

2007/2008 PROPOSED CHANGES TO THE INTERNATIONAL PROPERTY MAINTENANCE/ZONING CODE

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TENTATIVE ORDER OF DISCUSSION

2007/2008 PROPOSED CHANGES TO THE INTERNATIONAL PROPERTY MAINTENANCE/ZONING CODE

The following is the tentative order in which the proposed changes to the code will be discussed at the public hearings. Proposed changes which impact the same subject have been grouped to permit consideration in consecutive changes.

Proposed change numbers that are indented are those which are being heard out of numerical order. Indentation does **not** necessarily indicate that one change is related to another. Proposed changes may be grouped for purposes of discussion at the hearing at the discretion of the chair.

IPMC

PM1-07/08

PM2-07/08

G16-07/08, Part VI

PM3-07/08

PM4-07/08

PM5-07/08

PM6-07/08

PM7-07/08

PM8-07/08

PM9-07/08

PM10-07/08

PM11-07/08

PM12-07/08

PM13-07/08

PM14-07/08

PM15-07/08

PM16-07/08

PM17-07/08

PM18-07/08

PM19-07/08

PM20-07/08

ZONING

Z1-07/08

PM1-07/08

103.4

Proponent: Rebecca Baker, Jefferson County, CO, Chair, ICC Ad Hoc Committee on the Administrative Provisions in the I-Codes (AHC-Admin)

Revise as follows:

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

Reason: Consistency and coordination among the I-Codes are cornerstones of the ICC Code Development Process. This holds true for not only the technical code provisions but also for the administrative code provisions as contained in Chapter 1 of all the I-Codes.

In response to concerns raised by the ICC membership since publication of the first editions of the I-Codes, the ICC Board established, for the 2006/2007 cycle, and extended, for the 2007/2008 cycle, the ICC Ad Hoc Committee on the Administrative Provisions in the I-Codes (AHC-Admin) to review Chapter 1 administrative provisions in the International Codes family and improve the correlation among the I-Codes through the code development process.

The AHC-Admin is submitting a series of code change proposals designed to provide consistent and correlated administrative provisions among the I-Codes. The intent of this correlation effort is not necessarily to have absolutely identical text in each of the I-Codes but, rather, text that has the same intent in accomplishing the administrative tasks among the I-Codes.

This proposal deals with the issue of personal liability of persons involved with the administration and enforcement of the code and is a "clean-up" from the preceding cycle. Striking the last sentence will eliminate redundancy resulting from changes that were approved to the first sentence of this section as a result of the Approved-as-Submitted final action on code change PM3-06/07 last cycle.

Cost impact: The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM2-07/08

110.1, Appendix A (New)

Proponent: Wayne R. Jewell, City of Southfield, representing Hazard Abatement in Existing Buildings Committee

1. Revise as follows:

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 after review is so ~~old~~, deteriorated or 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 board up and hold for future repair 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, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

2. Add new text as follows:

APPENDIX A
BOARDING STANDARD

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

A101 GENERAL

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

A102 MATERIALS

A102.1 Boarding sheet material. Boarding sheet material shall be minimum 1/2-inch thick wood structural panels complying with the *International Building Code*.

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

A102.3 Boarding fasteners. Boarding fasteners shall be minimum 3/8-inch diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

A103 INSTALLATION

A103.1 Boarding installation. The boarding installation shall be in accordance with Figures A1 and A2 and Sections A103.2 through A103.5

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

A103.3 Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The boarding framing material shall be cut minimum 2 inches wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the top and below the bottom of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

A103.4 Door walls. The door opening shall be framed with boarding framing material secured at the entire perimeter and at not more than 24 inches on center horizontally. Blocking shall also be secured at not more than 48 inches on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches on center.

