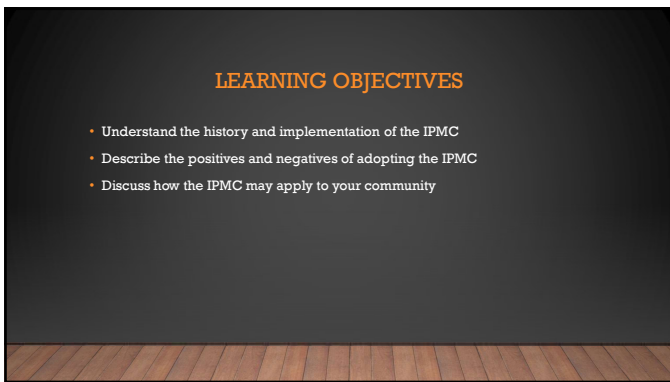
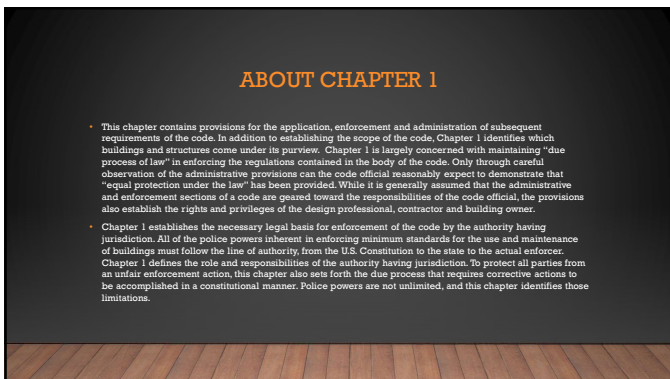


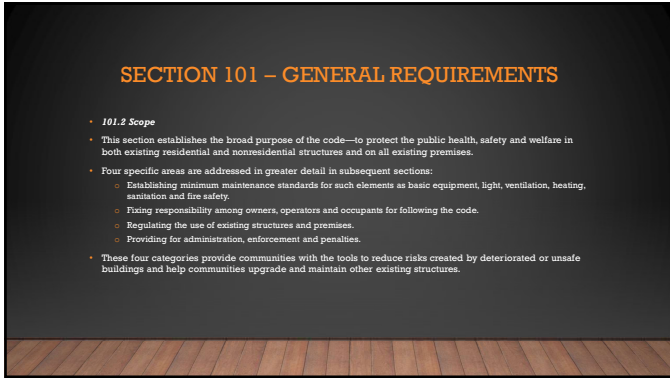
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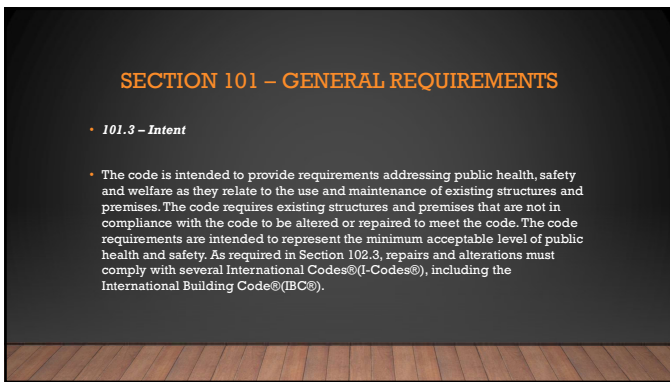
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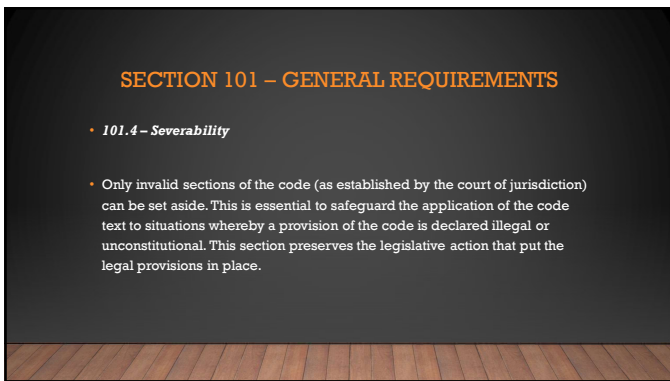
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SECTION 102 - APPLICABILITY

• 102.2 – Maintenance

• This section contains general maintenance requirements. The code specifically prohibits the disconnection of any required utilities for an occupied dwelling. This helps to safeguard persons who have a physical condition and are dependent on these systems. Some examples of this include: a person who has to have electricity to power a kidney dialysis machine; a patient who is on an oxygen system full time; and someone with particularly bad allergies who needs to have an air-conditioning system to help filter the air. Any safety system that exists in a building must be maintained. A fire protection or safety system is not to be removed from a building if it is required by the code or a previous regulation or code that was in effect when the building was built. This section also specifies that the owner, the owner's authorized agent or other person having control of the structure or premises is responsible for maintenance, not the tenants of rental properties.

7

SECTION 102 - APPLICABILITY

• 102.3 – Application of other Codes

• Repairs, additions or alterations are to be done as required by the IBC, International Existing Building Code®(IEBC®), International Energy Conservation Code®(IECC®), International Fire Code®(IFC®), International Fuel Gas Code®(IFGC®), International Mechanical Code®(IMC®), International Residential Code®(IRC®) and the International Plumbing Code®(IPC®). The International Property Maintenance Code®(IPMC®) is not intended to affect any of the requirements in the International Zoning Code®(IZC®).

8

SECTION 102 - APPLICABILITY

• 102.4 – Existing Remedies

• Section 110 establishes one set of criteria and procedures that may be used to demolish dangerous, unsafe or insanitary buildings. This section permits a jurisdiction to continue to use any remedies already adopted for demolishing buildings. In essence, a community may employ several procedures for removing dangerous buildings. It is advisable that one procedure be chosen over another to avoid confusion and errors in processing the demolition.

9

SECTION 102 - APPLICABILITY

- *102.5 - Workmanship*
- All repairs, materials, alterations and installations must be executed in a skilled manner that allows the performance intended and anticipated by the code to be achieved, and must meet the criteria of the definition of "Workmanlike" in the code (see the definition of "Workmanlike" in Chapter 2).
- Equipment must comply with the manufacturer's installation instructions for proper operation and safety.

10

SECTION 102 - APPLICABILITY

- *102.6 - Historic Buildings*
- This section provides the code official with the widest flexibility in enforcing the code where the building in question has historic value. This flexibility, however, is not provided without conditions. The most important criterion for application of this section is that the building must be specifically classified as being of historic significance by a qualified party or agent. Usually this is done by a state or local authority after considerable scrutiny of the historic value of the building. Most, if not all, states have such authorities, as do many local jurisdictions. The agencies with such authority typically exist at the state or local government level.

11

SECTION 102 - APPLICABILITY

- *102.7 - Referenced Codes and Standards*
- A referenced standard or portion thereof is enforceable to the same extent as if the content of the standard were included in the body of the code. For example, Section 604.2 references NFPA 70 for sizing the electrical main service for a building. The use and application of referenced standards are limited to those portions of the standards that are specifically identified in the code. The code is intended to be in harmony with the referenced standards. If conflicts occur because of scope or purpose, the code text governs. The exception recognizes the rare circumstance of the code requiring or allowing something less restrictive or stringent than the product listing or manufacturer's instructions. If the code conflicts with or deviates from the conditions of the listing, this may or may not mean that the code violated the listing. For example, the listing for an appliance might allow a particular application of an appliance that is expressly prohibited by the code. In this case, the code has not violated the listing, but instead has simply limited the application allowed by the listing. The intent is for the highest level of safety to prevail.

12

SECTION 102 - APPLICABILITY

- *102.7.1 – Conflicts*
- The use of referenced codes and standards to cover certain aspects of various occupancies and operations, rather than write parallel or competing requirements into the code, is a longstanding code development principle. Often, however, questions and potential conflicts in the use of referenced codes and standards can arise, which can lead to inconsistent enforcement of the code.

13

SECTION 102 - APPLICABILITY

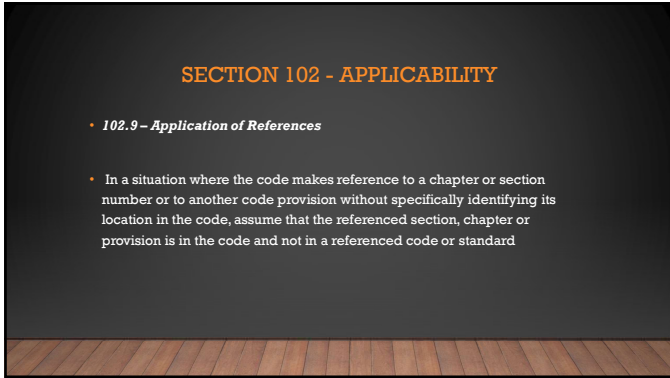
- *102.7.2 – Provisions in Referenced Codes and Standards*
- Section 102.7.2 expands upon the provisions of Section 102.7.1 by making it clear that, even if a referenced standard references other codes or standards (secondary reference) containing requirements that parallel the code, the provisions of the code will always take precedence. This section provides the policy underpinnings upon which sound code change proposals can be based.

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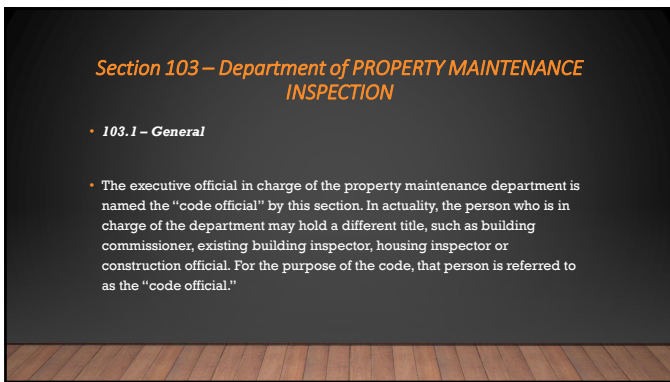
SECTION 102 - APPLICABILITY

- *102.8 – Requirements not Regulated by this Code*
- Evolving technology in our society will inevitably result in a situation or circumstance in which the code is comparatively silent on an identified hazard. The reasonable application of the code to any hazardous, unforeseen condition is provided for in this section. Clearly such a section and the code official's judicious and reasonable application are needed. The purpose of the section, however, is not to impose requirements that may be preferred over explicit code requirements. Additionally, the section can be utilized to implement the general performance-oriented language of the code to specific enforcement situations.

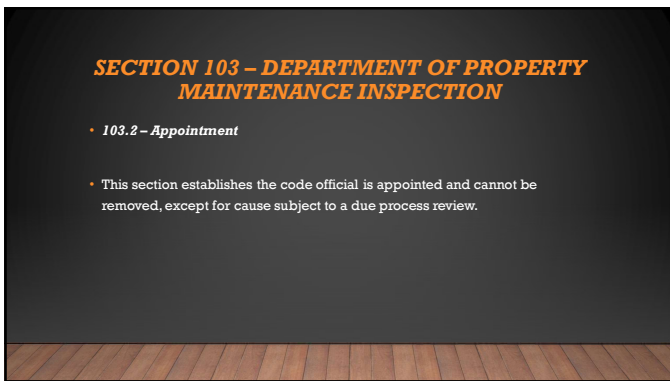
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**SECTION 103 – DEPARTMENT OF PROPERTY
MAINTENANCE INSPECTION**

- **103.3 – Deputies**
- This section provides the code official with the authority to appoint other individuals to assist with the administration and enforcement of the code. These individuals would have the authority and responsibility as designated by the code official. Such appointments, however, may be exercised only with the authorization of the chief appointing authority.

19

**SECTION 103 – DEPARTMENT OF PROPERTY
MAINTENANCE INSPECTION**

- **103.4 – Liability**
- The code official is not intended to be held liable for those actions performed in accordance with the code in a reasonable and lawful manner. The responsibility of the code official in this regard is subject to local, state and federal laws that may supersede this provision.

20

**SECTION 103 – DEPARTMENT OF PROPERTY
MAINTENANCE INSPECTION**

- **103.4.1 – Legal Defense**
- This section establishes that code officials or subordinates are not liable for costs in any legal action instituted in response to the performance of lawful duties. These costs are to be borne by the jurisdiction. The best way to be certain that the code official's action is a "lawful duty" is to always cite the applicable code section on which the enforcement action is based.

21

SECTION 103 – DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

- **103.5 – Fees**
- A published fee schedule must be established for permits and inspections. Ideally, the department should generate revenues that cover operating costs and expenses. The permit fee schedule is an integral part of this process.

22

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

- **104.1 – General**
- The duty of the code official is to enforce the code. Because the code official must respond to those who question the requirements of the code related to this responsibility, except as specifically exempted by statutory requirements or elsewhere in the code, he or she is the "authority having jurisdiction" for all matters relating to the code and its enforcement. It is the duty of the code official both to interpret and to determine compliance with the code. Code compliance will not always be easy to determine and will require the judgment and expertise of the code official. In exercising this authority, however, the code official cannot set aside or ignore any provision of the code.

