All 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. All 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. All 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. When 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. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. 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.

304.12 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 weather tight.

303.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

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

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms 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.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

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 which 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.

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

305.3 Interior surfaces. All 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 HANDRAILS AND GUARDRAILS

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

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

SECTION 307 RUBBISH AND GARBAGE

307.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

307.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

307.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

307.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

307.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

307.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

307.3.2 Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

SECTION 308 EXTERMINATION

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

GENERAL REQUIREMENTS

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

308.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

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 at least 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 at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). 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 at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) 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, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

402.3 Other spaces. All 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 at least one openable window. The total openable area of the window in every room shall be equal to at least 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 at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). 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 a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

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 in accordance with the manufacturer's instructions.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less

than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**TABLE 404.5
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

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 which does not comply with the requirements of this chapter.

[P] SECTION 502 REQUIRED FACILITIES

502.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which 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. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

502.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

502.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

[P] 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.

503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

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.

[P] SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 General. All 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. All 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, backsiphonage, 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. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

[P] 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 of 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.

[P] SECTION 506 SANITARY DRAINAGE SYSTEM

506.1 General. All 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.

[P] 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.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

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 which 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 to provide space heating to meet the requirements of 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 unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a temperature of not less than 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

[DATE] to [DATE] to maintain a temperature of not less than 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 appliances. All mechanical 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. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

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

603.3 Clearances. All required clearances to combustible materials shall be maintained.

603.4 Safety controls. All 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 fa-

MECHANICAL AND ELECTRICAL REQUIREMENTS

cilities in accordance with the ICC *Electrical Code*. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 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.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607 DUCT SYSTEMS

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

CHAPTER 7

FIRE SAFETY REQUIREMENTS

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety 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 do not comply with the requirements of this chapter.

[F] SECTION 702 MEANS OF EGRESS

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

[F] SECTION 703 FIRE-RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition.

Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

[F] SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the

alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

CHAPTER 8

REFERENCED STANDARDS

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 102.7.

ICC

International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

Standard reference number	Title	Referenced in code section number
ICC EC—03	ICC Electrical Code™ — Administrative Provisions	201.3, 604.2
IBC—03	International Building Code®	201.3, 302.7.1, 401.3, 702.3, 702.4
IEBC—03	International Existing Building Code™	101.3, 102.3, 201.3
IFC—03	International Fire Code®	201.3, 702.1, 702.2, 704.1, 704.2
IMC—03	International Mechanical Code®	201.3
IPC—03	International Plumbing Code®	201.3, 505.1, 602.2, 602.3
IZC—03	International Zoning Code®	102.3, 201.3

INDEX

A

ACCEPTED ENGINEERING METHODS	104.2
ACCESS	
Egress	702
From bedrooms	404.4.2
Plumbing fixtures, access for cleaning	504.2
To public way	702.1
Toilet room as passageway	503.1
Water closet	404.4.3
ADJACENT	
Privacy (hotel units, rooming units)	404.1
ADMINISTRATION	
Scope	101.2
AGENT (See also OPERATOR)	202
(See OWNER)	
AIR	
Combustion air	603.5
AISLES	
Minimum width	702.2
ALTERATION	
Applicability of other codes	102.3
Condemnation	108.1, 108.2
Inspection	104.3
Prosecution	106.3
Unlawful acts	106.1
ANCHOR	
Architectural trim	304.8
Signs, marquees and awnings	304.9
APPEAL	
Application	111.1
Board decision	111.6
Board of appeals	111.2
Court review	111.7
Disqualification	111.2.3
Financial interest	111.2.3
Hardship	111.1
Hearing, emergency orders	109.6
Membership	111.2
Notice of appeal	111.1
Postponed hearing	111.5
Records	104.7
Right to appeal	111.1
Vote	111.6
APPLIANCE	
Cooking	403.3, 602.2
Heating	602.2, 603.1
Mechanical	603.1
APPLICATION	
Other codes	102.3
APPROVAL	
Alternatives	105.2
Authority	104.1, 105.2
Modifications	105.1