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

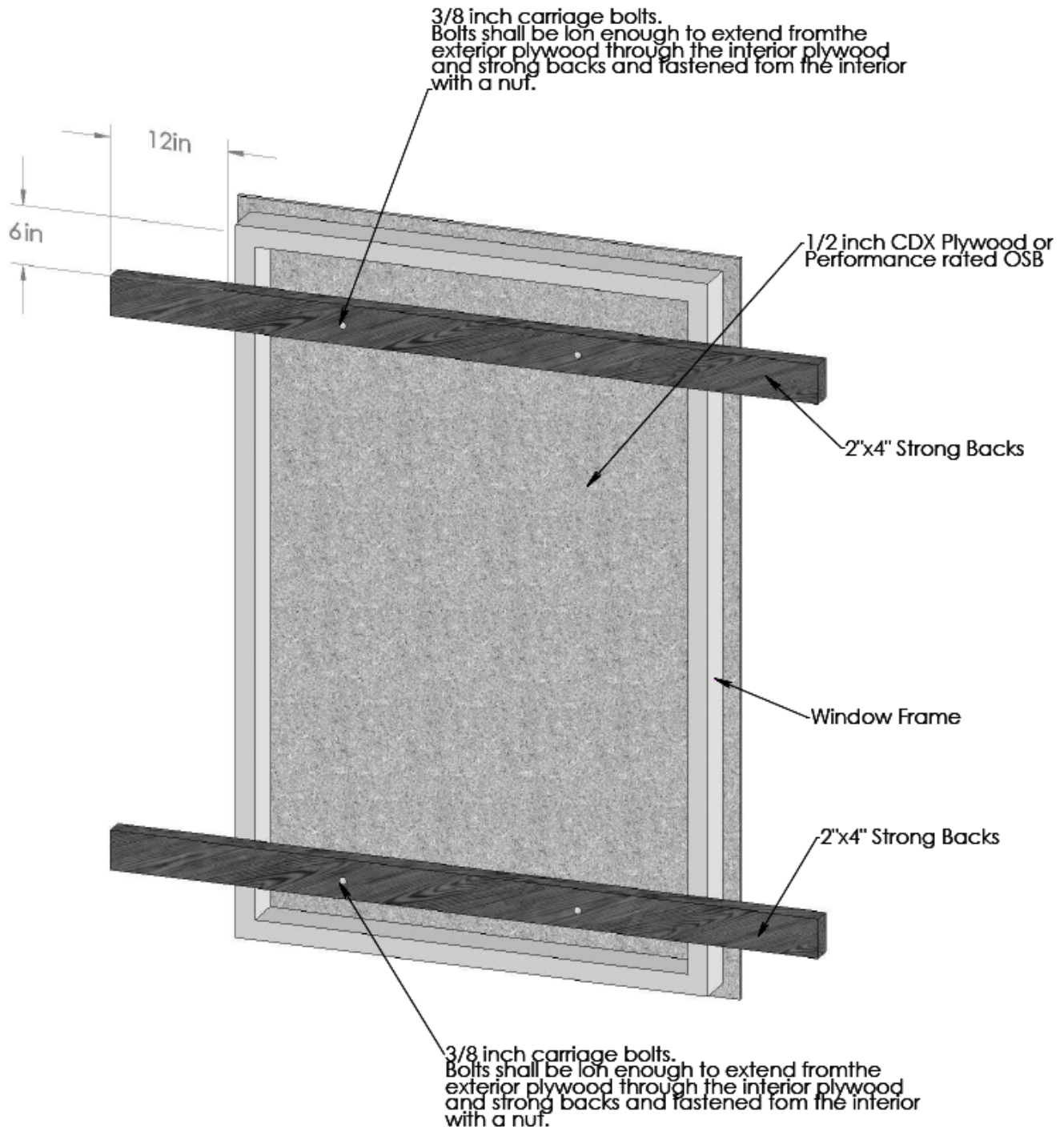


FIGURE 1 – BOARDING OF DOOR OR WINDOW

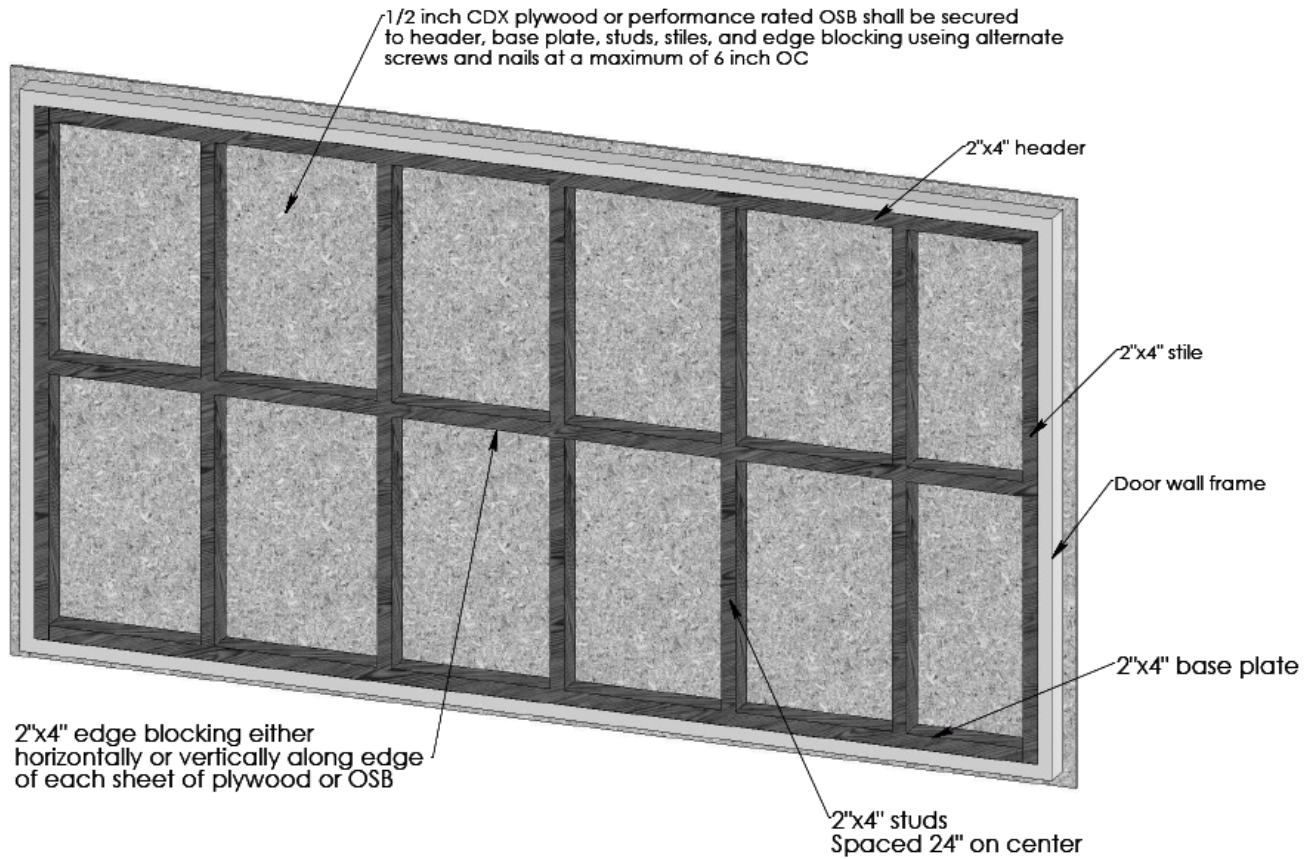


FIGURE 2 – BOARDING OF DOOR WALL

Reason: The ICC Board approved the development of new code requirements in the I-Codes which address hazards, such as those from fire, as well as, the development of requirements relative to issues such as hazardous conditions due to structural issues. This would provide code requirements for all disciplines to be used by building owners to bring their existing building stock up to minimum standards and enforcing agencies when performing inspections of existing buildings. The Hazard Abatement of Existing Buildings Committee (HAEB) was formed to develop these requirements.

During this 07/08 cycle, the HAEB committee is proposing several unsafe conditions requirements for inclusion within the text of the existing International Codes, predominately the *International Property Maintenance Code* and the *International Fire Code*. During the 06/07 cycle, the committee proposed this boarding appendix as part of a larger proposal to Chapter 1 of the IPMC. Based on comments received from the Code Committee as well as the membership, this committee has decided not to pursue revisions to the notice and form requirements of the IPMC. However, this committee believes that the option of boarding a building for future repair is needed.

This proposal focuses on the necessary changes to allow a building owner to board up and secure an existing building and premises for future repair as an alternative to immediate repair or demolition. To ensure that the repair work is performed in a timely manner a one year limit on boarding a facility for future repair is suggested. This can be lengthened when approved by the code official.

A section-by-section discussion follows:

Section 110.1: This section has been revised to allow an owner to board and secure a structure for future repair as an alternative to immediate repair or demolition.

Appendix A Boarding Standard (new): Appendix A provides minimum specifications for boarding a structure. This can be utilized by a jurisdiction as a set of minimum requirements in order to result in consistent boarding quality. These requirements also provide a reasonable means to eliminate having to approve numerous methods or materials for the boarding and securing of a structure.

Cost Impact: This code change proposal will increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM3-07/08

202

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise definition as follows:

SECTION 202 GENERAL DEFINITIONS

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, or water; by trapping; and, when necessary, by use of registered pesticides consistent with label instructions in a manner that effectively controls the pest with the lowest exposure to occupants.~~ The code official may require the use of specific pest elimination methods as needed consistent with the label.

Reason: The current language has several shortcomings:

1. It does not address the need to restrict pests' access to water. Pests such as cockroaches and mice rely on regular sources of moisture to survive. Because many pests eat standard building materials, controlling food without controlling water is not effective extermination.
2. The term "poison spraying" is too narrow: some effective pesticides are not poisons. Pesticide is the more common and appropriate term.
3. In the United States and in most countries, pesticides must be registered by the federal government and used in a manner consistent with the label instructions. Code officials' approvals are appropriate to limit the use of pesticides that may be consistent with the label.
4. The specification of spraying and fumigating suggests that those methods are preferred over other methods and may be interpreted as a requirement. However, current research indicates that many pests are more effectively controlled by baits containing pesticides or insect growth regulators. Spraying and fumigating are not particularly effective methods for controlling rodents and cockroaches, and exposure to pesticides through spraying and fumigation endangers human health. See Comparison of Costs and Effectiveness for Cockroach Control Case Study at http://www.healthyhomestraining.org/ipm/Case_Study_Costs_DRAFT.pdf to compare the latest research.

