
2006/2007 INTERNATIONAL PROPERTY MAINTENANCE/ZONING CODE DEVELOPMENT COMMITTEE

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INTERNATIONAL PROPERTY MAINTENANCE CODE HEARING RESULTS

PM1-06/07

Committee Action: Approved as Modified

Modify the proposal as follows:

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.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply

(Portions of proposal not shown remain unchanged)

Committee Reason: The committee agreed that Chapter 1 I-code coordination with respect to conflicts between general and specific requirements, equipment listing requirements that are more restrictive than code requirements and the relationship of the code with state laws, were appropriate for inclusion into the IPMC because it gives the code official direction in handling these issues. The modification eliminates the possibility of manufacturer's instructions adversely conflicting with the requirements of the equipment listing.

Assembly Action: None

PM2-06/07

Committee Action: Disapproved

Committee Reason: To be consistent with other code committee actions and at the request of the proponent this code change was disapproved so as not to provide further inconsistencies between the administrative provisions of the I-codes.

Assembly Action: None

PM3-06/07

Committee Action: Disapproved

Committee Reason: To be consistent with other code committee actions and at the request of the proponent this code change was disapproved so as not to provide further inconsistencies between the administrative provisions of the I-codes.

Assembly Action: None

PM4-06/07

Committee Action: Approved as Submitted

Committee Reason: This proposal is appropriate because it details steps for the code official to use to gain access to a premises to enforce provisions of the code. Further, the proposal provides direction to the code official on what to do if entry is refused.

Assembly Action: None

PM5-06/07

Committee Action: Approved as Submitted

Committee Reason: The committee indicated that the proposed language gives guidance to code users on how to deal with used materials. Further, the inclusion of research reports requirements will aid the code official in their evaluation of alternative materials and methods of construction.

Assembly Action: None

PM6-06/07

Committee Action: Disapproved

Committee Reason: The attempts made at refining the violation provisions create the potential for greater differences between this code and local laws. Therefore, the committee prefers the existing language that simply references state or local laws. Further, the proposed posting requirements will add operational costs to the administrative offices of jurisdiction that currently have lesser posting requirements. The method of posting of a violation should be left up to the local jurisdiction.

Assembly Action: None

PM7-06/07

Committee Action: Approved as Modified

Modify the proposal as follows:

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

(Portions of code change proposal not shown remain unchanged)

Committee Reason: The committee agreed that the proposed language is a valuable enforcement tool with respect to tampering with information posted by the code official. The modification more clearly distinguishes between tampering and removal.

Assembly Action: None

PM8-06/07

Committee Action: Approved as Submitted

Committee Reason: The proposed language gives the code official the ability to disconnect utilities in emergency situations, which can result in a higher level of public health and safety.

Assembly Action: None

PM9-06/07

Committee Action: Disapproved

Committee Reason: The attempts made at refining the notice and service provisions create the potential for greater differences between this code and jurisdictions that have their own notice and service provisions. Therefore the existing language is preferred. Further, Item 4.4 in Section 107.2 seems to allow an unsafe building to be boarded up by the owner indefinitely, which does not seem to be in line with the intent of the IPMC.

Assembly Action: None

PM10-06/07

Committee Action: Approved as Modified

Modify the proposal as follows:

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises which has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause, to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly ~~manifestly~~ unsafe for its use and occupancy
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistive construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

Committee Reason: The committee agreed that this specific list of dangerous conditions should be in the IPMC to give building owners and code officials a baseline to evaluate a building or structure against to determine if the present condition of a building or structure is dangerous. The modification provides more understandable and enforceable language.

Assembly Action: None

PM11-06/07

Committee Action: Disapproved

Committee Reason: The committee felt that the revised board of appeals provisions were too stringent and would be hard for smaller jurisdictions to comply with. Further, language such as the term "present" in Section 111.3 seems subjective and undefined. Also, the term "hearing examiner" is not defined and may be an unfamiliar term to many jurisdictions. Lastly, these requirements may be in conflict with many state and local laws.

Assembly Action: AS

PM12-06/07

Committee Action: Approved as Submitted

Committee Reason: The committee indicated that smaller jurisdictions that may not have multiple code departments need this language in the IPMC in order to stop work where there is an unsafe or dangerous condition.

Assembly Action: None

PM13-06/07

Committee Action: Disapproved

Committee Reason: The proposed language regarding certificate of compliance is overly restrictive because it appears to mandate that a code official inspect all existing buildings, structures and premises in their jurisdiction for any violations of this code.

Assembly Action: None

PM14-06/07

Committee Action: Disapproved

Committee Reason: This proposal may create more responsibilities for a property maintenance administrative department by requiring instructions for work and by following the proposed cost recovery requirements. This will increase the cost of running the administrative department. Further, Sections 109.5 and 110.3 of the IPMC currently address recovery of costs for emergency measures and demolition. Therefore, the proposed requirements are not appropriate.