APPROVED

Alternative materials, methods and equipment	105.2
Definition	202
Energy conservation devices	603.6
Fireplaces	603.1
Garbage storage facilities	307.3.1
Modifications	105.1
Used materials and equipment	105.4

ARCHITECTURAL

Structural members	304.4
Trim	304.8

ARTIFICIAL

Lighting of habitable rooms	401.3
Lighting of other spaces	402.3

AUTOMOBILE

Motor vehicles	302.8
--------------------------	-------

AWNING

Signs, marquees and awnings	304.9
---------------------------------------	-------

B

BALCONY

Handrails and guardrails	306.1
Maintenance	304.12, 305.5

BASEMENT

Definition	202
Hatchways	304.16
Windows	304.17

BATHROOM

Common bathrooms	502.3, 503.1
Hotels	502.3
Lighting	605.3
Locks	503.1
Outlets required	605.2
Privacy	503.1
Ventilation	403.2

BATHTUB

Required facilities	502.1
Rooming houses	502.2
Sewage system	506.1
Water heating facilities	505.4
Water system	505.1

BOILER

Unsafe equipment	108.1.2
----------------------------	---------

C

CAPACITY

Heating facilities	602.2, 602.3, 602.4
------------------------------	---------------------

CAR (See AUTOMOBILE)

CEILING		
Basement rooms	404.3	
Fire-resistance ratings	703.1	
Interior surfaces	305.3	
Minimum height	404.3	
CHANGE, MODIFY		
Application of other codes	102.3	
CHIMNEY		
Exterior structure	304.11	
Fireplaces	603.1	
Flue	603.2, 603.3	
CLEANING		
Access for cleaning	504.2	
Bathroom and kitchen floors	305.3, 503.4	
Disposal of garbage	307.3	
Disposal of rubbish	307.2	
Interior sanitation	307.1	
Interior surfaces	305.3	
Occupant	305.1	
Plumbing facilities, maintained	504.1	
Required plumbing facilities	502	
Responsibility of persons	305.1	
Trash containers	307.3.2	
Vacant structures and land	301.3	
CLEARANCE		
Heating facilities	603.3	
Plumbing fixtures	504.2	
CLOSING		
Streets	109.3	
Vacant structures	108.2	
CLOTHES DRYER		
Exhaust	403.5	
CODE OFFICIAL		
Condemnation	108.1	
Coordination of enforcement	104.8	
Demolition	110	
Duties	104	
Emergency order	109	
Enforcement authority	104	
Failure to comply with demolition order	110.3	
Identification	104.5	
Inspections	104.3	
Liability, relief of personal	103.5	
Membership of board of appeals	111.2	
Notice of violation	104.6, 107	
Notices and orders	107	
Official records	104.7	
Personal liability	103.5	
Placarding	108.4	
Prosecution	106.3	
Removal of placard	108.6	
Right of entry	104.4	
Rule-making authority	104.2	
Transfer of ownership	107.5	
Vacant structures	108.2	
Voting of appeals board	111.2, 111.6	
COLD WATER		
Drinking	502.4	
Required facilities	502	
Rooming houses	502.2	
Water system	505	
COMBUSTION		
Combustion air	603.5	
CONDEMNATION		
Closing of vacant structures	108.2	
Failure to comply	110.3	
General	108.1	
Notices and orders	108.2, 108.3	
Placarding	108.4	
Removal of placard	108.6	
CONFLICT		
Conflict of interest	111.2.3	
Coordination of inspections	104.8	
Violations	106.1	
CONNECTION		
Plumbing fixtures	504.1	
Sewage system	506.1	
Water heating	505.4	
Water system	505.1	
CONSTRUCTION		
Existing structures	101.2	
CONTAINER		
Garbage	307.3.2	
Rubbish storage	307.2.1	
CONTINUOUS		
Egress	702.1	
CONTRACTOR		
Conflict of interest	111.2.3	
CONTROL		
Insect and rat control	302.5, 304.5, 307.1	
Safety controls	603.4	
COOLING		
Cooling towers	304.11	
CORRIDOR		
Accumulation of rubbish	307.1	
Light	402.2	
Lighting fixtures	605.3	
Ratings-maintained	703	
Toilet rooms, access	503.1	
D		
DAMP, DAMPNES		
Roofs	304.7	
Window, door frames	304.13	
DANGEROUS, HAZARDOUS		
Condemnation	108.1	
Demolition	110	
Electrical hazards	604.3	
Elevators	606.1	
Existing remedies	102.4	
Fire safety	701.1	
Heating facilities	602, 603.1	
Imminent danger	202	
Unsafe structures and equipment	108	