23

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

- **104.2 – Inspections**
- The code official or designee is required to make the necessary inspections to determine compliance with the code, or may accept written reports of inspections by an approved agency. The inspection of work in progress or already accomplished is another significant element in determining code compliance. While a department does not have the resources to inspect every aspect of all work, the required inspections are those that are dictated by administrative rules and procedures based on many parameters, including available inspection resources. In order to expand the available resources, the code official may approve an inspection agency that, in his or her opinion, possesses the proper qualifications to perform the inspections. When unusual or complex technical issues arise relative to inspections, the code official has the authority to seek the opinion and advice of experts. A technical report from an expert requested by the code official can be used to assist in the approval process.

24

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

• 104.3 – Right of Entry

• This section establishes the right of the code official to enter the premises in order to make the inspections required by Section 104.3. The right to enter structures or premises is limited. First, to protect the right of privacy, the owner or occupant must grant the code official permission before an interior inspection of the property can be conducted. Permission is not required for inspections that can be accomplished from within the public right-of-way. Second, such access may be denied by the owner or occupant. Unless the inspector has reasonable cause to believe that a code violation exists, access may be unattainable.

25

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

• 104.4 – Identification

• This section requires the code official (including by definition all authorized representatives) to carry identification in the course of conducting the duties of the position. The identification removes any question as to the purpose and authority of the inspector.

26

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

• 104.5 – Notices and Orders

• An important element of code enforcement is the necessary advisement of deficiencies, which is accomplished through notices and orders. The code official is required to issue orders to abate illegal or unsafe conditions. Section 107 contains additional information for these notices.

27

SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL

• 104.6 – Department Records

- In keeping with the need for efficient business practices, the code official must keep official records pertaining to fees collected, inspections, notices and orders issued. Such documentation provides a valuable source of information if questions arise throughout the life of the building and its occupancy regarding outstanding preexisting code violations or conditions.

28

SECTION 105 - APPROVAL

• 105.1 – General

- The code official may amend or make exceptions to the code as needed where strict compliance is impractical. Only the code official has the authority to grant modifications. Consideration of a particular difficulty is to be based on the application of the owner and a demonstration that the intent of the code is accomplished. This section is not intended to permit setting aside or ignoring a code provision, rather, it is intended to provide for the acceptance of equivalent protection. For example, a code official might decide to accept the installation of a sprinkler system throughout the building instead of upgrading certain walls to have a fire-resistance rating. The modification of requirements would be based on the equivalent protection of the sprinkler system to the upgraded walls. Such modifications do not, however, extend to actions that are necessary to correct violations of the code. In other words, a code violation or the expense of correcting one cannot constitute a practical difficulty.
- Filing the details of a modification action is necessary if the reasons for the modification are subject to review. Comprehensive written records are an essential part of an effective administrative system. Unless clearly written records of the considerations and documentation utilized in the modification process are created and maintained, subsequent enforcement action will be difficult to support and will be inconsistent.

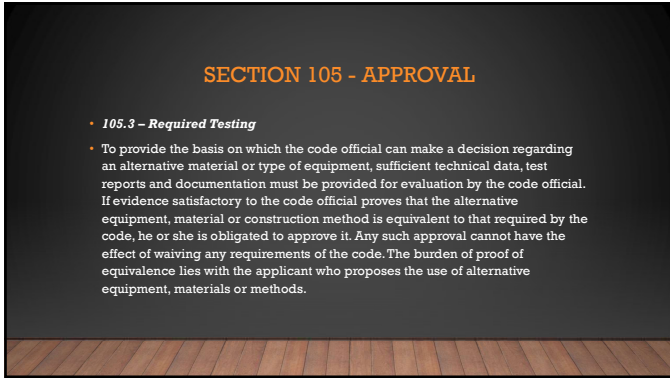
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SECTION 105 - APPROVAL

• 105.2 – Alternative Materials, Design and Methods of Construction and Equipment

- The code is not intended to inhibit innovative ideas or technological advances. A comprehensive regulatory document cannot envision and then address all future innovations in the industry. As a result, the code must be applicable to and provide a basis for the approval of an increasing number of newly developed, innovative materials, designs, systems and methods for which no code text or referenced standards yet exist. The fact that a material, product or method of construction is not specifically described in the code is not an indication that its use is intended to be prohibited. The code official is expected to apply sound technical judgment in accepting materials, systems or methods that, while not anticipated by the drafters of the current code text, can be demonstrated to offer equivalent performance. The code official is responsible for determining if a requested alternative provides the equivalent level of protection of the public health, safety and welfare, as required by the code. When the code official determines the alternate material, design, method of construction or equipment is not at least equivalent to what the code prescribes for safety, durability, fire-resistance, etc., the code official is required to provide a written response to the submitter.

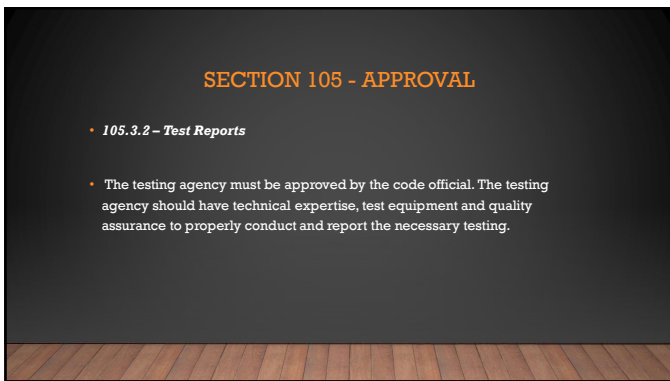
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SECTION 105 - APPROVAL

- *105.4 – Used Material and Equipment*
- The code criteria for materials and equipment have changed over the years. Evaluation of testing and materials technology has facilitated the development of new criteria that old materials may not satisfy. As a result, used materials are required to be evaluated in the same manner as new materials. Used (previously installed) equipment must be equivalent to that required by the code if it is to be used again in a new installation.

34

SECTION 105 - APPROVAL

- *105.5 – Approved Materials and Equipment*
- The code is a compilation of criteria with which materials, equipment, devices and systems must comply to be suitable for a particular application. The code official has a duty to evaluate such materials, equipment, devices and systems for code compliance and, when compliance is determined, approve the same for use. The materials, equipment, devices and systems must be constructed and installed in compliance with, and all conditions and limitations considered as a basis for, that approval. For example, the manufacturer's instructions and recommendations are to be followed if the approval of the material was based even in part on those instructions and recommendations. The approval authority given to the code official is a significant responsibility and is a key to code compliance. The approval process is first technical and then administrative and must be approached as such. For example, if data to determine code compliance is required, such data should be in the form of test reports or engineering analysis and not simply taken from a sales brochure.

35

SECTION 105 - APPROVAL

- *105.6 – Research Reports*
- When an alternative material or method is proposed for construction, it is incumbent on the code official to determine whether this alternative is, in fact, an equivalent to the methods prescribed by the code. Reports providing evidence of this equivalency are required to be supplied by an approved source, meaning a source that the code official finds to be reliable and accurate. The ICC-ES is an example of an agency that provides research reports for alternative materials and methods.

36

SECTION 106 - VIOLATIONS

- **106.1 – Unlawful Acts**
- Violations of the code are prohibited. This is the basis for all citations and correction notices with regard to code violations.

37

SECTION 106 - VIOLATIONS

- **106.2 – Notice of Violation**
- The code official is required to notify the person responsible for violating the code. The section that is allegedly being violated must be cited so that the responsible party can respond to the notice.

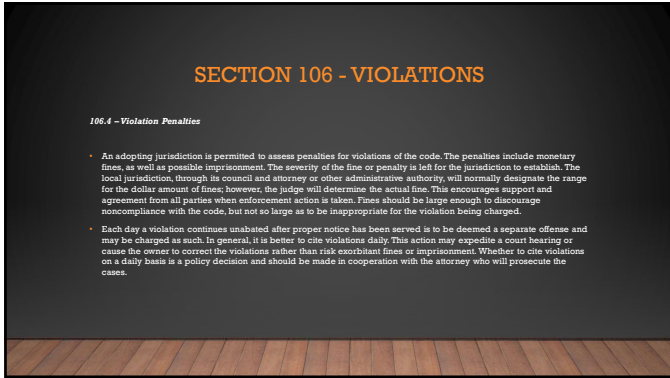
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SECTION 106 - VIOLATIONS

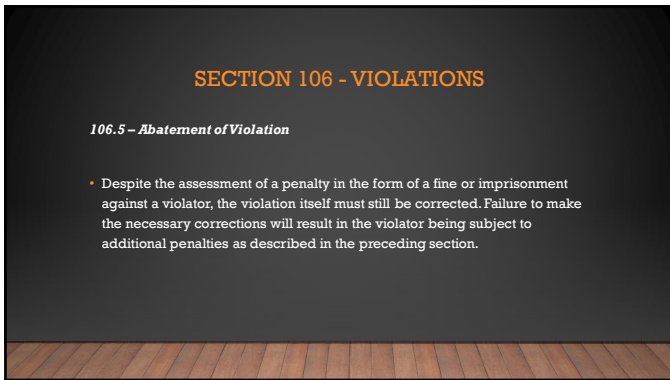
106.3 – Prosecution of Violation

- This section classifies a violation as a "strict liability offense," which is defined in Section 202; thus, it is not required to prove that the person intended to violate the code or was negligent in doing so. All that is required for conviction is that the notice of violation for correction was properly served and that the person failed to comply. This aids jurisdictions in prosecuting code violators.
- The code official must pursue, through the use of legal counsel of the jurisdiction, legal means to correct the violation.
- Any extensions of time for the violations to be voluntarily corrected must be for a reasonable, bona fide cause or the code official may be subject to criticism for "arbitrary and capricious" actions. In general, it is better to have a standard time limitation for correction of violations. Departures from this standard must be for a clear and reasonable purpose, usually stated in writing by the violator. The code provides a mechanism for the municipality to recover costs expended on a property through placing a lien on the property. For example, if an unimproved lot had to be mowed throughout the summer growing season, the cost of the mowing could be recovered through a lien on the property.

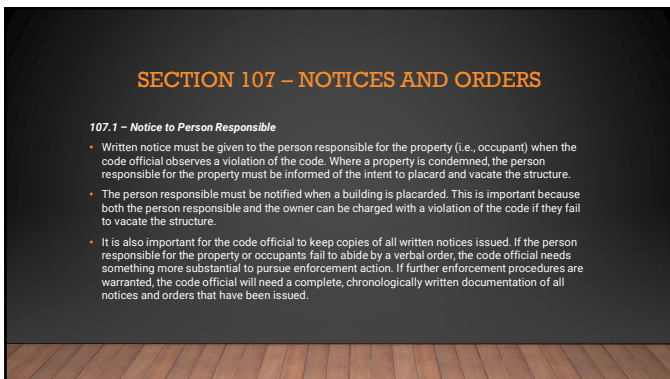
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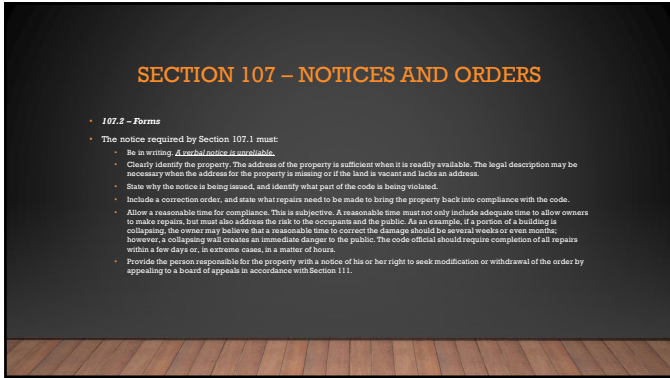
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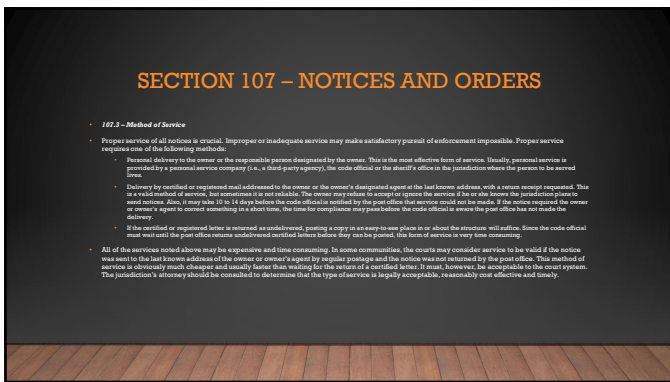
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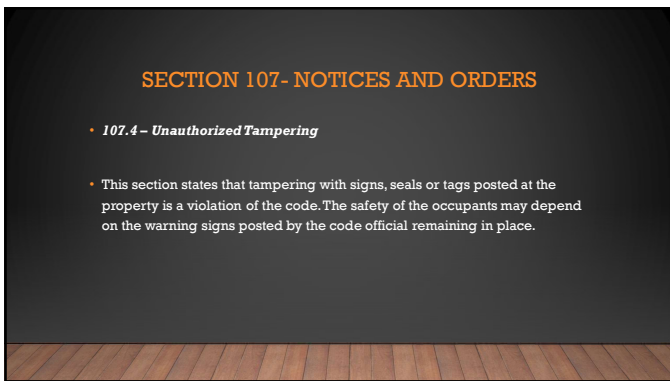
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SECTION 107 – NOTICES AND ORDERS

- *107.5 – Penalties*
- This section references Section 106.4, which establishes penalties for violating provisions of the code.