The proposed language addresses these shortcomings by adding water to the list of materials that should be inaccessible; by using updated terms, by requiring compliance with the label instructions, and by setting performance standards for the selection of the pesticide. The pesticide needs to effectively control the pest and reduce exposure to occupants. Exposure is a reasonable surrogate for risk to occupants and is more easily assessed by a code inspector.

Cost Impact: The code change proposal will not increase the cost of construction. If implemented, it should reduce the costs of maintaining and operating existing buildings.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM4-07/08

304.2.1 (New)

Proponent: Jane Malone, Alliance for Healthy Homes, representing Alliance for Healthy Homes and National Center for Healthy Housing

Add new text as follows:

304.2.1 Lead-based paint. Deteriorated paint on the exterior of property built before lead-based paint was banned shall be repaired using approved lead-safe work practices, unless documentation exists that the paint does not contain lead. The following repair methods shall not be used on painted surfaces: open flame burning or torching; machine sanding, machine grinding, abrasive blasting or sandblasting without a high-efficiency particulate air (HEPA) local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding; dry scraping except in conjunction with heat guns or within 1.0 ft. of electrical outlets or when treating defective paint totaling no more than 10 sq. ft. on any one interior surface; and paint stripping using a solvent that contains methylene chloride without enclosure.

Exceptions:

1. Property built after lead-based paint was banned.
2. Painted surfaces proven to contain no lead-based paint.

Reason: The purpose of this proposed addition to Code requirements for the surfaces of the exterior structure is to incorporate measures that reflect current knowledge about managing lead-based paint and thereby prevent lead poisoning. These changes would require, only in properties likely to contain lead-based paint, safe repair of deteriorated paint that is likely to contain lead. Multiple studies have demonstrated that lead dust, which is

caused by deteriorated lead-based paint and some methods of paint repair, is the major source of lead exposure for young children. The dangers associated with exposure to lead-based paint hazards are well-known: lead is associated with a range of serious health effects on children, including detrimental effects on cognitive and behavioral development with serious personal and social consequences that may persist throughout their lifetime. More than 36 million pre-1978 US housing units contain lead-based paint.

The current Code fails to specifically require, in older properties that are likely to contain lead-based paint, the use of precautionary practices in order to prevent the dispersal of lead before, during, and after the repair work, in the course of complying with subsection 304.2's requirement to repair peeling, flaking, and chipped paint. The proposal improves the current Code by adding a health-protective requirement to perform the repair safely around lead-based paint. The addition of the proposed sub-subsection will protect children from lead poisoning by specifying the use of approved lead safe work practices in making the required repairs and prohibiting extremely dangerous methods of paint repair. "Approved" lead-safe work practices may include established methods promulgated by federal agencies and standards bodies.

The proposed new sub-sub-section contains two exceptions to the requirement: properties built after lead was banned from paint used in residential properties (1977 US; earlier in some US cities; 1909 France, Belgium, Austria), and where the deteriorated paint has been documented to not contain lead (such as by a lead-based paint inspection or risk assessment, or through completion of another government-approved test method or ANSI standard).

Cost Impact: The code change proposal will increase the cost of construction.

Public Hearing: Committee: AS AM D
Assembly: ASF AMF DF

PM5-07/08

304.18.1, 304.18.1.1-304.18.1.4 (New)

Proponent: Merrill Sporkin, Sporkin Affiliates Corp.

1. Revise as follows:

304.18.1 Doors. Doors detailed in this section refer to those providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. locking device that shall meet the following requirements and shall be able to be operated without any special knowledge, special tools or keys that are not included by the manufacturer with the device in order to operate that locking device:

2. Add new text as follows:

304.18.1.1 Main residential entrance door locking device. Main exit/entry door or the exit/entry door nearest to the access stairway from the upper floors, shall have a single locking device and no deadbolt, or a single locking device and deadbolt that has a single turn operating mechanism that causes the latch bolt of the lock and deadbolt to retract and unlock at the same time.

304.18.1.1.1 Main residential entrance door window or vision lites. If the entry way has any type of side lite or window lite within the door itself that would permit breakage to occur and allow an intruder to reach in to unlock that door, then such glass shall either be made of clear plastic or tempered glass to prevent breakage.

304.18.1.2 Interior residential door locking and control device. Other exit doors in a residence shall be permitted to have deadbolts installed along with a single point lock. This deadbolt shall have a throw not less than 1-inch and shall be operated only by an interior turnpiece. No interior key operation shall be permitted unless the key is incapable of being removed while the deadbolt is extended in a locked position. Exterior key operating dead bolts are permitted.

304.18.1.3 Interior residential auxiliary locking and control device. Interior doors of any housekeeping unit that is rented leased or let that may have, in addition to a single operating locking device, a separate dead bolt or similar locking device installed as long as it that has a "single" one turn operating device that causes the latch bolt of the lock and deadbolt to unlock at the same time, or unless the key is incapable of being removed while the deadbolt is extended in a locked position

304.18.1.4 Interior residential door exiting accessibility. For the purpose of this section, a slide bolt shall not be acceptable in place of a deadbolt. If such a deadbolts shall be installed, it shall be installed according to the manufacturer's specifications and maintained in good working order. All dead bolt locks allowed and permitted by this section shall be designed and installed in such a manners so as to be operable at all times from inside of the occupied areas.

Reason: As a Certified Door Consultant (Doors and Hardware) and being in the trade for over 45 years with over 350 Court Cases as an expert witness, I have had to opine on issues created by the issues I am providing. Each correction, addition or deletion is made as a result of the injury or death created by not following these positions I am providing.

304.18.1: Too often installations are made with lock installations that do not provide proper egress from a building. Such egress may require special tools or devices that are not available in time of need to exit a building in an emergency. Thus, creating a requirement that no such special tools, etc will be allowed is absolutely necessary.

304.18.1.1: People feel a need to lock doors, but their ability to exit a residence in time of emergency is often forgotten. Locking a door is NOT objectionable, but being able to leave a building under emergency conditions without obstacle is a must. From an upper floor the door nearest the stairs is the one that should be available without impediment, and thus a single unlocking process is a must (see 304.18.1 above)

304.18.1.1: If the concept immediate and available unlocking is needed by a main entry, then any glass close to the entry should prevent easy release for an intruder breaking that glass and reaching in to unlock the door. Therefore plastic or tempered glass would reduce this possibility.

304.18.1.2: The need to lock other doors is one that people will provide, but such doors may not require immediate exiting (such as main entry) Therefore, locking the door but no removing the key or having an interior retraction would be available if needed. If the committee asks this position they might also add the use of plastic or tempered glass in place of regular 1/8 inch glass window lites, to protect the possible forced entry.

304.18.1.3: The need of any additional locking device on any rented apartment unit within a building is really unnecessary since an ordinary mortised or cylindrical locking unit with an exterior key is easy to open for exit from that unit. If an additional lock is desired then it should be a single and simultaneous unlocking (Para 304.18.1).

304.18.1.4: A slide bolt should never be acceptable since it requires knowledge of how to unlock it. A door that is warped or bent from moisture or fire can prevent such a slide bolt from unlocking. There is only a very small projection that should be pushed to unlock such a device. If double locking is desired reference to Para 304.18.1.3 should be referred to.