Structural members	304.4	FRAME	Window and door frames	304.13
Structures	101.3			
EXTERIOR		G		
Decorative features	304.8	GAS	Energy conservation devices	603.6
Egress	702.1	Exhaust vents	302.6	
Exterior structure	304	Process ventilation	403.4	
Exterior walls	304.6	GLAZING	Materials	304.13.1
Painting	304.2, 304.6	GRADE	Drainage	302.2, 507
Rodent harborage	302.5, 303.5	GUARD	Basement windows	304.17
Sanitation	303.1	Definition	202	
Scope	301.1	Handrails	304.12	
Stair	303.10			
Street numbers	303.3			
Weather tight	303.13			
EXTERMINATE		H		
Definition	202	HABITABLE	Definition	202
Insect and rat control	302.5, 303.5, 303.14, 306.1	Light	402	
Responsibility of owner	301.2, 306.2	Minimum ceiling height	404.3	
Responsibility of tenant-occupant	306.3, 306.5	Minimum room width	404.2	
		Nonresidential heating facilities	602.4	
		Prohibited use	404.4.4	
		Required plumbing facilities	502	
		Residential heating facilities	602.2, 602.3	
		Space requirements	404.5	
		Ventilation	403	
		HANDRAIL	Handrails	304.12, 305.5, 306.1
		Stairs and porches	304.10	
		HARDWARE	Door hardware	304.15, 702.3
		Openable windows	304.13.2	
		HAZARDOUS (See DANGEROUS, HAZARDOUS)		
		HEAT, HEATING	Bathtub or shower	505.4
		Cooking equipment	403.3, 602.2	
		Energy conservation devices	603.6	
		Fireplaces	603.1	
		Heating	603.1	
		Kitchen sink	505.4	
		Mechanical equipment	603.1	
		Required capabilities	602	
		Residential heating	602.2, 602.3	
		Scope	101.2	
		Supply	602.3	
		Water closet and lavatory	505.4	
		Water heating	505.4	
		Water system	505	
		HOUSEKEEPING UNIT	Definition	202
		HEIGHT	Minimum ceiling height	404.3
		HOT (See HEAT, HEATING)		
F				
FAN	Exhaust vents	302.6		
FEES, EXPENSES, COST	Closing vacant structures	108.2		
	Demolition	110.1, 110.3, 110.4		
	Extermination	306.2, 306.3, 306.4, 306.5		
	General	103.5		
	Relief from personal liability	103.4		
	Responsibility, fire safety	701.2		
FENCE	Accessory	302.7		
	Maintenance	304.2		
FIRE	Fire-resistance ratings	703.1		
	General, fire-protection systems	704		
	Protection systems	704		
	Responsibility, fire safety	701.2		
	Scope	101.2		
	Scope, fire safety	701.1		
	Smoke detectors	704.1		
FLAMMABLE LIQUID	Containers	108.1.2		
FLOOR, FLOORING	Area for sleeping purposes	404.5.1		
	Fire-resistance ratings	703.1		
	Interior surfaces	305.1, 305.3		
	Space requirements	404.5, 404.6		
FOOD PREPARATION	Cooking equipment	403.3, 602.2		
	Sanitary condition	305.1, 404.7		
	Ventilation	403.4		
FOUNDATION	Condemnation	108.1.1		
	Foundation walls	304.5		

HOTELS, ROOMING HOUSES AND DORMITORY

UNITS, MOTELS

Definition 202
 Locked doors 702.3
 Privacy 503.1
 Toilet rooms 503

I

IDENTIFICATION

Code official 104.5

INFESTATION

Condemnation 108.1.3
 Definition 202
 Insect and rat 302.5, 304.14, 307.1

INSECTS

Extermination 308
 Garbage storage facilities 307.3
 Infestation 308.1
 Insect screens 304.14