46

SECTION 107 – NOTICES AND ORDERS

- *107.6 – Transfer of Ownership*
- When a property has a pending violation order, it is unlawful for an owner to sell, transfer, mortgage, lease or otherwise dispose of the property without either following the order or advising the buyer, mortgagee, etc., of the pending violation. The owner must prove that the buyer has received notice of pending violations by providing the code official with a signed, notarized receipt from the new transferee.
- Determining the current owner of a building is a frustrating and difficult activity. To evade code enforcement action, owners will frequently transfer ownership of their property. This provision of the code permits the code official to cite the seller if he or she did not provide the code official with the required notification when the property was transferred; thus, even though the seller may avoid complying with the outstanding violation orders, he or she can still be charged with a violation for failing to provide proof that the transferee was aware of the pending orders.

47

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

- *108.1 – General*
- This section provides a brief description of conditions where the code official is given the authority to condemn an existing structure or equipment. Where a structure or equipment is "unlawful," as described in the text of this section, that structure or equipment does not comply with the requirements of the code. The deficiencies are such that an unsafe condition or a condition that is unfit for human occupancy exists.

48

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.1.1 – Unsafe Structures

- Any building that endangers life, health, safety or property is unsafe. A building is considered dangerous if it meets one or more of the following conditions:
 - It lacks adequate protection from fire.
 - It contains unsafe equipment.
 - All or part of the building is likely to collapse.
- Only structures with major defects or life-threatening conditions are considered unsafe. Minor defects, such as an inadequate number of electrical outlets or damaged plaster, do not necessarily create an unsafe structure, even though they are violations of the code.

49

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.1.2 – Unsafe Equipment

- Equipment may become unsafe when it is a hazard to life, health, property or safety.
- The judgment of the code official is critical in determining when equipment should be deemed unsafe. If uncertain about appropriate enforcement action, he or she should seek additional expertise and advice and, if necessary, err on the side of safety.

50

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.1.3 – Structure Unfit for Human Occupancy

- A building is unfit for occupancy if it is: unsafe, unlawful, lacking maintenance to a serious degree, in disrepair, insanitary, vermin or rat infested, found to contain filth, lacking essential equipment, or located such that it is hazardous to the occupants or the public.
- The list of reasons for declaring a structure unfit requires subjective judgement. Because the consequences of declaring a structure unfit for occupancy are severe, the code official should carefully and thoroughly document all conditions contributing to that determination.

51

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

• 108.1.4 – Unlawful Structure

- An unlawful structure is one that has serious deficiencies such that an unsafe condition or a condition that is unfit for human occupancy exists. An unlawful structure does not mean one where there are criminal activities.

52

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

• 108.1.5 – Dangerous Structure or Premises

- This specific section contains a general list of baseline conditions to evaluate a structure against to determine if its present condition is dangerous. The purpose of this section is to allow a code official to cite specific conditions under which he or she finds a structure to be dangerous. The list of conditions focuses on adequacy of the means of egress, structural, fire resistance, fire protection, and plumbing and ventilation systems.

53

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.2 – Closing of Vacant Structures

- Code officials are granted the authority to condemn, place and vacate any building that they determine to be unsafe, unlawful or unfit for occupancy. Also, code officials may remove unsafe equipment from use.
- No one is permitted to reoccupy or reuse any building or equipment until the code official has given his or her approval. Unsafe structures, unsafe equipment, buildings that are unfit for human occupancy and unlawful structures are further defined in subsequent sections.
- The ability to condemn and vacate structures is a powerful enforcement tool. It protects occupants from danger and prevents owners from collecting income on their properties. Before condemning or vacating structures, the code official should establish a clearly defined list of violations that warrant such actions. Additionally, it is critical to document all of the violations found in each building to be condemned. When practical, photographs should be taken of violations. Should litigation become necessary, photographs provide powerful documentation.

54

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.2 – Closing of Vacant Structures – Continued

- Open, vacant buildings are an attractive nuisance to children, a potential fire hazard, a harborage for rodents and insects and a potential home for vagrants. Vacant buildings also create a blighting influence within a community.
- The code official is authorized to condemn as unfit those buildings that are vacant and open to trespass but not in danger of collapse. When the owner has been ordered to secure an open building but fails to do so, the code official must secure the structure by contracting with a public or private agent to close up the building.
- The costs for closing buildings are to be charged to the property in the form of a lien. Generally, once a lien has been filed against a property, it must be satisfied before the property can be sold. This section authorizes collection by any other legal resource. It also allows collection by additional methods such as small claims judgements, collection agency actions and personal liens. This enhances the chances of cost recovery.

55

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

108.2.1 – Authority to Disconnect Service Utilities

- Disconnecting a service utility from the energy supply is the most radical method of hazard abatement available to the code official and should be reserved for cases in which all other lesser remedies have proven ineffective. Such an action must be preceded by a written notice to the owner and any occupants of the building being ordered to disconnect. Disconnection must be accomplished within the timeframe established by the code official in the written notification. When the hazard to the public health and welfare is so imminent as to mandate immediate disconnection, the code official has the authority and even the obligation to cause disconnection without notice.

56

SECTION 108 – UNSAFE STRUCTURE AND EQUIPMENT

108.3 – Notices

- The condemnation notice is required to be posted at the structure, and the owner, the owner's authorized agent or responsible person in charge is to be served notice in accordance with the procedure in Section 107.3, in the form prescribed in Section 107.2. If the notice includes condemned equipment, the notice must also be placed on that equipment.

57

SECTION 108 – UNSAFE STRUCTURE AND EQUIPMENT

- **108.4 – Placarding**
- If the owner fails to comply with the notice, a placard indicating that the structure is condemned as unfit for human occupancy or use should be posted on the property or equipment. This placard should also show the penalty for illegal occupancy of the building or equipment, and for removing the placard.
- Immediate enforcement action should be pursued when there is an illegal occupancy of a condemned building or equipment. The credibility of the code enforcement program is dependent upon the public's belief that the code will be adequately enforced.
- Any owner, owner's authorized agent, or other responsible party who has failed to comply with a correction order must vacate the property immediately after the time for correction has passed. All occupants should be given reasonable time to find other accommodations.

58

SECTION 108 – UNSAFE STRUCTURE AND EQUIPMENT

- **108.4.1 – Placard Removal**
- Only the code official is authorized to remove a condemnation placard. The code official is to remove the placard only when the defect or defects have been corrected as required by the code. Any other person who removes or defaces a placard is in violation of the code and subject to its penalties.

59

SECTION 108 – UNSAFE STRUCTURE AND EQUIPMENT

- **108.5 – Prohibited Occupancy**
- It is important that any unsafe structure be vacated to help prevent possible injury to or death of its occupants. The code official has the authority to require a condemned building to be vacated. Anyone who continues to occupy a placarded building or equipment and any owner who permits another to occupy a placarded building or equipment are subject to the penalties provided by the code.

60

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

• *108.6 – Abatement Methods*

- This section describes the usual circumstance in which a building has such critical violations that it is declared unsafe by the code official. The owner, operator or occupant should take abatement measures to correct the unsafe condition. If this is not done promptly, the code official has the authority to directly abate the unsafe conditions and bill the owner for the abatement work in accordance with the code.

61

SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT

• *108.7 – Record*

- The code official must file a report on each investigation of unsafe conditions, stating the occupancy of the structure and the nature of the unsafe condition.

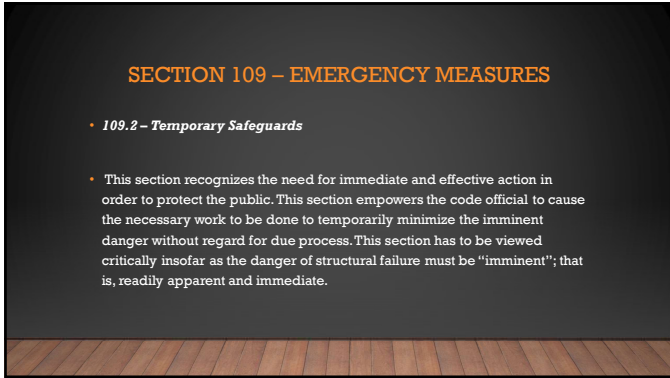
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SECTION 109 – EMERGENCY MEASURES

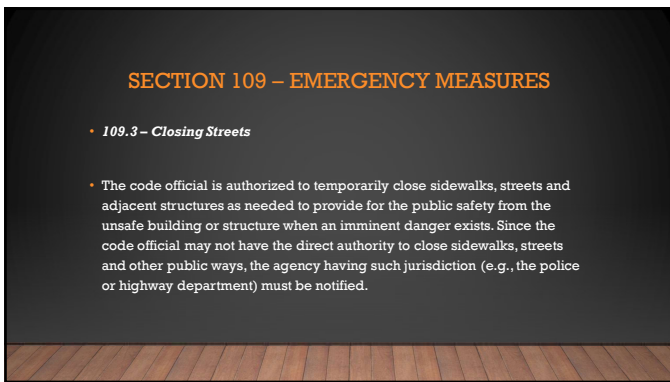
• *109.1 – Imminent Danger*

- If the code official has determined that failure or collapse of a building or structure is imminent, failure has occurred that results in a continued threat to the remaining structure or adjacent properties or any other unsafe condition as described in this section exists in a structure, he or she is authorized to require the occupants to vacate the premises and to post such buildings or structures as unsafe and not occupiable. Unless authorized by the code official to make repairs, secure or demolish the structure, it is illegal for anyone to enter the building or structure. This will minimize the potential for injury.

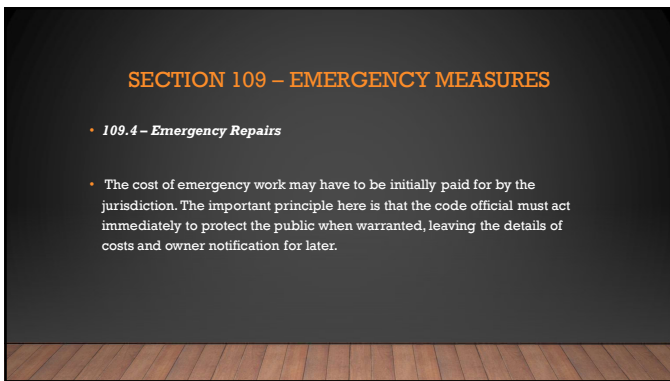
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SECTION 109 – EMERGENCY MEASURES

- *109.5 – Costs of Emergency Repairs*
- The cost of emergency repairs is to be paid by the jurisdiction, with subsequent legal action against the owner to recover such costs. This does not preclude, however, reaching an alternative agreement with the owner.

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SECTION 109- EMERGENCY MEASURES

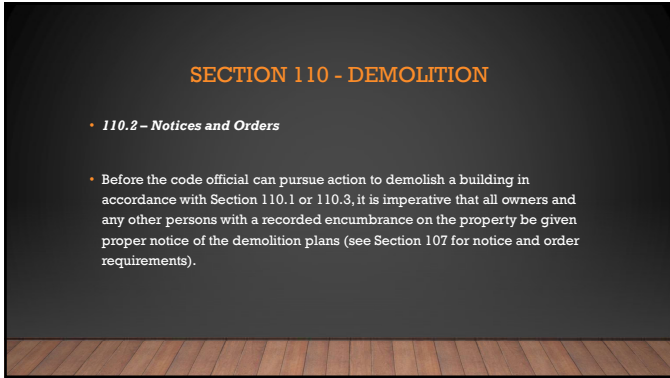
- *109.6 – Hearing*
- Anyone ordered to take an emergency measure or to vacate a structure because of an emergency condition must do so immediately.
- Thereafter, any affected party has the right to appeal the action to the appeals board to determine whether the order should be continued, modified or revoked.
- It is imperative that appeals to an emergency order occur after the hazard has been abated, rather than before, to minimize the risk to the occupants, employees, clients and the public.