The above code changes appear in part or not at all in the present standards. Hardware operation and standards have never fully been implemented or created. I, as a Consultant, am in process of creating standards with ASTM that will combine other standards that address a part of the need, so that there will be a single detailed standard for "performance and function" of doors and the hardware applied to them.

What I am proposing is the very foundation that other standards and future codes can build on. Your requirements ask for reference to standards or codes that may not exist, therefore the essence of referring to something that may not exist is difficult at best.

Cost Impact: The code change proposal will increase the cost of construction. The cost impact of this revisions will be negligible since the normal hardware chosen for a building is usually based on design and finish and the costs of these choices may far exceed the costs for the hardware suggested.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM6-07/08

305.3, 305.3.1 (New)

Proponent: Jane Malone, Alliance for Healthy Homes, representing Alliance for Healthy Homes and National Center for Healthy Housing

1. Revise as follows:

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. If moisture is the cause of paint deterioration or other defective surface conditions, the cause of the moisture shall be corrected.

2. Add new text as follows:

305.3.1 Lead-based paint. Deteriorated paint in property built before lead-based paint was banned shall be repaired using approved lead-safe work practices, unless documentation exists that the paint does not contain lead. The following repair methods shall not be used on painted surfaces: open flame burning or torching; machine sanding, machine grinding, abrasive blasting or sandblasting without a high-efficiency particulate air (HEPA) local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding; dry scraping except in conjunction with heat guns or within 1.0 ft. of electrical outlets or when treating defective paint totaling no more than 2 sq. ft. in any one interior room or space; and paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation.

Exceptions:

1. Property built after lead-based paint was banned
2. Painted surfaces proven to contain no lead-based paint

Reason: The purpose of this proposed addition to Code requirements for the surfaces of the interior structure is to incorporate measures that reflect current knowledge about managing lead-based paint and excessive moisture and thereby prevent lead poisoning and mold. These changes would require the correction of underlying moisture problems in all properties, and, require, only in properties likely to contain lead-based paint, safe repair of deteriorated paint that is likely to contain lead. Multiple studies have demonstrated that lead dust, which is caused by deteriorated lead-based

paint and some methods of paint repair, is the major source of lead exposure for young children. The dangers associated with exposure to lead-based paint hazards are well-known: lead is associated with a range of serious health effects on children, including detrimental effects on cognitive and behavioral development with serious personal and social consequences that may persist throughout their lifetime. More than 36 million pre-1978 US housing units contain lead-based paint.

The current Code is inadequate by failing to specifically require correction of surface evidence of a moisture problem. The first change requires repair of underlying moisture problem: "If moisture is the cause of paint deterioration or other defective surface conditions, the cause of the moisture shall be corrected." The result of this requirement will be prevention of paint deterioration, which is hazardous in older property that may contain lead-based paint, as well as the cessation of moisture problems in wall coverings and other building materials that can lead to mold, infestation, and structural problems in any property.

305.3.1: The current Code fails to specifically require, in older properties that are likely to contain lead-based paint, the use of precautionary practices in order to prevent the dispersal of lead before, during, and after the repair work, in the course of complying with subsection 305.3's requirement to repair peeling, chipping, flaking or abraded paint. The proposal improves the current Code by adding a health-protective requirement to perform the repair safely around lead-based paint, a subject currently acknowledged in the Commentary but not in the Code. The addition of the proposed sub-subsection will protect children from lead poisoning by specifying the use of approved lead safe work practices in making the required repairs and prohibiting extremely dangerous methods of paint repair. "Approved" lead-safe work practices may include established methods promulgated by federal agencies and standards bodies.

The proposed new sub-sub-section contains two exceptions to the requirement: properties built after lead was banned from paint used in residential properties (1977 US; earlier in some US cities; 1909 France, Belgium, Austria), and where the deteriorated paint has been documented to not contain lead (such as by a lead-based paint inspection or risk assessment, or through completion of another government-approved test method or ANSI standard).

Cost Impact: The code change proposal will increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM7-07/08

505.4 (New)

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Add new text as follows:

505.4 Carbon monoxide alarms. Every dwelling unit with an attached garage or fuel burning furnace, water heater, or appliance shall install a carbon monoxide alarm. The alarm should be installed according to the manufactures instructions.

Reason: Carbon monoxide is an odorless, tasteless, invisible gas that kills more than 200 people in homes each year. Thousands more go to the hospital with carbon monoxide poisoning. People in all regions of the country experience carbon monoxide poisoning.

After several revisions directed by the Consumer Products Safety Commission and Underwriters Laboratory, carbon monoxide alarms now reliably and cost effectively warn residents of the presence of life threatening levels of carbon monoxide. The alarms cost about \$25 each.

At least 12 states and many more communities in the U.S. mandate the use of carbon monoxide alarms.

Cost Impact: The code change proposal will increase the cost of construction. In existing buildings, it will require the installation of alarms in homes with gas appliances, thereby increasing costs for property owners.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM8-07/08

306.1.1

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

306.1.1 (Supp) 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:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system;
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;

- 1.3. Adverse affects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
- 1.4. Inadequate soil as determined by a geo-technical investigation;
- 1.5. Where the allowable bearing capacity of the soil is in doubt; or
- 1.6. Adverse affects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. Deterioration;
 - 2.2. Ultimate deformation;
 - 2.3. Fractures;
 - 2.4. Fissures;
 - 2.5. Spalling;
 - 2.6. Exposed reinforcement; or
 - 2.7. Detached, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. Deterioration;
 - 3.2. Corrosion;
 - 3.3. Elastic deformation;
 - 3.4. Ultimate deformation;
 - 3.5. Stress or strain cracks;
 - 3.6. Joint fatigue; or
 - 3.7. Detached, dislodged or failing connections.
4. Masonry that has been subjected to any of the following conditions:
 - 4.1. Deterioration;
 - 4.2. Ultimate deformation;
 - 4.3. Fractures in masonry or mortar joints;
 - 4.4. Fissures in masonry or mortar joints;
 - 4.5. Spalling;
 - 4.6. Exposed reinforcement; or
 - 4.7. Detached, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
 - 5.1. Deterioration;
 - 5.2. Elastic deformation;
 - 5.3. Ultimate deformation;
 - 5.4. Metal fatigue; or
 - 5.5. Detached, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
 - 6.1. Ultimate deformation;
 - 6.2. Deterioration;
 - 6.3. Damage from insects, rodents and other vermin;
 - 6.4. Fire damage beyond charring;
 - 6.5. Significant splits and checks;
 - 6.6. Horizontal shear cracks;
 - 6.7. Vertical shear cracks;
 - 6.8. Inadequate support;
 - 6.9. Detached, dislodged or failing connections; or
 - 6.10. Excessive cutting and notching.
7. Lead-based paint
 - 7.1. Peeling, flaking, chipping, cracking, or chalking paint on a dwelling unit built before 1978 unless the paint has been determined to have less than 0.5 percent or 1 milligram per square centimeter of lead;
 - 7.2. Lead dust at levels greater than 40 micrograms of lead per square foot on the floor or 250 micrograms of lead per square foot on an interior window sill; or
 - 7.3. Lead contamination in bare soil at levels greater than 400 mg of lead per kilogram of soil in children's play areas or 1200 mg of lead per kilogram of soil in other areas.
8. Carbon monoxide at levels that exceed:
 - 8.1. 100 milligrams per cubic meter (90 parts per million) for 15 minutes;
 - 8.2. 60 milligrams per cubic meter (50 parts per million) for 30 minutes;
 - 8.3. 30 milligrams per cubic meter (25 parts per million) for 1 hour; or
 - 8.4. 10 milligrams per cubic meter (10 parts per million) for 8 hours.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the code official.