INSPECTIONS

Coordination 104.8
 General 104.3
 Right of entry 104.4

INSPECTOR

Coordination of inspections 104.8
 Identification 104.5
 Inspections 104.3
 Official records 104.7

INTENT

Code 101.3
 Rule-making authority 104.2

INTERIOR

Interior structure 305
 Interior surfaces 305.3
 Means of egress 702
 Sanitation 305.1

J

JURISDICTION

Title 101.1

K

KITCHEN

Electrical outlets required 605.2
 Floors 304.3
 Kitchen sink 502.1
 Minimum width 404.2
 Prohibited use 404.4.4
 Water heating facilities 505.4

L

LANDING

Handrails and guards 304.12, 305.4, 305.5
 306.1

LAUNDRY

Room lighting 605.3
 Water heating facilities 505.4

LAVATORY

Hotels 502.3
 Required facilities 502
 Rooming houses 502.2
 Sewage system 506
 Water heating facilities 505.4
 Water system 505

LEASE (SELL, RENT)

Heat supplied 602.3
 Salvage materials 110.4
 Transfer of ownership 107.5

LIEN

Closing of vacant structures 108.2
 Demolition 110.3
 Failure to comply 110.3

LIGHT, LIGHTING

Common halls and stairways 402.2, 605.3
 Fixtures 605.3
 General 402
 Habitable rooms 402.1
 Other spaces 402.3
 Responsibility 401.2
 Scope 101.2
 Spaces or rooms 402.1
 Toilet rooms 605.3

LIVING ROOM

Minimum occupancy area requirements 404.5

LOAD, LOADING

Elevators, escalators and dumbwaiters 606.1
 Handrails 304.12
 Live load 304.4, 305.2
 Stairs and porches 304.10, 305.2
 Structural members 304.4, 305.2

M

MAINTENANCE

Required 102.2

MATERIAL

Alternative 105.2
 Clearances, heating facilities 603.3
 Salvage 110.4
 Used 105.4

MEANS OF EGRESS (See EGRESS)

MECHANICAL

Garbage facilities 307.3.1
 Installation 603.1
 Responsibility 601.2
 Scope 601.1
 Ventilation, general 403
 Ventilation, toilet rooms 403.2

MINIMUM

Ceiling height 404.3
 Occupancy area requirements 404.5
 Room width 404.2

- PRESSURE**
Water supply 505.3
- PRIVATE, PRIVACY**
Bathtub or shower 503.1
Occupancy limitations 404.1
Required plumbing facilities 502
Sewage system 506.1
Water closet and lavatory 503.1
Water system 505.1
- PROPERTY, PREMISES**
Access to public property 702.1
Cleanliness 304.1, 307.1
Condemnation 108
Definition 202
Demolition 110
Emergency measures 109
Exterior areas 302
Extermination, multiple occupancy 302.5, 308.4
Extermination, single occupancy 302.5, 308.3
Failure to comply 110.3
Grading and drainage 302.2
Responsibility 301.2
Scope 301.1
Storm drainage 507
Vacant structures and land 301.3
- PROTECTION**
Basement windows 304.17
Fire-protection systems 704
Signs, marquees and awnings 304.9
- PUBLIC**
Access to public property 702.1
Cleanliness 304.1, 305.1
Egress 702.1
Hallway 502.3
Sewage system 506.1
Toilet rooms 503
Vacant structures and land 301.3
Water system 505
- PUBLIC WAY**
Definition 202
- R**
- RAIN**
Basement hatchways 304.16
Exterior walls 304.6
Grading and drainage 303.2
Roofs 304.7
Window and door frames 304.13
- RATS**
Basement hatchways 304.16
Condemnation 108
Exterior surfaces 304.6
Extermination 302.5, 308
Guards for basement windows 304.17
Harborage 302.5
Insect and rat control 308.1
- RECORD**
Official records 104.7
- REHABILITATION**
Intent 101.3
- REPAIR**
Application of other codes 102.3
Chimneys 304.11
Demolition 110.1
Exterior surfaces 304.1
Maintenance 102.2
Public areas 302.3
Signs, marquees and awnings 304.9
Stairs and porches 304.10
Weather tight 304.13
Workmanship 102.5
- REPORTS**
Test reports 105.3.3
- RESIDENTIAL**
Extermination 308
Residential heating 602.2
Scope 101.2
- RESPONSIBILITY**
Extermination 308
Fire safety 701.2
Garbage disposal 307.3
General 301.2
Mechanical and electrical 601.2
Persons 301.1
Placarding of structure 108.4
Plumbing facilities 501.2
Rubbish storage 307.2.1
Scope 101.2, 301.1
- REVOKE, REMOVE**
Demolition 110
Existing remedies 102.4
Process ventilation 403.4
Removal of placard 108.6
Rubbish removal 307.2.1
- RIGHT OF ENTRY**
Duties and powers of code official 104.4
Inspections 104.3
- ROOF**
Exterior structure 304.1
Roofs 304.7
Storm drainage 507
- ROOM**
Cooking facilities 403.3
Direct access 503.2
Habitable 402.1
Heating facilities 602
Light 402
Minimum ceiling heights 404.3
Minimum occupancy area requirements 404.5
Minimum width 404.2
Overcrowding 404.5
Prohibited use 404.4.4
Separation 404.5.2
Sleeping 404.4
Temperature 602.5
Toilet 503
Ventilation 403