Assembly Action: None

PM15-06/07

Committee Action: Disapproved

Committee Reason: The proposed definition is confusing in that it defines a crawlspace to include the space between the bottom of the floor joists and the earth below a building. It is unclear how a crawlspace with a concrete floor would apply to this definition. Further, the proponent requested disapproval from the committee to allow the proponent to address this and other flaws in the public comment period.

Assembly Action: None

PM16-06/07

Committee Action: Disapproved

Committee Reason: Based on committee action taken on PM17 that kept the term easement in the definition of premises.

Assembly Action: None

PM17-06/07

Committee Action: Disapproved

Committee Reason: The committee determined that the term "easement" needs to remain because it is a common and useful term used as part of the legal make-up of a property.

Assembly Action: None

PM18-06/07

Committee Action: Disapproved

Committee Reason: The committee indicated that although the owner of a property is ultimately responsible for maintenance, the occupants of the building must assume some responsibility for general maintenance and sanitary conditions.

Assembly Action: None

PM19-06/07

Committee Action: Disapproved

Committee Reason: The current language is valuable for enforcing rodent extermination requirements and should not be deleted.

Assembly Action: None

PM20-06/07

Committee Action: Disapproved

Committee Reason: The proposed definition of graffiti is not broad enough because it does not include other types of defacement such as damage or mutilation.

Assembly Action: None

PM21-06/07

Committee Action: Approved as Modified

Modify the proposal as follows:

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

(Portions of code change proposal not shown remain unchanged)

Committee Reason: The committee agreed that the proposal provides a useful list for a code official to reference during site inspections and in citing unsafe conditions. The modification allows the owner the option of compliance with the *International Existing Building Code*.

Assembly Action: None

PM22-06/07

Committee Action: Disapproved

Committee Reason: The proposed lead based paint maintenance requirements are not consistent with lead paint abatement practices currently utilized.

Assembly Action: None

PM23-06/07

Committee Action: Disapproved

Committee Reason: No data was submitted to justify the requirement for the modification of existing guards to meet the opening requirements for new construction. Further, the one story height is not a defined term and can lead to misapplication. Lastly, these requirements could cause an existing guard to be modified multiple times as the codes evolve.

Assembly Action: None

PM24-06/07

Committee Action: Disapproved

Committee Reason: No data has been submitted to justify this guard requirement for existing buildings. Further, the opening limitation requirements are more restrictive than those allowed for Group S, F, I-3 and H in the IBC. Also, there are no provisions dealing with historic buildings which may cause an enforcement problem when dealing with historic buildings.

Assembly Action: None

PM25-06/07

Committee Action: Disapproved

Committee Reason: No data has been submitted to justify this guard requirement for existing buildings. Further, in Section 306.2, the requirements as written for locating where the 30 inch height measurement is to be taken is confusing and can lead to misapplication.

Assembly Action: None

PM26-06/07

Committee Action: Disapproved

Committee Reason: The requirements for handrails on both sides of stairs, without exception, are more restrictive than for new construction in the IBC. Further, the opening limitation requirements appear to be more restrictive than those allowed for Group S, F, I-3 and H in the IBC, which would result in modification of guards that currently meet the requirements for new construction.

Assembly Action: None

PM27-06/07

Committee Action: Disapproved

Committee Reason: The committee indicated that although the owner of a property is ultimately responsible for maintenance, the occupants of the building must assume some responsibility for general maintenance and sanitary conditions.

Assembly Action: None

PM28-06/07

Committee Action: Disapproved

Committee Reason: The current text is much preferred as it appropriately delineates the extermination requirements for property owners and building occupants.

Assembly Action: None

PM29-06/07

Committee Action: Disapproved

Committee Reason: The current language provides a useful tool for the code official to site overcrowded and unsafe conditions where these spaces are not arranged to provide privacy and separation.

Assembly Action: None

PM30-06/07

Committee Action: Disapproved

Committee Reason: The language is not consistent with the IBC in that it does not address ceiling heights for nonresidential applications.

Assembly Action: None

PM31-06/07

Committee Action: Disapproved

Committee Reason: Deleting this could result in a condition where the egress through a bedroom to gain access to an exit is impeded by a privacy lock on the egress door between bedrooms.

Assembly Action: None

PM32-06/07

Committee Action: Disapproved

Committee Reason: Current language is a valuable enforcement tool to address substandard housing where there is a lack of toilet rooms accessible to bedrooms.

Assembly Action: None

PM33-06/07

Committee Action: Disapproved

Committee Reason: Current language gives the code official a valuable tool to enforce minimum living conditions including room sizes, cooking facilities, light and ventilation, and toilet and bathing facilities.

Assembly Action: None

PM34-06/07

Committee Action: Approved as Submitted

Committee Reason: Placing the elevator certificate of inspection in the office of the building operator may not be feasible because there may not be an office of the building operator or there may be multiple offices for the building operations. The proposed language provides reasonable options.

Assembly Action: None

PM35-06/07

Committee Action: Disapproved

Committee Reason: The current general language in the IPMC is enough to cover these specific health and sanitation requirements. Further, some of the proposed terminology such as "excessive tobacco smoke" are difficult to consistently determine and are therefore unenforceable.

Assembly Action: None