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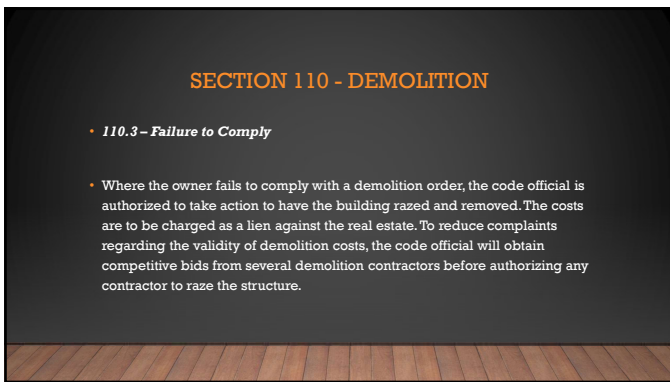
SECTION 110 - DEMOLITION

- *110.1 – General*
- This section describes conditions where the code official has the authority to order the owner to remove the structure. Conditions where the code official may give the owner the option of repairing the structure or boarding the structure for future repair are also in this section. The code official should carefully document the condition of the structure prior to issuing a demolition order to provide an adequate basis for ordering the owner to remove the structure. Note that Appendix A contains boarding provisions, but must be specifically referenced in the adopting ordinance of the jurisdiction to be mandatory.

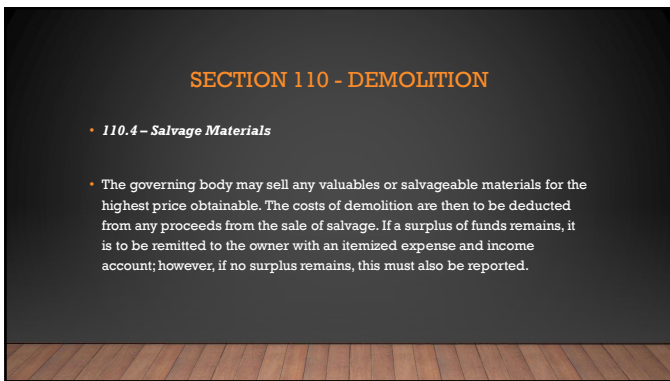
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SECTION 111 – MEANS OF APPEAL

- *111.1 – Application of Appeal*
- This section allows a person with a material or definitive interest in the decision of the code official to appeal that decision. The aggrieved party may not appeal a code requirement. The appeal process is not intended to waive or set aside a code requirement, but to provide a means of reviewing a code official's decision on an interpretation or application of the code or to approve or reject the equivalency of protection to the code requirement.

73

SECTION 111 – MEANS OF APPEAL

- *111.2 – Membership of Board*
- The concept of the board is to provide an objective group of persons who review the matters brought to them and make a collective decision. The members of the board are not to be employees of the jurisdiction and are to have sufficient knowledge and experience to act on the concerns that are heard. A minimum of three board members is specified for a fair and impartial hearing process. Staggered terms are appropriate for uniform changeover such that a minimum number of board members are new each year. The number of members is to be determined by the chief appointing authority.

74

SECTION 112 – STOP WORK ORDER

- *112.1 – Authority*
- This section provides for the suspension of work for which a permit was issued, pending the removal or correction of a severe violation or unsafe condition identified by the code official.
- Normally, correction notices are used to inform the permit holder of code violations. Stop work orders are issued when enforcement can be accomplished no other way or when a dangerous condition exists.

75

SECTION 112 – STOP WORK ORDER

- *112.2 – Issuance*
- Upon receipt of a violation notice from the code official, all construction activities identified in the notice must immediately cease, except as expressly permitted to correct the violation.

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SECTION 112 – STOP WORK ORDERS

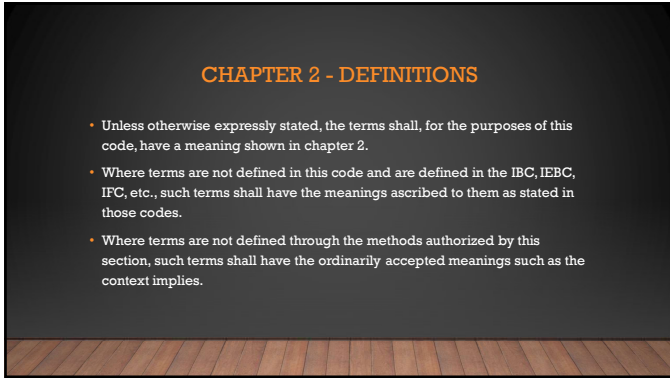
- *112.3 – Emergencies*
- This section gives the code official the authority to stop the work in dispute immediately when, in his or her opinion, there is an unsafe emergency condition that has been created by the work. The need for the written notice is suspended for this situation so that the work can be stopped immediately. After the work is stopped, immediate measures should be taken to correct the work at issue.

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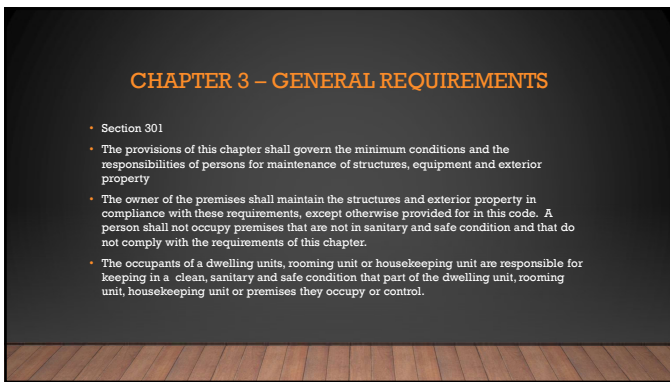
SECTION 112 – STOP WORK ORDERS

- *112.4 – Failure to Comply*
- The local jurisdiction is to designate the fine that is to apply to any person who continues work that is at issue, other than abatement work. The dollar amounts for the minimum and maximum fines are to be specified in the adopting ordinance.

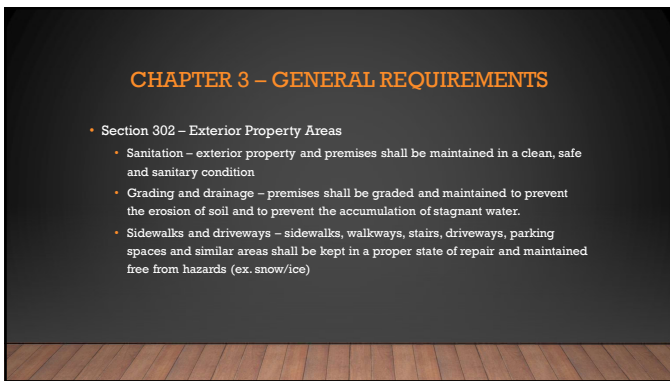
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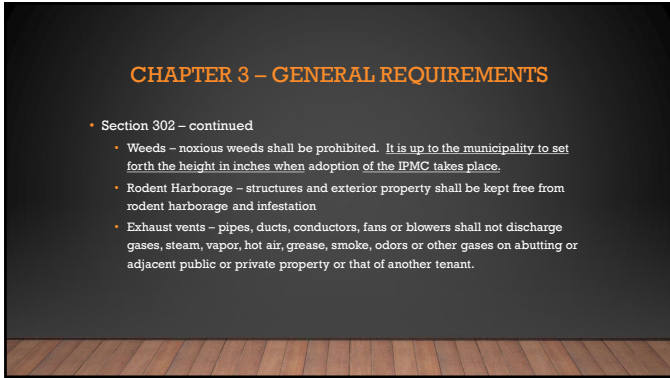
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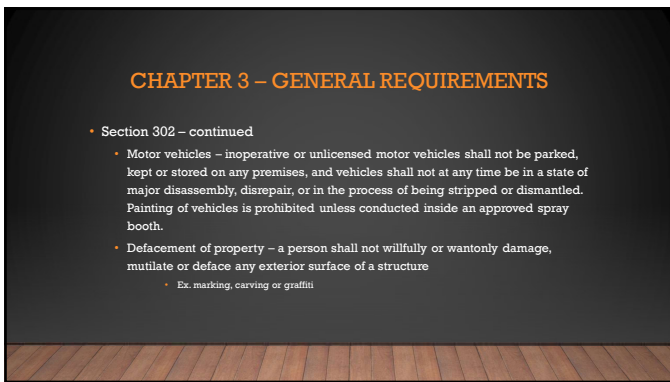
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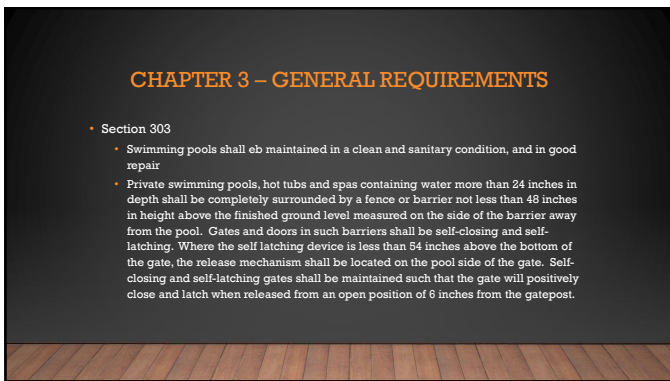
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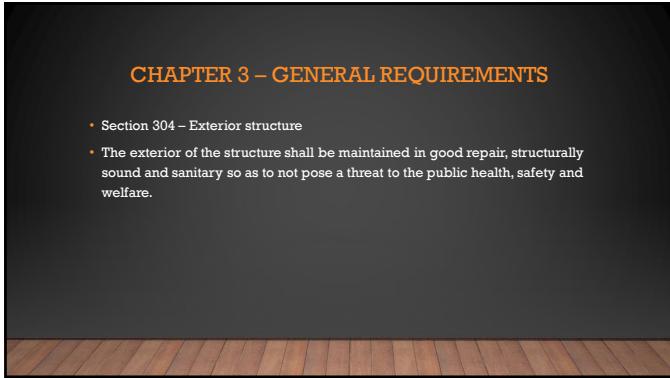
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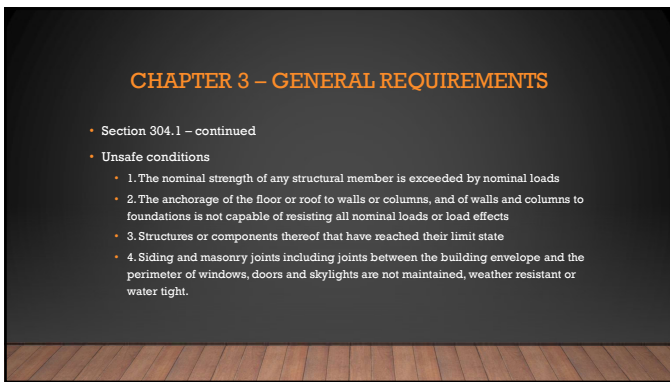
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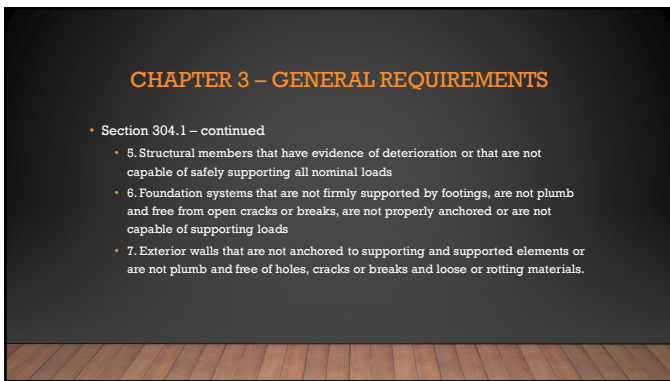
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CHAPTER 3 – GENERAL REQUIREMENTS

- Section 304.1 – continued
 - 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing not in good repair
 - 9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration
 - 10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored to the building
 - 11. Overhang extensions or projections, including but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored

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CHAPTER 3 – GENERAL REQUIREMENTS

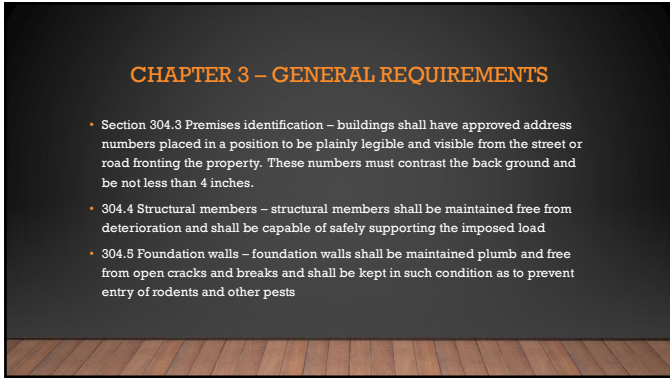
- Section 304.1 – continued
 - 12. Exterior stairs, decks, porches, balconies and all similar items attached including guards and handrails, are not structurally sound or not properly anchored.
 - 13. Chimneys, cooling towers, smokestacks and similar that are not properly anchored or able to support nominal loads.