ROOMING HOUSES (See DORMITORY)

RUBBISH

- Accumulation 307.1
- Definition 202
- Disposal 307.2
- Garbage facilities 307.3.1
- Rubbish storage 307.2.1
- Storage 307.2.1

S

SAFETY, SAFE

- Chimney 304.11
- Condemnation 108.1
- Electrical installation 605.1
- Emergency measures 109
- Fire safety requirements 701
- Fireplaces 603.1
- Intent 101.3
- Safety controls 603.4
- Scope 101.2
- Unsafe structures and equipment 108

SANITARY

- Bathroom and kitchen floors 305.3
- Cleanliness 304.1, 305.1
- Disposal of garbage 307.3
- Disposal of rubbish 307.2
- Exterior property areas 302.1
- Exterior structure 304.1
- Food preparation 404.7
- Furnished by occupant 302.1
- Interior surfaces 304.3
- Plumbing fixtures 504.1
- Required plumbing facilities 502
- Sanitation 305.1, 305.3
- Scope 101.2

SASH

- Window 304.13

SCREENS

- Insect screens 304.14

SECURITY

- Basement hatchways 304.18.3
- Building 304.18
- Doors 304.18.1
- Vacant structures and land 301.3
- Windows 304.18.2

SELF-CLOSING SCREEN DOORS

- Insect screens 304.14

SEPARATION

- Fire-resistance ratings 703
- Privacy 404.1
- Separation of units 404.1
- Water closet and lavatory 502.1

SERVICE

- Electrical 604.2
- Method 107.3
- Notices and orders 107.1, 108.3
- Service on occupant 108.3

SEWER

- General 506.1
- Maintenance 506.2

SHOWER

- Bathtub or shower 502.1
- Rooming houses 502.2
- Water heating facilities 505.4
- Water system 505

SIGN

- Signs, marquees and awnings 304.9

SINGLE-FAMILY DWELLING

- Extermination 308

SINK

- Kitchen sink 502.1
- Sewage system 506
- Water supply 505.3

SIZE

- Habitable room, light 402
- Habitable room, ventilation 403
- Room area Table 404.5

SLEEPING

- Area for sleeping purposes 404.4.1
- Cooking facilities 403.3

SMOKE

- Alarms 704.2
- Detectors 704.1
- Interconnection 704.4
- Power source 704.3

SPACE

- General, light 402
- General, ventilation 403
- Occupancy limitations 404
- Privacy 404.1
- Scope 401.1

STACK

- Chimneys 304.11

STAIRS

- Common halls and stairways, light 402.2
- Exit facilities 305.4, 305.5
- Handrails 304.12, 305.5
- Lighting 605.3
- Public areas 302.3
- Stairs and porches 304.10