Reason: The World Health Organization has determined that that carbon monoxide levels in excess of the ones described in the proposal are unhealthy and dangerous. See www.euro.who.int/document/aig/5_5carbonmonoxide.pdf

The U.S. Environmental Protection Agency has determined that lead-based paint conditions described above dangerous to children. See 40 CFR Part 745 Subpart D. Subsequent research confirms that children living a home at levels in excess of the lead dust levels have a 1 in 7 chance of being lead poisoned.

These conditions are unsafe and need to be corrected pursuant to 306.1.1.

Cost Impact: The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM9–07/08

308.4

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

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 also be responsible for extermination.

Reason: The current language creates an implication that the occupant and not the owner is responsible for pest control in a multi-unit building if the occupant caused the infestation. While this result may be just, it has two serious shortcomings:

1. It is often difficult to identify who caused an infestation. While an occupant may provide food and water for the infestation, another occupant may be responsible for harborage and the owner may have failed to maintain the building to exclude the pest. The current language does not authorize the code official to hold owners responsible in cases where the responsible party is ambiguous.
2. Even if one occupant is the cause of the infestation, all occupants are impacted and must work together to address the problem. Changes may be needed by all occupants. Cockroach nests are typically in the walls. They easily travel between walls and often between floors. Through the lease, the owner is better positioned to control the activities of all occupants.

The proposal makes it clear that the owner is always responsible for eliminating the infestation and that the occupant who caused the infestation shares this responsibility.

Cost Impact: The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM10–07/08

403.5

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

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

Reason: The current requirement is difficult to enforce, especially in dwelling units. Often the manufacturer's instructions are not available. They may be lost, in a file cabinet, or in an off-site location. If the owner or the occupant claims that a clothes dryer is installed consistent with the manufacturer's instructions, the inspector may have difficulty securing the proper documentation. If the information is essential, it should be on the label. Therefore, the proposal references the label instead of the manufacturer's instructions.

The proposal also requires that clothes dryer exhaust systems be exhausted outside, excepting condensing dryers, consistent with ASHRAE 622. According to the 2005 National American Housing Survey by the U.S. Census Bureau (see www.census.gov/hhes/www/housing/ahs/ahs.html), more than 20 million of dwelling units rely on piped gas to heat a clothes dryer. The combustion by products from these dryers must be exhausted outside to avoid carbon monoxide poisoning. While the label should require this design, the code should be clear on this point given the nature of the danger. There are nearly 500 deaths annually in the U.S., according to the U.S. Centers for Disease Control and Prevention.

Where the clothes dryer relies on electricity for heat, it is still important to vent the clothes dryer exhaust outside. Exhausting the clothes dryer inside will:

- Waste energy. If the air conditioning is in use, energy will be wasted removing this moisture and heat from the structure. Where the owner or occupant has an option to exhaust it outside, they may forget to make the change.
- Add humidity to the air. This humidity can condense on surfaces, especially on basements where clothes dryers are often located. It also contributes to the potential respiratory problems. In its 2004 report, the National Academy of Sciences concluded that there is sufficient evidence of an association between damp indoor environments and four respiratory problems: upper respiratory tract symptoms, coughing, wheezing, and asthma in sensitive persons. See www.nap.edu/books/0309091934/html/.

Add unnecessary volatile organic compounds (VOCs) to the air. Many of the detergents used on clothes contain fragrances and other VOCs. These VOCs may not be thoroughly removed in the washing/rinse cycle. They will be removed in the dryer. These VOCs may have health effects. At a minimum, they represent an unnecessary exposure.

Cost Impact: The code change proposal will increase the cost of construction.

The proposal will require that clothes dryers be exhausted outside the structure. This is common practice, especially in new construction. In existing construction, the code change would require the installation of an exhaust. In some densely populated areas such as New York City, there are code restrictions on the exhaust of clothes dryers. In these conditions, the jurisdiction may not adopt this provision or the code official may grant a waiver using other provisions of the code.

Public Hearing: Committee: AS AM D
 Assembly: ASF AMF DF

PM11-07/08

404.4.2, 404.4.3, 404.7, 502.1 through 502.3, 503.1, 503.2

Proponent: Dave Collins, AIA, The Preview Group, Inc., representing AIA Codes Committee

Delete without substitution:

~~**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.~~

~~**404.7 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.~~

~~**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.~~

~~**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.~~

Reason: The International Property Maintenance Code contains provisions which address the design of dwelling units, congregate residences, hotels, motels and boarding houses. The proponent has also submitted this proposal to delete the requirements from the IPMC. For the codes to be coordinated, either amendment of IBC and IRC or IPMC must be accomplished.

Except for a portion of IPMC Sec. 404.4.2, none of these provisions are contained in either the IBC or IRC. It is therefore possible for a building to be designed and approved under the IBC and receive a certificate of occupancy that would then be immediately out of compliance with the IPMC. The IPMC should not have requirements that have to be maintained that are not required when a building is constructed. The solution is to either put them into the IBC and IRC or to delete them from the IPMC. This is one of two proposals to add these requirements into the construction codes.

The concept behind the proposal was to concentrate the requirements in Section 420 of the IBC. Other locations were considered including Chapter 12, 10 and 29, however the proposal concentrates the items in 420 for the convenience of the code users. The intent of the proposal was to replicate these provisions into the IBC with identical language where appropriate. However, the IPMC uses terms which are not used in the IBC. Therefore certain changes were made. For example, "bedroom" was changed to "sleeping area"; "rooming unit", "dormitory unit", and "housekeeping unit" were replaced with sleeping unit, congregate living facility or Group R1 occupancy as appropriate.

Cost Impact: This is simply a correlation among the codes and should have no cost impact.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM12-07/08

502.5 (New)

Proponent: Paul Rimel, City of Staunton, VA, representing American Restroom Association

Add new text as follows:

502.5 Public toilet facilities and signage. Required public toilet facilities and public toilet facility signage shall be maintained in accordance with a building or structures certificate of occupancy. Signage denying public access to such required facilities shall be prohibited.

Reason: The purpose of the new code section is to provide much needed clarification regarding availability of required public toilet facilities. Even though the International Plumbing Code sets forth specific requirements regarding required public toilet facilities, the International Property Maintenance Code is conspicuously silent on the issue. IPMC Section 502.4 states the minimum requirements for employee facilities, but no language regarding required public toilet facilities currently exists in the IPMC. Even Section 506.3, requiring maintenance of grease interceptors, was added to the IPMC 2007 Supplement. Public toilet facilities and signage, required as a condition of the certificate of occupancy, should be acknowledged by the IPMC to ensure continued availability to the general public. Posting of signage containing language such as "No Public Restrooms" should not be permitted. Non-availability of public restroom facilities is widespread throughout the country and a public outcry for unrestricted access to adequate, sanitary restroom facilities is growing.