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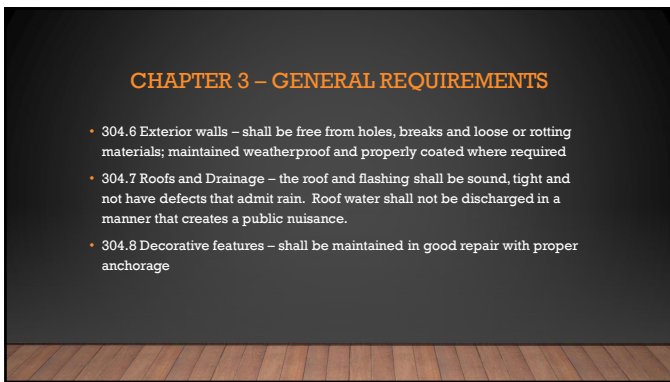
CHAPTER 3 – GENERAL REQUIREMENTS

- Section 304.2 Protective treatment exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition.
- Examples
 - Chipped and peeling paint must be eliminated
 - Siding and masonry joints must be weather tight
 - Metal surfaces subject to rust must be coated for protection

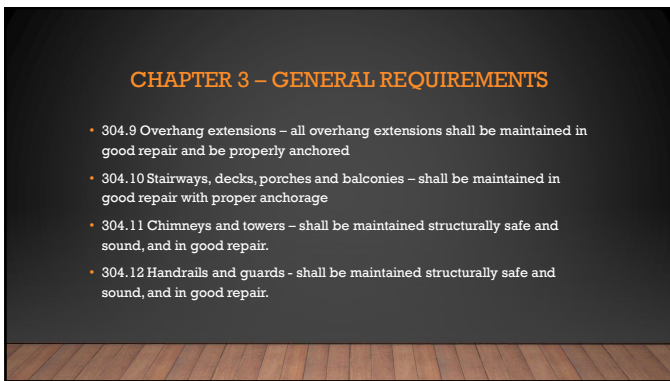
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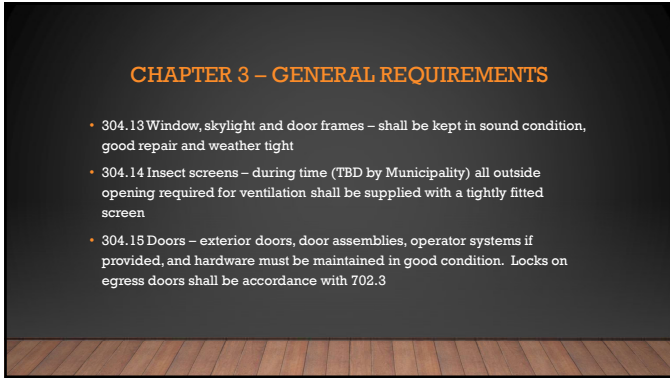
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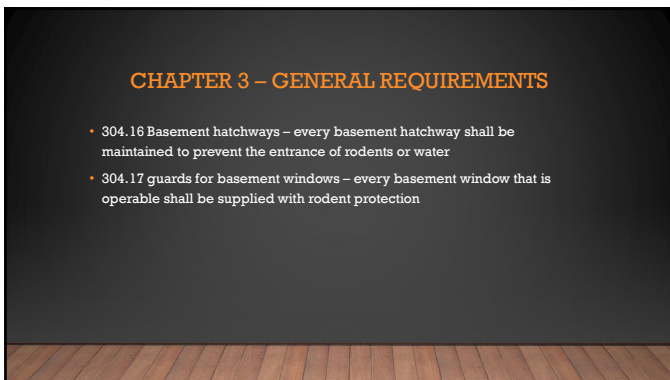
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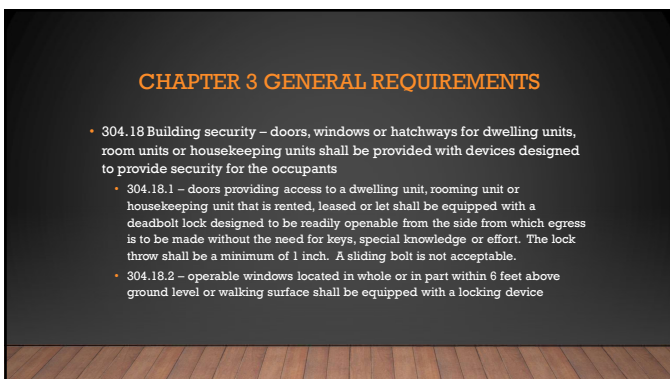
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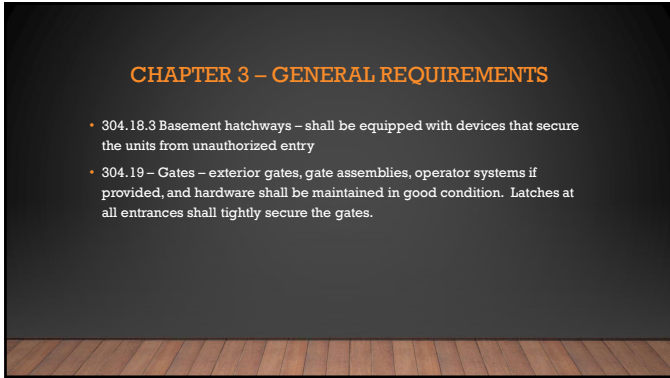
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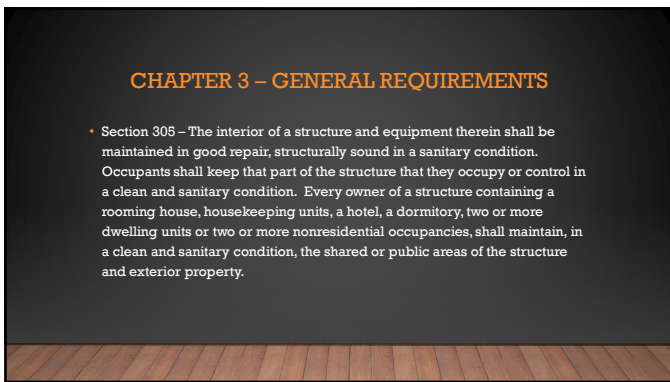
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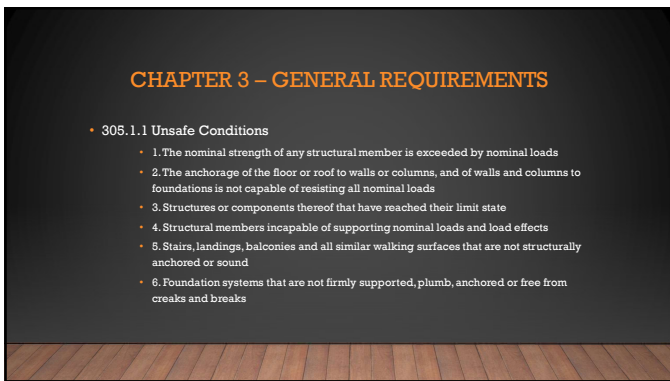
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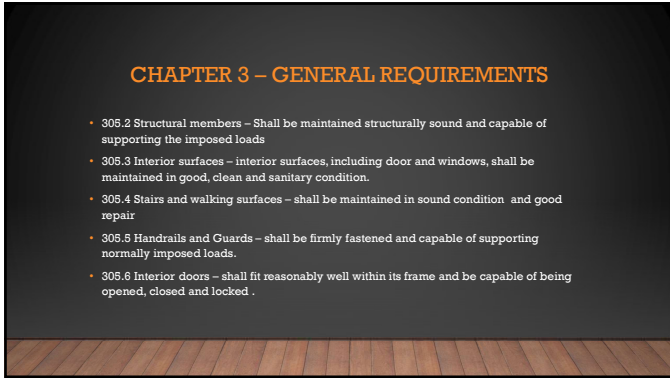
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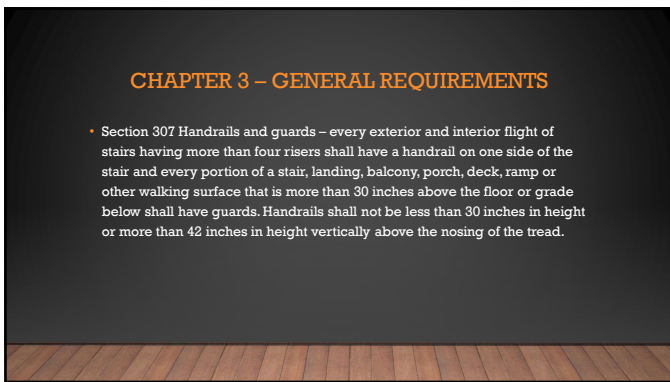
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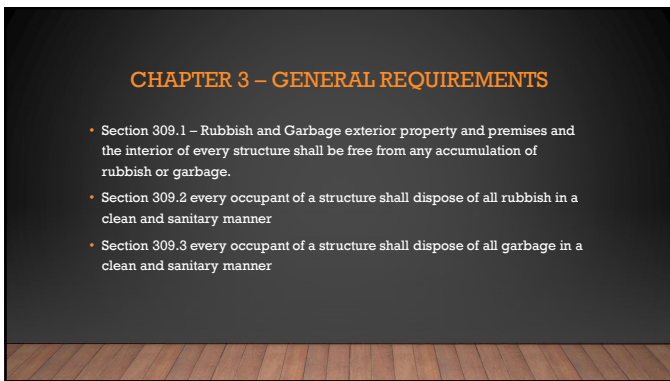
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CHAPTER 3 – GENERAL REQUIREMENTS

- Section 309 Pest Elimination – Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health.

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CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

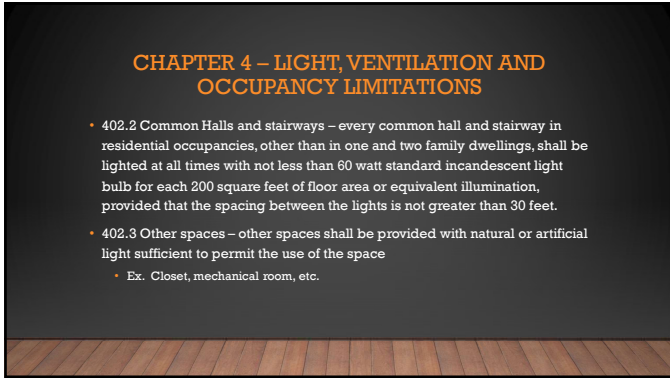
- The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.
 - Alternative devices – in lieu of the means of natural light and ventilation, artificial light or mechanical ventilation complying with the International Building Code shall be permitted.

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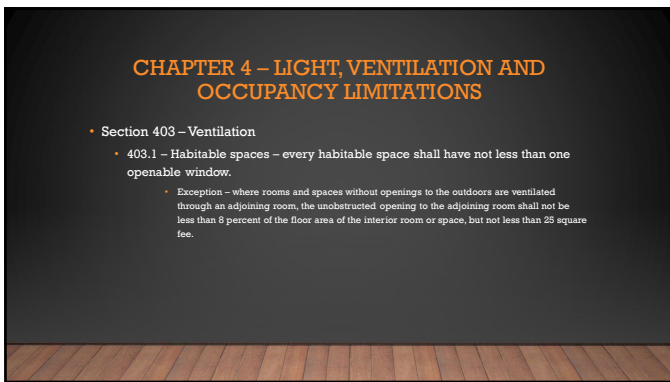
CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- Section 402 –Light
 - 402.1 Habitable Spaces – every habitable space shall have not less than one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room.
 - Whenever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.
 - Exception – where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall not be less than 8 percent of the floor area of the interior room or space, or not less than 25 square feet, whichever is greater.

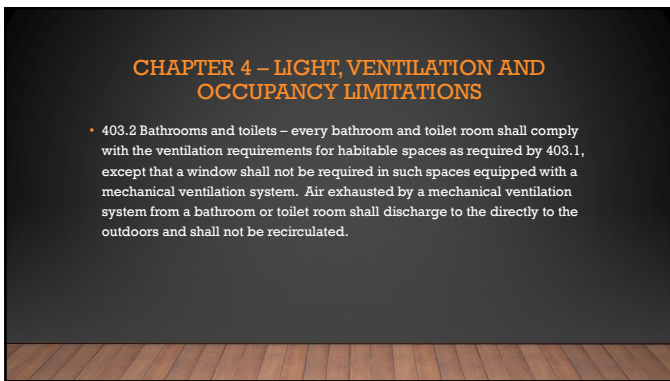
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CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- 403.3 Cooking Facilities – unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit.
 - Exception
 - 1. Where specifically approved in writing by the code official
 - 2. Devices such as coffee pots and microwaves are not considered cooking appliances

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CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

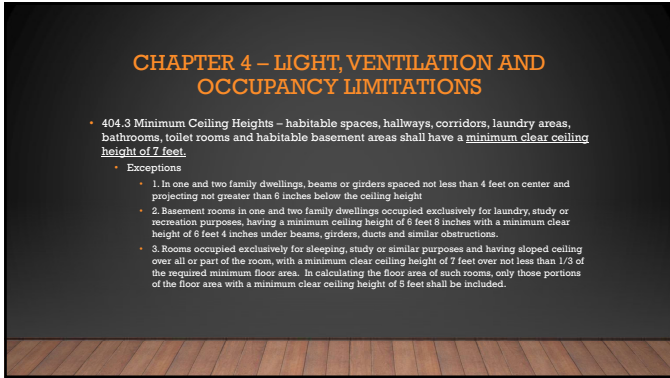
- 403.4 Process Ventilation – where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted directly to the exterior and not recirculated.
- 403.5 Clothes dryer exhaust – shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's specifications
 - Exception – listed and labeled condensing (ductless) clothes dryer

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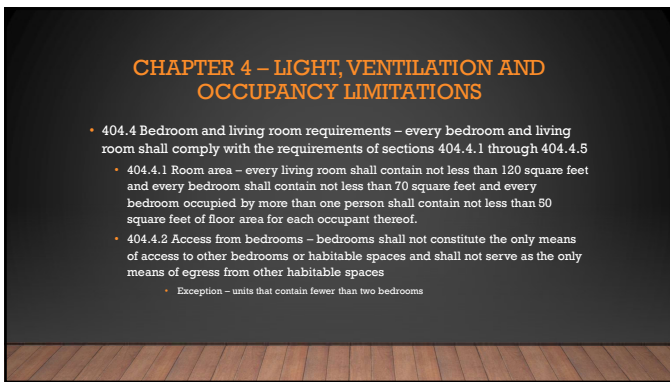
CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- Section 404 – Occupancy Limitations
- Section 404.1 – Privacy – dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.
- Section 404.2 – Minimum Width – a habitable room, other than a kitchen, shall not be less than 7 feet in any dimension. Kitchens shall have a minimum clear passageway of 3 feet between counter fronts and appliances or counter fronts and walls.