STANDARD

- Referenced 102.7

STORAGE

- Food preparation 404.7
- Garbage storage facilities 307.3
- Rubbish storage facilities 307.2.1
- Sanitation 307.1

STRUCTURE

- Accessory structures 302.7
- Closing of vacant structures 108.2
- Definition 202
- Emergency measures 109
- General, exterior 304.1
- General, condemnation 110
- General, interior structure 305.1

Placarding of structure 108.4
 Scope 301.1
 Structural members 304.4, 305.2
 Vacant structures and land 301.3

SUPPLY

Combustion air 603.5
 Connections 505.1
 Water heating facilities 505.4
 Water supply 505.3
 Water system 505

SURFACE

Exterior surfaces 304.2, 304.6
 Interior surfaces 304.3

SWIMMING

Swimming pools 303.1, 303.2

T

TEMPERATURE

Nonresidential structures 602.4
 Residential buildings 602.2
 Water heating facilities 505.4

TENANT

Scope 101.2

TEST, TESTING

Agency 105.3.2
 Methods 105.3.1
 Reports 105.3.3
 Required 105.3

TOXIC

Process ventilation 403.4

TRASH

Rubbish and garbage 307

TREAD

Stair 304.10

U

UNOBSTRUCTED

Access to public way 702.1
 General, egress 702.1

UNSAFE

Equipment 108.1.2
 Existing remedies 102.4
 General, condemnation 108, 110
 General, demolition 110
 Notices and orders 107, 108.3
 Structure 108.1.1

USE

Application of other codes 102.3
 General, demolition 110

V

VACANT

Closing of vacant structures 108.2
 Emergency measure 109
 Method of service 107.3, 108.3

Notice to owner or to person
 responsible 107, 108.3
 Placarding of structure 108.4
 Vacant structures and land 301.3

VAPOR

Exhaust vents 302.6
 Process ventilation 403.4

VEHICLES

Inoperative 302.8
 Painting 302.8

VENT

Connections 504.3
 Exhaust vents 302.6
 Flue 603.2

VENTILATION

Clothes dryer exhaust 403.5
 Combustion air 603.5
 Definition 202
 General, ventilation 403
 Habitable rooms 403.1
 Process ventilation 403.4
 Recirculation 403.2, 403.4
 Toilet rooms 403.2

VERMIN

Condemnation 108
 Insect and rat control 302.5, 308

VIOLATION

Condemnation 108
 General 106
 Notice 107, 108.3
 Penalty 106.4
 Placarding of structure 108.4
 Prosecution 106.3
 Strict liability offense 106.3, 202
 Transfer of ownership 107.5

W

WALK

Sidewalks 302.3

WALL

Accessory structures 302.7
 Exterior surfaces 304.2, 304.6
 Exterior walls 304.6
 Foundation walls 304.5
 General, fire-resistance rating 703.1
 Interior surfaces 305.3
 Outlets required 605.2
 Temperature measurement 602.5

WASTE

Disposal of garbage 307.3
 Disposal of rubbish 307.2
 Dwelling units 502.1
 Garbage storage facilities 307.3.1

WATER

Basement hatchways 304.16
 Connections 506.1
 Contamination 505.2

INDEX

General, sewage	506
General, storm drainage	507
General, water system	505
Heating	505.4
Hotels	502.3
Kitchen sink	502.1
Required facilities	502
Rooming houses	502.2
Supply	505.3
System	505
Toilet rooms	503
Water heating facilities	505.4
WEATHER, CLIMATE	
Heating facilities	602
Rule-making authority	104.2
WEATHERSTRIP	
Window and door frames	304.13
WEEDS	
Noxious weeds	302.4
WIDTH	
Minimum room width	404.2
WIND	
Weather tight	304.13
Window and door frames	304.13
WINDOW	
Emergency escape	702.4
Glazing	304.13.1
Guards for basement windows	304.17
Habitable rooms	402.1
Insect screens	304.14
Interior surface	305.3
Light	402
Openable windows	304.13.2
Toilet rooms	403.2
Ventilation	403
Weather tight	304.13
Window and door frames	304.13
WORKER	
Employee facilities	503.3, 602.4
WORKMANSHIP	
General	102.5