Based on a Wall Street Journal/American Restroom Association investigation ⁽¹⁾, customers and building visitors are often told there are no toilet facilities; or they find the restrooms are locked and are told the facilities are for employees' only. This is at variance with the intent of IPC 403.4 'Public Facilities' which states 'customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization'. To address this problem the IPC added Section 403.5.1 Directional Signs. These sign(s) will among other things, educate both the public and the business owners, making it more likely that the intent of IPC Sect 403 is satisfied. It is important that the mandated minimum toilet facilities be kept open and that the signs not be removed during the operation phase of any buildings life cycle.

(1) Wall Street Journal 'Bathroom Backlash Arrives on Main Street' July 26, 2005

Cost Impact: The code change proposal will not increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM13-07/08

503.4

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

503.4 Floor surface. ~~In other than dwelling units,~~ Every bathroom and 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.

Reason: The proposal expands the requirement for smooth, hard, nonabsorbent surfaces in two ways. First, it extends the requirement to dwelling units. Sanitation concerns are present and significant in dwellings since human waste can fall and accumulate on the floor surface. If the floor is not easily cleanable, the waste material will pose a serious health hazard. Installed carpeting is especially difficult to consistently maintain in a sanitary state. In addition, rooms with plumbing fixtures are likely to have water on the floor either from condensation or equipment failures. On a nonabsorbent surface, water is difficult to remove in a timely and effective manner and may result in mold growth. The moisture may attract insects and rodents. It may also rot the underlying floor.

Second, the proposal extends the requirements to bathrooms that have a shower or bathtub but no toilet. In this circumstance, sanitation concerns are still significant. If the floor surface is not smooth and cleanable, bacteria and fungus will not be removed.

On a nonabsorbent surface, water is difficult to remove in a timely and effective manner and may result in mold growth. The moisture may attract insects and rodents. It may also rot the underlying floor.

Surfaces that are difficult to clean are especially problematic for residential rental properties since tenants may lack the resources and equipment to maintain a carpeted floor in a bathroom or toilet room or lack the authority to replace it.

For these reasons, all codes should address the issue of floor surfaces require smooth, hard, nonabsorbent surfaces in bathrooms and toilet rooms.

Cost Impact: The code change proposal will increase the cost of construction.

The proposal will require the use of cleanable surfaces in bathrooms without a toilet and in residences. Most new construction does not use carpets in these rooms. Where they do, the cost differential depends on the type of alternative flooring selected. For example, linoleum is a low cost alternative that is smooth and cleanable. In existing construction, the code change would require the removal and replacement with an alternate flooring option in these rooms. This change will initially increase the cost of maintenance but should reduce the costs in the long-run considering potential substrate failure.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM14–07/08

505.4

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

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. In dwelling units, the temperature of the water at the spout in a bathtub or shower shall not exceed 120°F (49°C).

Reason: The current code does not set a maximum water temperature for bathtubs and showers. However, the American Society of Sanitary Engineering recommends a maximum mixed water temperature setting of 120°F (49°C).

According to the Consumer Products Safety Commission, “Each year, approximately 3,800 injuries and 34 deaths occur in the home due to scalding from excessively hot tap water. The majority of these injuries involve the elderly and children under the age of five. The U.S. Consumer Product Safety Commission (CPSC) urges all users to lower their water heaters to 120 degrees Fahrenheit. In addition to preventing injuries, this decrease in temperature will conserve energy and save money.

CPSC goes on to state “Most adults will suffer third-degree burns if exposed to 150 degree water for two seconds. Burns will also occur with a six-second exposure to 140 degree water or with a thirty second exposure to 130 degree water. Even if the temperature is 120 degrees, a five minute exposure could result in third-degree burns.” See www.cpsc.gov/CPSCPUB/PUBS/5098.pdf

Cost Impact: The code change proposal will not increase the cost of construction. Because this proposal involves only an adjustment to the temperature settings for hot water in residences, it is not expected to result in new costs.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM15–07/08

603.2

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Revise as follows:

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 indoor unvented operation and operated and maintained consistent with that label.

Reason: More than 1.6 million dwelling units rely on an unvented, fuel-burning space heater as the main heating unit according to the 2005 National American Housing Survey by the U.S. Census Bureau (see www.census.gov/hhes/www/housing/ahs/ahs.html). There are more than three million in use. 1.2 million homes rely on stoves including almost 150,000 that rely on cooking stoves for their main heating equipment.

The label on these units typically require that the space heater be operated in a well ventilated unit and that the units be turned off when the room is not occupied. Unfortunately, some people may not follow these instructions, and instead may close up the dwelling unit tightly to avoid heat loss, especially in an ice or snow storm when power is out.

The Consumer Products Safety Commission routinely reinforces this message with press releases. See www.cpsc.gov/CPSPUB/PREREL/prhtml06/06053.html (issued 12/16/05) and www.cpsc.gov/CPSPUB/PREREL/prhtml04/04054.html (issued on 12/16/04) for examples. The CPSC states that users should:

- Keep doors open to the rest of the house if you are using an unvented fuel-burning space heater. This helps prevent pollutant build-up and promotes proper combustion. Follow the manufacturer's instructions to provide sufficient combustion air to prevent CO production.
- Never leave a space heater on when you go to sleep. Never place a space heater close to any sleeping person.
- Turn the space heater off if you leave the area. Keep children and pets away from space heaters.

The current code does not explicitly require that the equipment and appliances be operated and maintained consistent with the label. Without this explicit requirement, the code inspector may not be able to enforce the label requirement. Given the nature of the danger, the requirement should be explicit.

Cost Impact: The code change proposal will not increase the cost of construction. In existing buildings, it will not impact maintenance or operating costs since it is reasonable to assume compliance with the label.

Public Hearing: Committee: AS AM D
Assembly: ASF AMF DF

PM16–07/08

604.3.1 (New), 604.3.1.1 (New), 604.3.2 (New), 604.3.2.1 (New)

Proponent: Wayne R. Jewell, City of Southfield, representing Hazard Abatement in Existing Buildings Committee

Add new text as follows:

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

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, luminaries, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

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

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

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

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

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

Reason: The ICC Board approved the development of new code requirements in the I-Codes which address hazards, such as those from fire, as well as, the development of requirements relative to issues such as hazardous conditions due to structural issues. This would provide code requirements for all disciplines to be used by building owners to bring their existing building stock up to minimum standards and enforcing agencies when performing inspections of existing buildings. The Hazard Abatement of Existing Buildings Committee (HAEB) was formed to develop these requirements.

During this 07/08 cycle, the HAEB committee is proposing several unsafe conditions requirements for inclusion within the text of the existing International Codes, predominately the *International Property Maintenance Code* and the *International Fire Code*.

During the 06/07 cycle, the committee proposed this as an appendix in the International Fire Code. Based on comments received from the Code Committee as well as the membership, this committee has decided that these requirements would be better placed in the Property Maintenance Code. Also, the requirements have been consolidated as compared to the original proposal in 06/07 to facilitate enforcement.