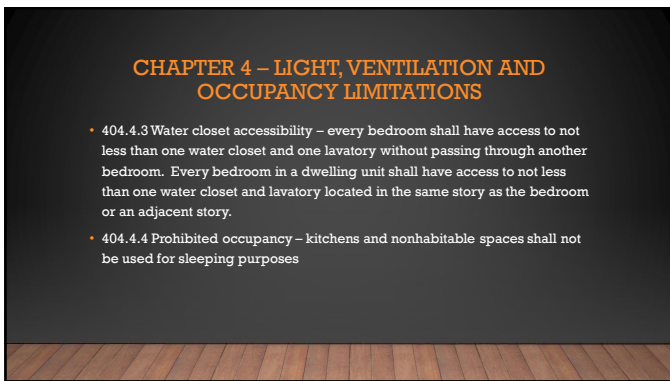
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CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

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

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CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- Section 404.5 Overcrowding – dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5

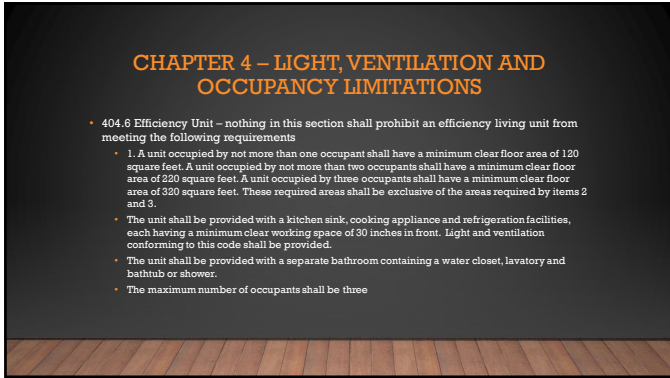
Space	Minimum Area in Square Feet	
	3-5 Occupants	6 or more Occupants
Living Room	120	150
Dining Room No Requirement	80	100
Bedrooms	Shall comply with Section 404.4.1	

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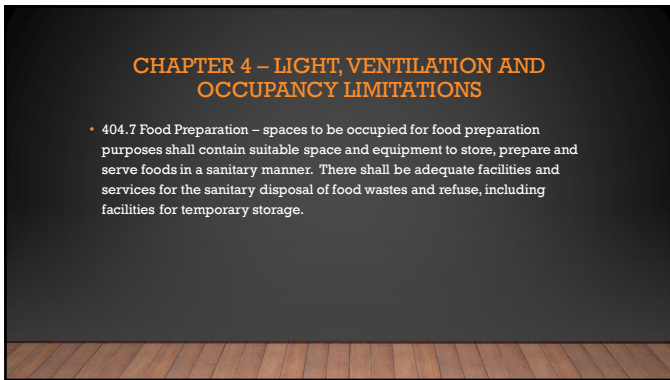
CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- 404.5.1 Sleeping area –The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 404.4
- 404.5.2 Combined spaces – Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living/dining room.

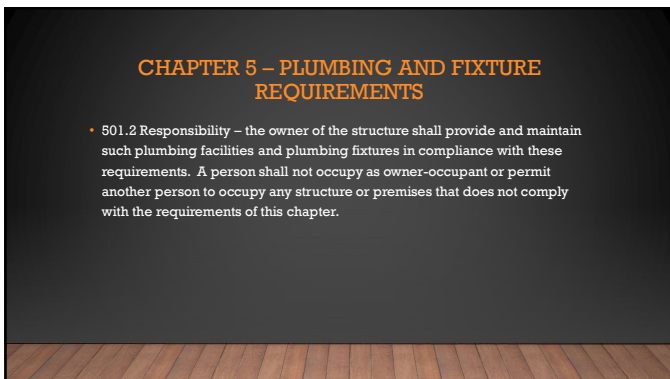
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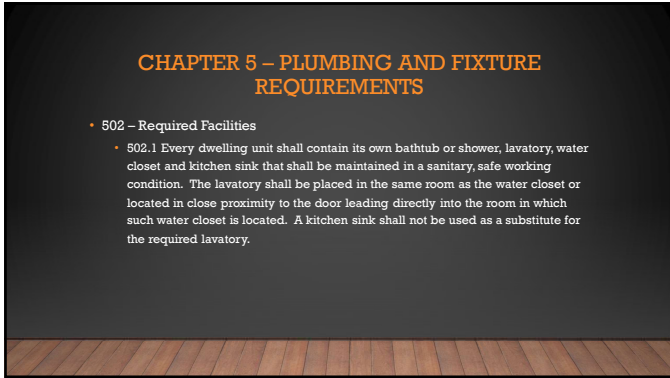
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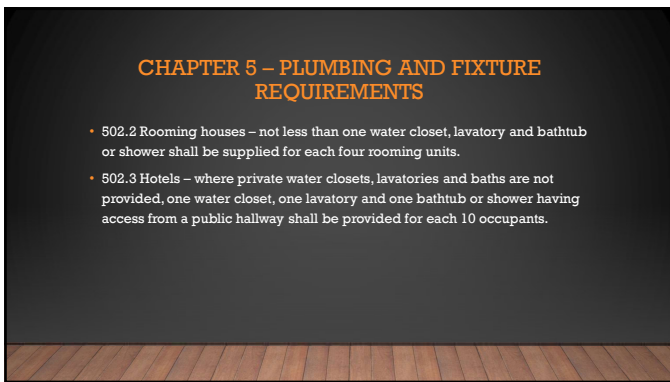
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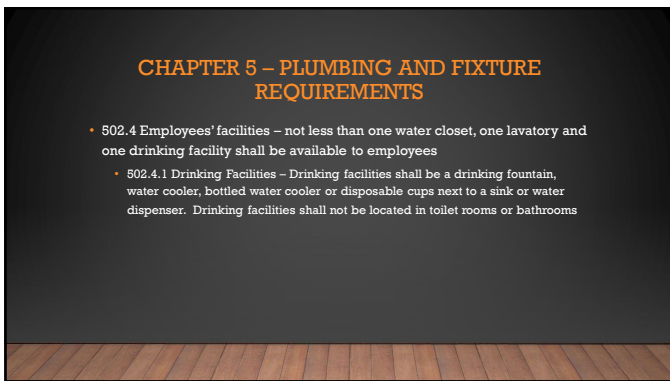
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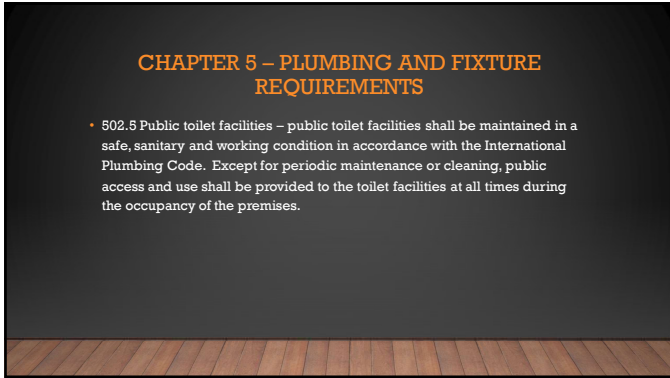
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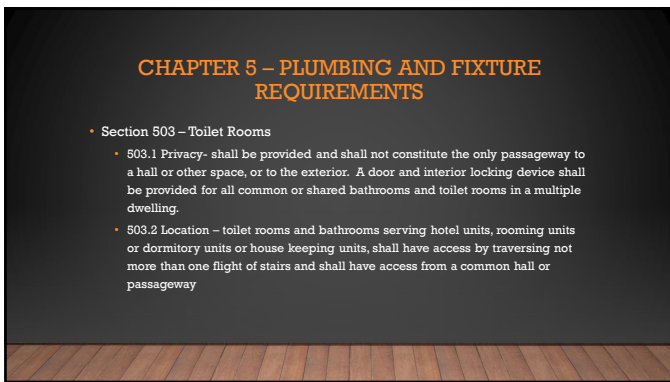
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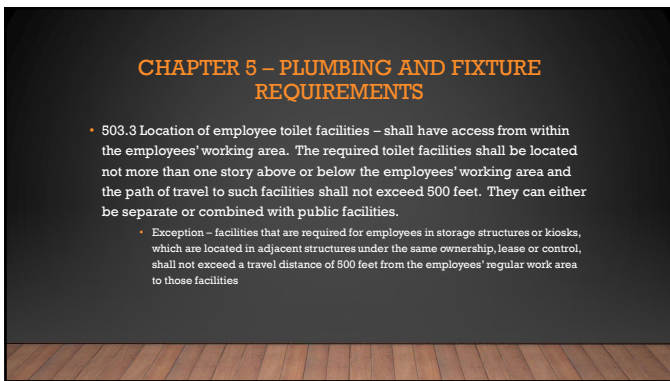
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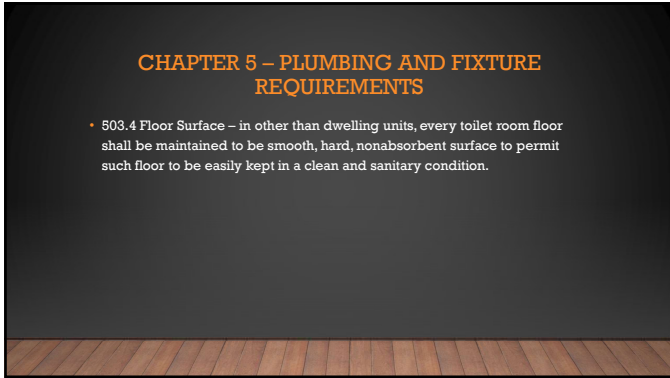
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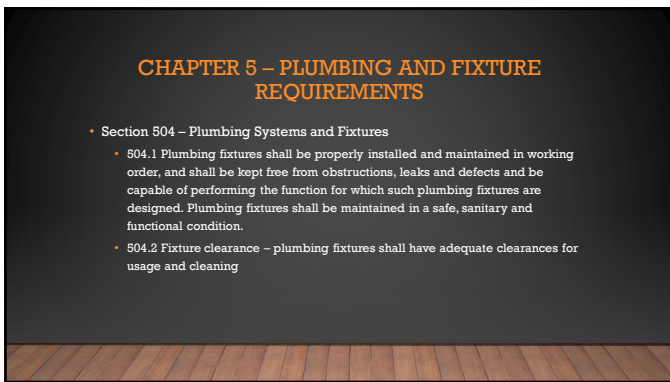
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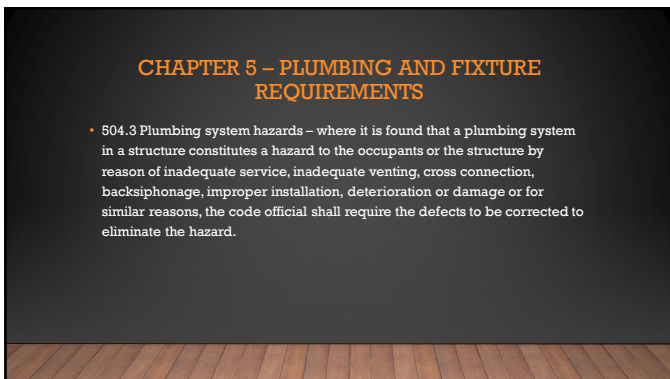
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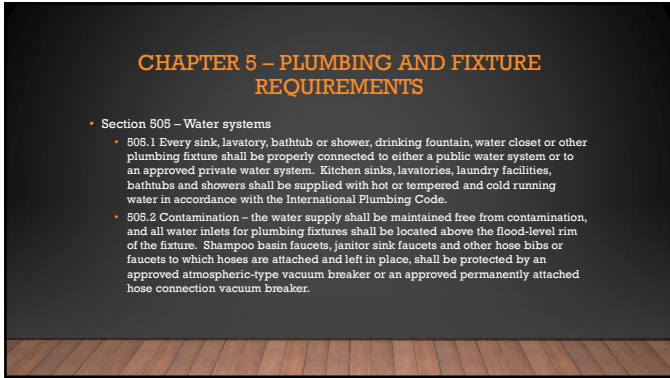
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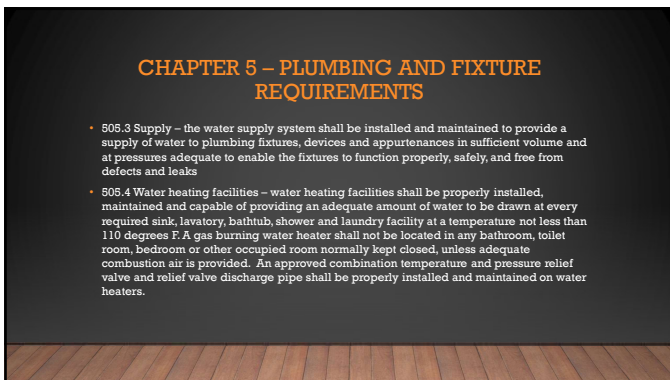
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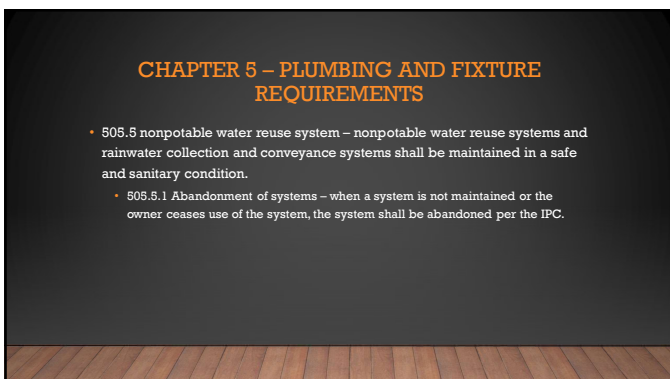
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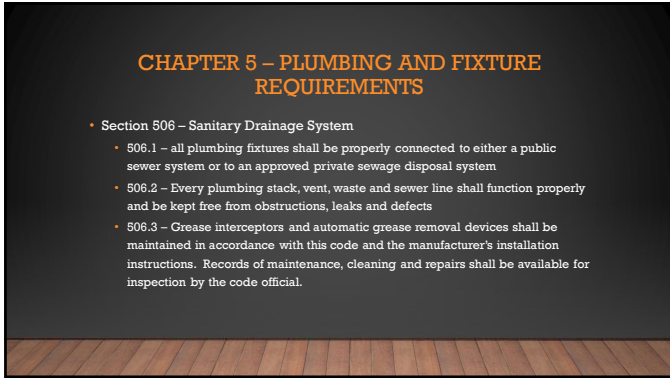
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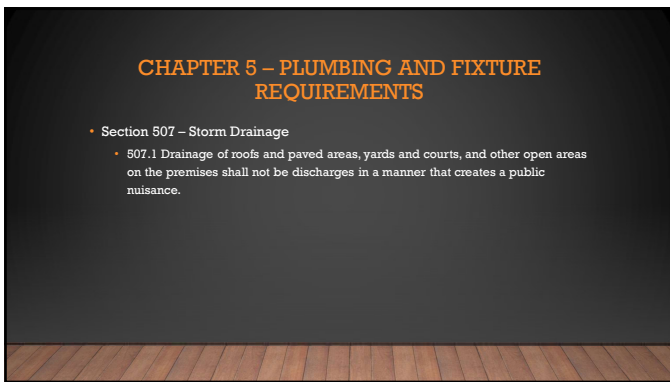
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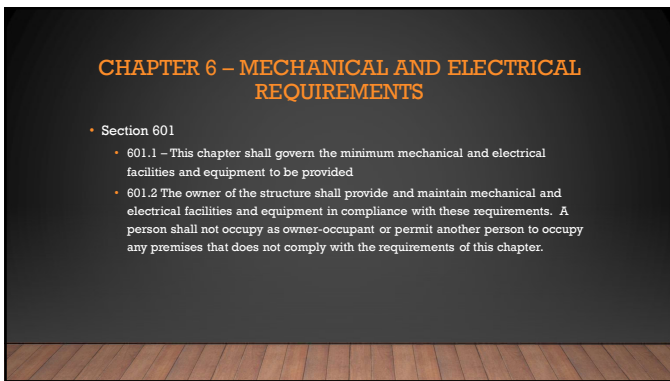
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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 602 – Heating Facilities
 - 602.2 Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 88 Degrees F in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.
 - Appendix D for PA is less than 10% in one direction or the other

