

**2007/2008 INTERNATIONAL PROPERTY
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INTERNATIONAL PROPERTY MAINTENANCE CODE COMMITTEE HEARING RESULTS

PM1-07/08

Committee Action:

Approved as Modified

Modify the proposal 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.

Committee Reason: The committee agreed that this change would provide consistency and coordination among the I-Codes with respect to the administrative provisions. The committee also agreed that the modification reinserting the sentence releasing liability from the code official was necessary.

Assembly Action:

None

PM2-07/08

Committee Action:

Disapproved

Committee Reason: The committee felt that, even though located in an appendix, the requirements for boarding of openings were too stringent and would pose too much of a burden on local municipalities in terms of inspections and costs of inspections. Further, the committee indicated that there were some inconsistencies between the text of the Appendix and the notes on the Figures in the Appendix.

Assembly Action:

None

PM3-07/08

Errata: Replace the proposal with the following:

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.

(Reason and cost impact to remain as published)

Committee Action:

Disapproved

Committee Reason: The committee indicated that requiring the code official to review label information and require use of specific elimination methods was beyond the scope of what the code official should be doing. Further, there was concern that requirements were contained within the definition and that perhaps these requirements would be better located in Chapter 3.

Assembly Action:

None

PM4-07/08

Committee Action: **Disapproved**

Committee Reason: The committee felt that the enforcement of these provisions would be difficult because other agencies already have minimum lead paint practices in place. Further, the committee indicated that some of the listed repair methods required definitions in order to be fully understood and enforceable.

Assembly Action: **None**

PM5-07/08

Committee Action: **Disapproved**

Committee Reason: The committee indicated that the proposal was more restrictive than the requirements for new construction in the International Residential Code with respect to permissible locking devices and door operation. Further, the committee felt that the International Property Maintenance Code should not deal with issues of security as proposed in Section 304.18.1.1.1. Lastly, the portions of the proposal dealing with glazing should reference the appropriate human impact safety glazing standards.

Assembly Action: **None**

PM6-07/08

Committee Action: **Disapproved**

Committee Reason: Consistent with the committee's action on PM4-07/08, the committee felt that the enforcement of these provisions would be difficult because other agencies already have minimum lead paint practices in place. Further, the committee indicated that some of the repair methods required definitions in order to be understood and unenforceable.

Assembly Action: **None**

PM7-07/08

Committee Action: **Disapproved**

Committee Reason: The committee indicated that requiring carbon monoxide alarms retroactively could burden municipalities with respect to enforcement and inspections. Further, this requirement is beyond the requirements for new construction in the International Residential Code and is therefore not appropriate for existing structures.

Assembly Action: **None**

PM8-07/08

Committee Action: **Disapproved**

Committee Reason: The committee indicated that these provisions are in the wrong place because Section 306.1.1 deals with unsafe conditions related to structural elements of a building rather than unsafe health conditions. Further, the committee felt that most code officials do not have the expertise or training to determine the conditions or levels described in the proposal.

Assembly Action: **None**

PM9-07/08

Committee Action:

Approved as Modified

Modify the proposal 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 and owner shall ~~also~~ be responsible for extermination.

Committee Reason: The committee agreed that the proposed code language makes it clear that the owner is always responsible for eliminating the infestation and that the occupant who caused the infestation also shares this responsibility. The committee felt that the modification clarified the proponent's intent.

Assembly Action:

None

PM10-07/08

Errata: Replace the proposal with the following:

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.

Exception: Listed and labeled condensing (ductless) clothes dryers.

(Reason and cost impact to remain as published)

Committee Action:

Approved as Modified

Modify the proposal 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~~.

(Portions of proposal not shown remain unchanged)

Committee Reason: The committee agreed that requiring clothes dryer exhaust, with one exception, to be to the exterior was appropriate. The modification was to recognize that the "label" on a dryer typically refers back to the manufacturer's instructions.

Assembly Action:

None

PM11-07/08

Committee Action:

Disapproved

Committee Reason: The committee felt that the requirements proposed for deletion were appropriate and should remain in the code. These requirements are often used by the code official to cite violations typically found in existing residential type occupancies.

Assembly Action:

None

PM12-07/08

Committee Action:

Disapproved

Committee Reason: Signage for required public toilet facilities and a buildings certificate of occupancy should not be related; therefore this proposal is inappropriate.

Assembly Action:

None

PM13-07/08

Errata: Replace the proposal with the following:

503.4 Floor surface. In other than single family 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 and cost impact to remain as published)

Committee Action: **Disapproved**

Committee Reason: Extending these floor surface requirements to dwelling units would not be appropriate and as the proposal is written would prohibit the use of typical non-permanent carpeted bathroom mats in dwelling units, other than single family dwelling units.

Assembly Action: **None**

PM14-07/08

Committee Action: **Disapproved**

Committee Reason: Retroactive requirements for temperature limiting devices within dwelling units would become an enforcement and inspection issue for many jurisdictions with respect to budgeting and personnel constraints.

Assembly Action: **None**

PM15-07/08

Withdrawn by Proponent

PM16-07/08

Committee Action: **Approved as Modified**

Modify the proposal as follows:

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low voltage fuses, 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

(Portions of proposal not shown remain unchanged)

Committee Reason: The committee agreed that providing enforceable provisions to the code official that address hazards in electrical equipment that has been exposed to water or fire was appropriate. The committee further agreed that the two items added by the modification also required replacement when exposed to water and were therefore appropriate to add.

Assembly Action: **None**

PM17-07/08

Errata: Replace the reason statement with the following:

Reason: Based upon similar code language contained within the National Electrical Code.

Committee Action: **Disapproved**

Committee Reason: The committee agreed that the proposed language did not clarify the requirements and that NFPA 70 adequately addresses receptacles in existing toilet rooms.

Assembly Action: **None**

PM18-07/08

Committee Action: **Approved as Submitted**

Committee Reason: The committee agreed that the proponent's reason statement accurately substantiates the need for this change which will add a reference NFPA 25 for sprinkler system maintenance.

Assembly Action: **None**

PM19-07/08

Committee Action: **Disapproved**

Committee Reason: The committee indicated that much of the proposed language, such as "liable to become friable" and "evidence of splintering" was vague and therefore unenforceable. Further, the committee felt that most code officials do not have the expertise or training to determine the conditions or levels described in the proposal; therefore the proposal should have language to require testing by the proper agency and the results reported to the code official.

Assembly Action: **None**

PM20-07/08

Withdrawn by Proponent