The purpose of this proposal is to provide enforceable provisions to the code official that address hazards in electrical equipment that has been exposed to water or fire. These provisions are derived from a publication entitled "Guidelines for Handling Water-Damaged Electrical Equipment," published by the National Electrical Manufacturers Association (NEMA). The NEMA document could not be directly referenced as it does not meet the ICC requirements for referenced standards. The document is not maintained under a consensus process and is not written in mandatory enforceable language.

A section-by-section discussion follows:

604.3.1: This section defines the scope of the section as pertaining to electrical equipment and systems that have been exposed to water.

604.3.1.1: This section describes conditions upon which electrical equipment must be replaced. Protective components, such as circuit breakers, overload relays, low voltage or medium voltage protective devices within a switchgear assembly, and fuses are necessary for the safe operation of the distribution circuits and should be replaced when exposed to water. The ability of a transformer to operate as intended can be impaired by corrosion to the transformer core, flood debris deposited inside the transformer, or contamination of the transformer fluid. The exception to this section allows for repair of certain components of an electrical distribution system and certain electrical equipment provided that an inspection report from the equipment manufacturer or approved manufacturer's representative is submitted to the code official indicating that the level of damage to the equipment does not warrant replacement.

604.3.2: This section defines the scope of the section as pertaining to electrical equipment and systems that have been exposed to fire.

604.3.2.1: This section describes conditions upon which electrical components and equipment must be replaced, where they have been exposed to fire. The ability of electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, to operate as intended can be impaired by exposure to fire. The exception to this section allows for repair of these components provided that an inspection report by a qualified individual or agency is submitted to the code official indicating that the level of damage to the equipment does not warrant replacement.

Cost Impact: This code change proposal will increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM17-07/08

605.2

Proponent: Edward J. Abel, Springfield Township, Springfield, PA, representing himself

Revise as follows:

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 and toilet room shall contain at least one ground fault circuit interrupter receptacle. Any new bathroom and toilet room receptacle outlet shall have ground fault circuit interrupter protection.

Reason: National Electrical Code.

Cost Impact: The code change proposal will not increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM18–07/08

704.1.1 (New), Chapter 8 (New)

Proponent: Jeff Hugo, National Fire Sprinkler Association

1. Add new text as follows:

704.1.1 Automatic sprinkler systems. Inspection, testing, and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

2. Add standard to Chapter 8 as follows:

NFPA

25–07 Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems

Reason: Adding this section and reference will further assist the code official to know where to go and how to handle the inspection, testing, and maintenance of fire sprinklers, fire pumps, standpipes, etc on existing buildings. In many areas of the country the property maintenance inspector may refer this portion to the fire department, but in areas lacking a fire prevention office and officials where can they turn?

Section 704.1 has a reference to the IFC that could help, but a direct reference is much easier to prove and prosecute. Since fire sprinklers are a major component of the life safety system of the building, and have a 96% success rating, it should be in the best interest of the property maintenance official to know the building owners and their responsibilities.

Cost Impact: The code change proposal will increase the cost of construction.

Public Hearing:	Committee:	AS	AM	D
	Assembly:	ASF	AMF	DF

PM19–07/08

Chapter 8 (New)

Proponent: Wayne R. Jewell, City of Southfield, representing Hazard Abatement in Existing Buildings Committee

Add new chapter as follows:

CHAPTER 8 HEALTH AND SANITATION

SECTION 801 GENERAL

801.1 Scope. The provisions of this chapter shall govern the minimum health and sanitation required to occupy a structure.

801.2 Responsibility. The owner of the structure shall provide and maintain the health and sanitation of the structure, premises or portion thereof 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.

SECTION 802 GENERAL REQUIREMENTS FOR MAINTAINING HEALTH AND SANITATION

802.1 Performance of structure, premises or portion thereof. Elements and components of a structure, premises or portion thereof shall be maintained in accordance with this section to provide a healthy and sanitary condition and shall not be allowed to deteriorated to an extent so as to pose a threat to the public health, safety or welfare. Where elements and components of the structure, premises or portion thereof are determined to be unsafe shall be replaced or repaired according to Section 802.2.

802.2 Elements and components. Elements and components of a structure, premises or portion thereof determined to be unsafe shall be replaced or repaired by the owner according to the provisions of the *International Building Code* or *International Existing Building Code*.

Exception: Where repair of the element or component to its original sanitary and health standards will not pose a threat to the public health, safety or welfare.

802.2.1 Equipment. Equipment associated with a structure, premises or portion thereof that poses a threat to public health, safety or welfare, shall be determined to be unsafe and shall be replaced or repaired according to the provisions of Section 802.2.

802.3 Health and sanitary conditions. The conditions described below shall be determined as unsafe and shall be mitigated in an approved manner.

1. Asbestos in insulation, siding, roofing, or other materials where the asbestos has become or is liable to become friable.
2. Carbon Monoxide at levels that exceed any of the following:
 - 2.1. 100 milligrams per cubic meter (90 parts per million) for 15 minutes;
 - 2.2. 60 milligrams per cubic meter (50 parts per million) for 30 minutes;
 - 2.3. 30 milligrams per cubic meter (25 parts per million) for 1 hour; or
 - 2.4. 10 milligrams per cubic meter (10 parts per million) for 8 hours.
3. Radon at levels that exceed four picocuries of radon per liter.
4. Lead under any of the following conditions:
 - 4.1. Peeling, flaking, chipping, cracking, or chalking paint on a dwelling unit built before 1960 unless the paint has been determined to have less than 0.5 percent or 1 milligram per square centimeter of lead;
 - 4.2. Lead dust at levels greater than 40 micrograms of lead per square foot on the floor;
 - 4.3. Lead dust at levels greater than 250 micrograms of lead per square foot on an interior window sill;
 - 4.4. Lead contamination in exposed soil at levels greater than 400 mg of lead per kilogram of soil in children's play areas or 1200 mg of lead per kilogram of soil in other areas.
5. Potable water contamination at levels that exceed the maximum contaminant levels established at 40 CFR 141.
6. Arsenic-treated lumber that:
 - 6.1. Shows evidence of splintering
 - 6.2. Shows evidence of burning or charring.

Reason: The ICC Board approved the development of new code requirements in the I-Codes which address hazards, such as those from fire, as well as, the development of requirements relative to issues such as hazardous conditions due to structural issues. This would provide code requirements for all disciplines to be used by building owners to bring their existing building stock up to minimum standards and enforcing agencies when performing inspections of existing buildings. The Hazard Abatement of Existing Buildings Committee (HAEB) was formed to develop these requirements.

During this 07/08 cycle, the HAEB committee is proposing several unsafe conditions requirements for inclusion within the text of the existing International Codes, predominately the *International Property Maintenance Code* and the *International Fire Code*.

Asbestos products were extensively used in building materials. They continue to be legal to sell and to use. Intact asbestos is not a hazard. It becomes a hazard when damaged or deteriorated and releases friable asbestos. See www.epa.gov/asbestos/pubs/ashome.html for details.

Carbon monoxide kills more than 200 people each year in their home in events not related to fires or suicide. Thousands more are hospitalized each year. The World Health Organization has determined that that carbon monoxide levels in excess of the ones described in the proposal are unhealthy and can be dangerous. See www.euro.who.int/document/aiq/5_5carbonmonoxide.pdf.

Radon is the leading cause of lung cancer in people who have never smoked. U.S. Environmental Protection Agency (EPA) has established a recommended maximum exposure level of four picocuries of radon per liter of air in occupied areas. This level can be achieved through established technology in a cost effective manner. The radon controls also reduce moisture and soil gas intrusion. See www.epa.gov/radon/pubs/newconst.html.

Lead can cause permanent damage to a child's brain that is manifested as lower IQ levels, learning disorders and violent behavior. In adults, it can cause hypertension. EPA has determined that lead-based paint conditions described in the proposal are unhealthy and can be dangerous to children. See 40 CFR Part 745 Subpart D. Subsequent research confirms that children living a home at levels in excess of the lead dust levels have a 1 in 7 chance of being lead poisoned.

Drinking water contamination at levels that exceed the contaminant standards established by EPA are unhealthy and can be dangerous. See U.S EPA standard at 40 Code of Federal Regulations Part 141 or www.epa.gov/safewater/contaminants/index.html.

Wood treated with arsenic was produced until January 1, 2004. It remains in use in many outdoor applications. The risk is low if it is sealed, not burned and not liable to cause splinters. See www.cpsc.gov/phth/cca.html

Cost Impact: The code change proposal will increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF

PM20–07/08

Chapter 8 (New)

Proponent: Tom Neltner, National Center for Healthy Housing, representing National Center for Healthy Housing and Alliance for Healthy Homes

Add new chapter as follows:

CHAPTER 8 HEALTH AND SANITATION

SECTION 801 GENERAL

801.1 Scope. The provisions of this chapter shall govern the review and assessment of health and sanitation for maintaining the safety of a building or structure or portion thereof.

801.2 Responsibility. The owner shall maintain a building or structure and exterior property in compliance with the *International Property Maintenance Code*. If the property is not in a health and sanitary state, then the owner of the structure shall repair or replace elements or components in a manner that returns the property to a health and sanitary state.

SECTION 802 GENERAL REQUIREMENTS FOR MAINTAINING HEALTH AND SANITATION

802.1 Performance of building elements and components. Elements and components of buildings shall be maintained in accordance with this section and shall remain in a health and sanitary state, and not deteriorated to an extent so as to pose a threat to the public health, safety or welfare. If elements and components of the structure or portion thereof are determined to be unsafe according to this chapter, they shall be replaced or repaired according to Section 802.2.

802.2 Components. All structures or components thereof determined to be unsafe shall be replaced or repaired by the owner according to the provisions of the International Building Code or International Existing Building Code.

Exceptions:

1. The structure or component thereof is permitted to be removed or demolished according to the provisions of this code.
2. When, in the opinion of the Code Official, repair of the element or component to its original sanitary and health standards will satisfy the requirements of Section 802.1.

SECTION 803 EQUIPMENT

803.1 Equipment. Any equipment associated with a building or structure that poses a threat to health or safety, the building or structure, it shall be determined to be unsafe and shall be replaced or repaired according to the provisions of Section 802.2.

SECTION 804 COMPONENT SERVICEABILITY

804.1 Component serviceability. Materials in elements and components of the building or structure thereof not maintained and that have fallen below their health and sanitary state shall be determined to be unsafe and shall be replaced or repaired according to the provisions of Section 802.

804.2 Health and sanitary state of materials. In addition to the other requirements for component serviceability referenced in Section 804.1, the conditions described below shall indicate that the material has fallen below its health and sanitary state and shall be replaced or repaired according to the provisions of Section 802.2 unless substantiated otherwise by an approved method:

1. Asbestos in insulation, siding, roofing, or other materials where the asbestos has become or is liable to become friable.
2. Carbon Monoxide at levels that exceed:
 - 2.1. 100 milligrams per cubic meter (90 parts per million) for 15 minutes;
 - 2.2. 60 milligrams per cubic meter (50 parts per million) for 30 minutes;
 - 2.3. 30 milligrams per cubic meter (25 parts per million) for 1 hour; or
 - 2.4. 10 milligrams per cubic meter (10 parts per million) for 8 hours.
3. Radon at levels that exceed four picocuries of radon per liter.
4. Lead
 - 4.1. Peeling, flaking, chipping, cracking, or chalking paint on a dwelling unit built before 1978 unless the paint has been determined to have less than 0.5 percent or 1 milligram per square centimeter of lead;
 - 4.2. Lead dust at levels greater than 40 micrograms of lead per square foot on the floor or 250 micrograms of lead per square foot on an interior window sill; or
 - 4.3. Lead contamination in bare soil at levels greater than 400 mg of lead per kilogram of soil in children's play areas or 1200 mg of lead per kilogram of soil in other areas.
5. Potable water contamination at levels that exceed the maximum contaminant levels established at 40 CFR 141.
6. Arsenic-treated lumber that:
 - 6.1. Has not been sealed with a wood penetrating coating at least once every other year.
 - 6.2. Is not in poor condition so as to cause splinters when a hand is rubbed on it or when walked on in bare feet.
 - 6.3. Has not been burned or showing evidence of charring.

Reason: Asbestos products were extensively used in building materials. They continue to be legal to sell and to use. Intact asbestos is not a hazard. It becomes a hazard when damaged or deteriorated and releases friable asbestos. See www.epa.gov/asbestos/pubs/ashome.html for details.

Carbon monoxide kills more than 200 people each year in their home in events not related to fires or suicide. Thousands more are hospitalized each year. The World Health Organization has determined that that carbon monoxide levels in excess of the ones described in the proposal are unhealthy and can be dangerous. See www.euro.who.int/document/aicq/5_5carbonmonoxide.pdf.

Radon is the leading cause of lung cancer in people who have never smoked. U.S. Environmental Protection Agency (EPA) has established a recommended maximum exposure level of four picocuries of radon per liter of air in occupied areas. This level can be achieved through established technology in a cost effective manner. The radon controls also reduce moisture and soil gas intrusion. See www.epa.gov/radon/pubs/newconst.html.

Lead can cause permanent damage to a child's brain that is manifested as lower IQ levels, learning disorders and violent behavior. In adults, it can cause hypertension. EPA has determined that lead-based paint conditions described in the proposal are unhealthy and can be dangerous to children. See 40 CFR Part 745 Subpart D. Subsequent research confirms that children living a home at levels in excess of the lead dust levels have a 1 in 7 chance of being lead poisoned.

Drinking water contamination at levels that exceed the contaminant standards established by EPA are unhealthy and can be dangerous. See U.S EPA standard at 40 Code of Federal Regulations Part 141 or www.epa.gov/safewater/contaminants/index.html.

Wood treated with arsenic was produced until January 1, 2004. It remains in use in many outdoor applications. The risk is low if it is sealed, not burned and not liable to cause splinters. See www.cpsc.gov/phth/cca.html

Cost Impact: The code change proposal will increase the cost of construction.

Public Hearing: Committee:	AS	AM	D
Assembly:	ASF	AMF	DF