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 602.3 Heat Supply – Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 (City of Bethlehem) to maintain a minimum temperature of 68 Degrees F in all habitable rooms, bathrooms and toilet room.
 - Exceptions
 - When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provide that the heat system is operating at its full design capacity.
 - In areas where the average monthly temperature is above 30 Degrees F, a minimum temperature of 65 Degrees F shall be maintained.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 602.5 Room Temperature Measurement
 - The required room temperatures shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 603 Mechanical Equipment
 - 603.1 Mechanical equipment, appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 603.2 Removal of combustion products – fuel burning equipment and appliances shall be connected to an approved chimney or vent
- The exception to that is fuel burning equipment and appliances labeled for unvented operation
- 603.3 Clearance – required clearances to combustible materials shall be maintained
- 603.4 Safety Controls – safety controls for fuel burning equipment shall be maintained in effective operation

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 603.5 Combustion air -0 a supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel burning equipment shall be provided for the fuel burning equipment
- 603.6 Energy Conservation Devices – are intended to reduce fuel consumption by attachment to a fuel burning appliance, to the fuel supply line thereto, or to the vent outlet for vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 604 – Electrical Facilities
- 604.1 – Every occupied building shall be provided with an electrical system in compliance with this chapter
- 604.2 Service – the size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a minimum rating of 60 amps

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 604.3 Electrical system hazards – where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.
- 604.3.1.1 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, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 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 manufacturers' representative indicates that the equipment has not sustained damage that requires replacement.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 605 – Electrical Equipment
- Section 605.1 – Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.
- Section 605.2 – Every habitable space in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain not less than one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- 605.3 Luminaires – every public hall, interior stairway, toilet room, kitchen, laundry room, bathroom, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaires over 15V shall have ground fault interrupter protection.
- 605.4 Wiring – Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors or ceilings.

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 606 Elevators – the most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the code official.
- 606.2 Elevators – in buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.
 - Exception – buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing

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CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

- Section 607 Duct Systems – duct systems shall be maintained free of obstructions and shall be performing the required function.

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

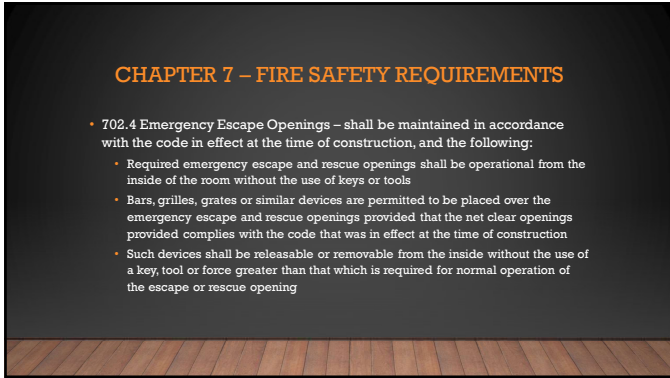
- This chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.
- Sections 703 through 704.5.2 are all new to 2018
- The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

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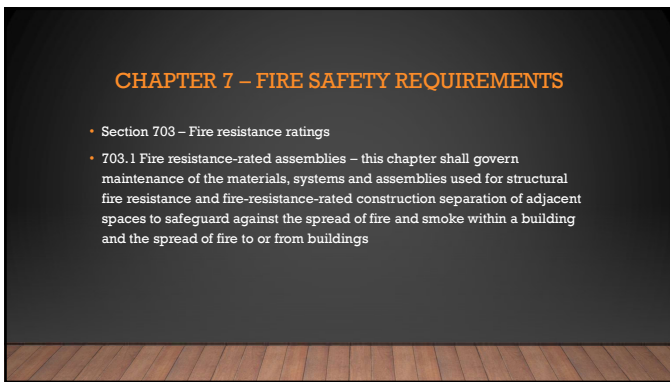
CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- Section 702 Means of Egress
- 702.1 A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.
- 702.2 Aisles – the required width of aisles shall be in accordance with the International Fire Code. (Minimum width based on occupancy type)
- 702.3 Locked Doors – means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the IBC.

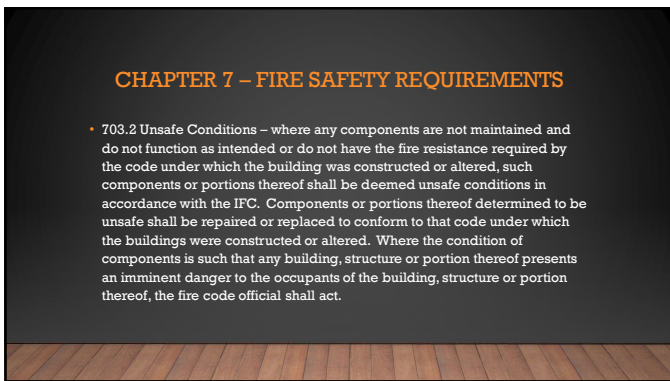
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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 703.3 Maintenance – the fire resistance rating of fire resistance rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire resistive coatings and spray fire resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Opening made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance rated assemblies shall be protected by self or automatic closing doors of approved construction meeting the fire protection requirements for the assembly.

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

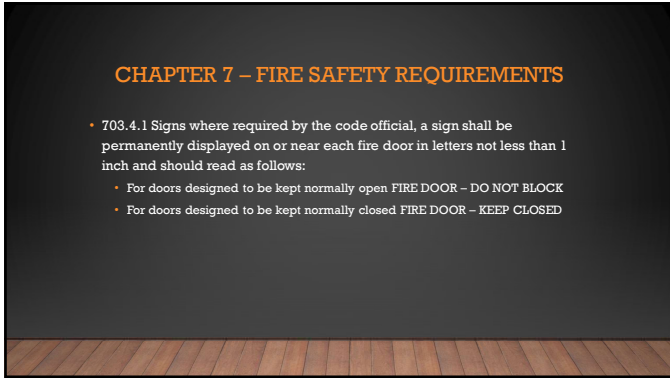
- 703.1.1 Fire blocking and draft stopping is required to be maintained in combustible concealed spaces to provide continuity and integrity of the construction
- 703.1.2 Smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. All smoke dampers and smoke barriers shall be maintained in accordance with NFPA 105
- 703.1.3 Fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Opening protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80

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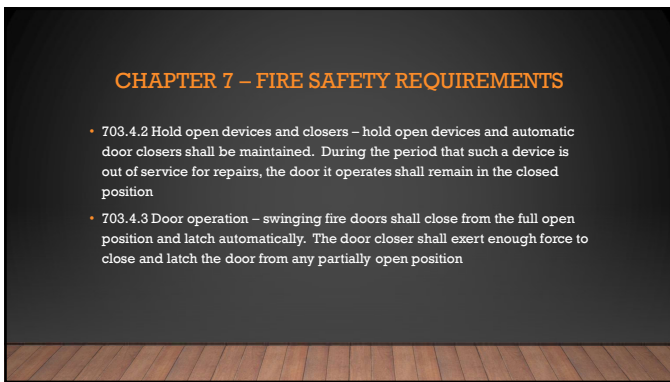
CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 703.4 Opening Protectives shall be maintained in an operative condition in accordance with NFPA 80. All labels shall be approved and follow the installation of the third party certified organization. Fire doors and smoke barriers shall not be obstructed or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified

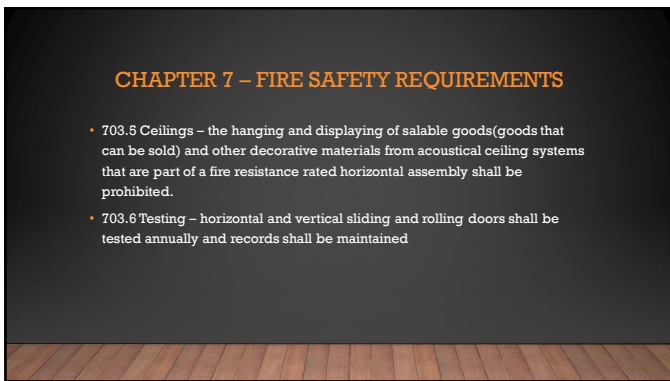
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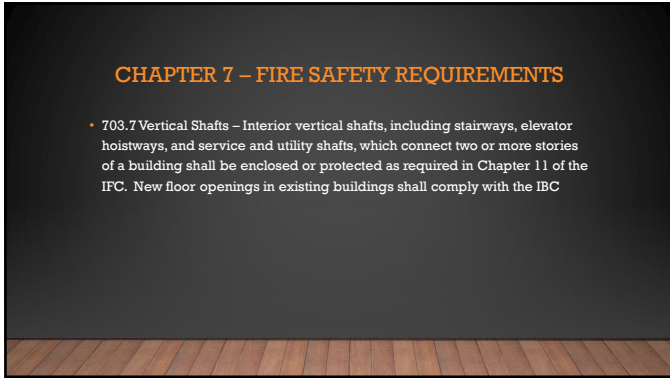
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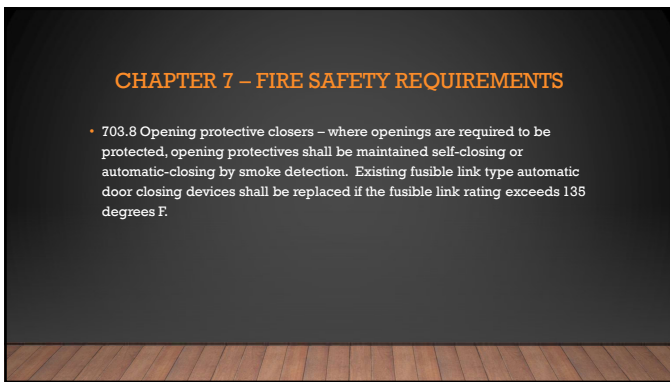
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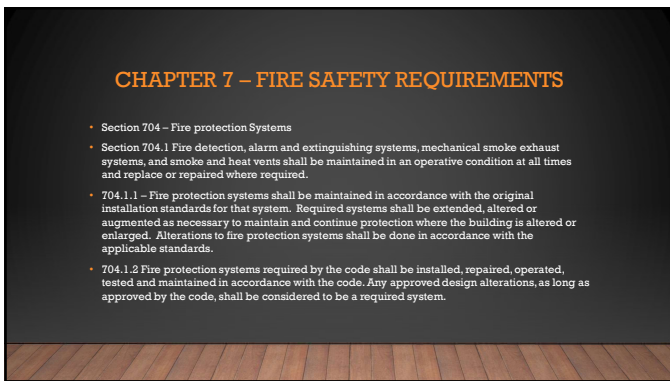
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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 704.1.3 Fire Protection Systems – the following systems shall be maintained and tested in accordance with the IFC:
 - Automatic Sprinkler System
 - Automatic fire extinguishing systems protecting commercial cooking systems
 - Automatic water mist extinguishing systems
 - Carbon dioxide extinguishing system
 - Carbon monoxide alarms and carbon monoxide detection systems
 - Clean agent extinguishing systems
 - Dry chemical extinguishing systems
 - Fire alarm and fire detection systems

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 704.1.3 cont'd
 - Fire Department Connections
 - Fire Pumps
 - Foam Extinguishing systems
 - Halon Extinguishing systems
 - Single and multiple station smoke alarms
 - Smoke and heat vents and mechanical smoke removal systems
 - Smoke control systems
 - Wet chemical extinguishing systems

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

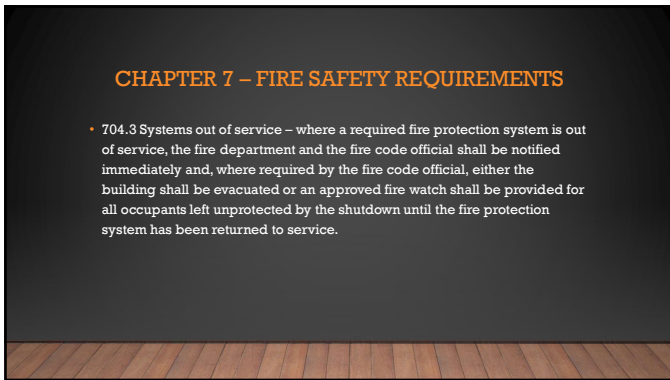
- Standards

Table 704.2 Fire Protection System Maintenance Standards	
System	Standard
Portable Fire Extinguishers	NFPA 10
Carbon dioxide fire extinguisher systems	NFPA 12
Halons 120 fire extinguisher systems	NFPA 12A
Dry chemical extinguishing systems	NFPA 17
Wet chemical extinguishing systems	NFPA 17A
Water based extinguishing systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water mist systems	NFPA 750
Clean Agent extinguishing systems	NFPA 2001

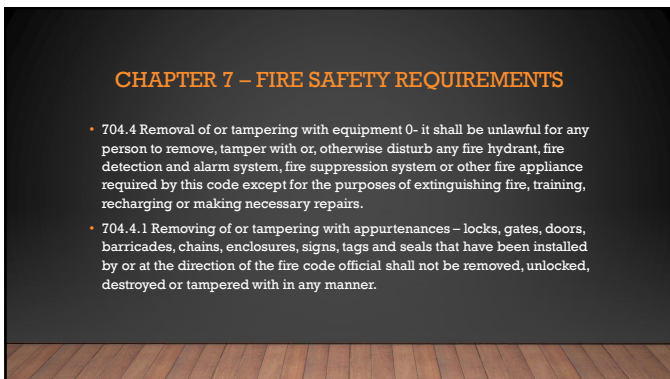
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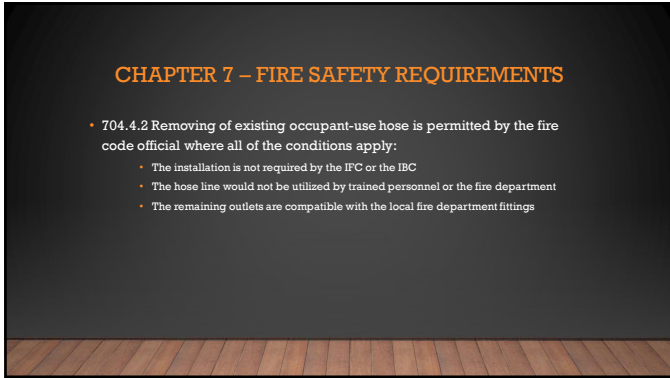
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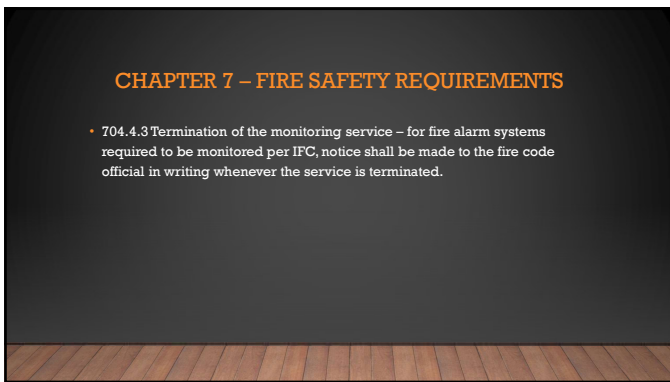
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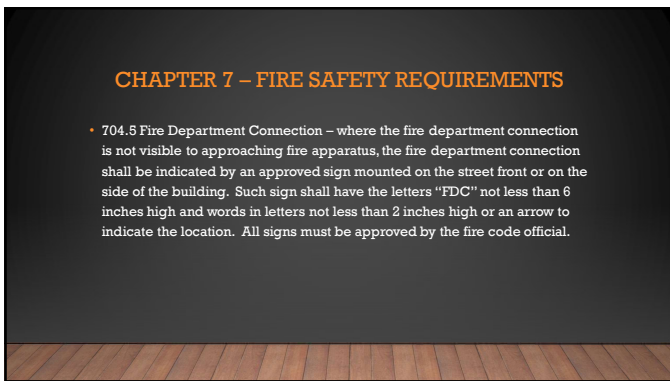
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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 704.5.1 Fire Department connection access – ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. All FDCs shall be approved by the fire official.
 - Exception – fences, where provided with an access gate equipped with a sign complying with legend requirements of Section 912.5 of the IFC and a means of emergency operation.

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- 704.5.2 Clear space around connections – A working space of not less than 36 inches in width, 36 inches in depth and 78 inches in height shall be provided and maintained in front of and to the sides of wall mounted fire department connections and around the circumference of free standing fire department connections.

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 704.6 Single and multiple station smoke alarms - single and multiple station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with sections 704.6.1 through 704.6.3
- 704.6.3 Where required – existing Group I-1 and R occupancies shall be provided with single station smoke alarms in accordance with 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Section 704.6.2 and 704.6.3
 - Exception
 - Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided
 - Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of construction
 - Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms

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- 704.6.1.1 Group R-1 – single or multi station smoke alarms shall be installed in all of the following locations in Group R-1
 - In sleeping areas
 - In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit
 - In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

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CHAPTER 7 – FIRE SAFETY REQUIREMENTS

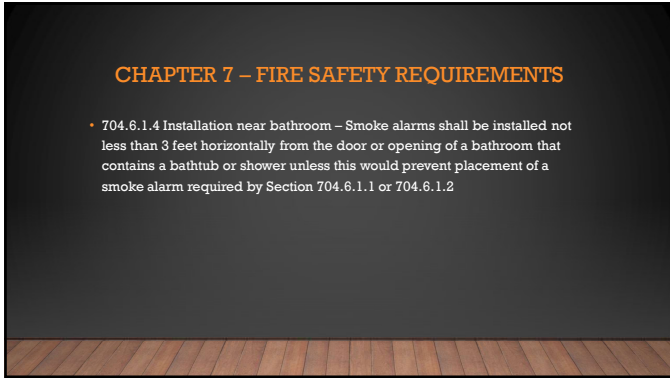
- 704.6.1.2 Groups R-2, R-3, R-4 and I-1 – Single or multiple station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:
 - On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of the bedrooms
 - In each room used for sleeping purposes
 - In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

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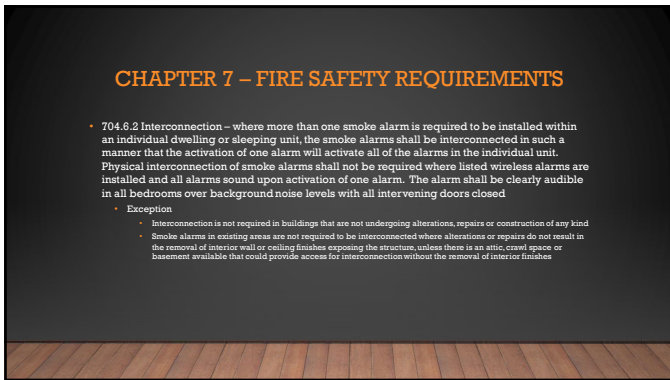
CHAPTER 7 – FIRE SAFETY REQUIREMENTS

- 704.6.1.3 Installation near cooking appliances – smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2
 - Ionization smoke alarms shall not be installed less than 20 feet horizontally from a permanently installed cooking appliance
 - Ionization smoke alarms with an alarm silencing switch shall not be installed less than 10 feet horizontally from a permanently installed cooking appliance
 - Photoelectric smoke alarms shall not be installed less than 6 feet horizontally from a permanently installed cooking appliance

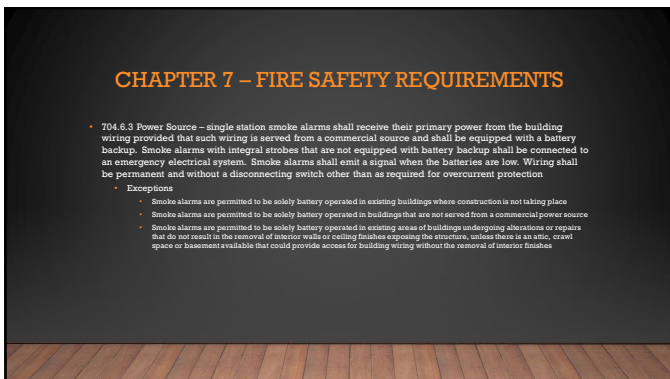
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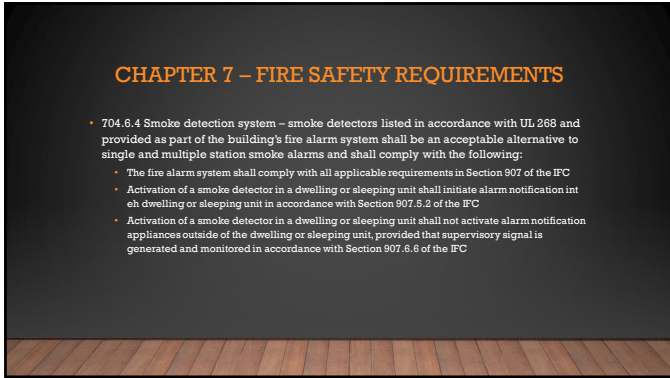
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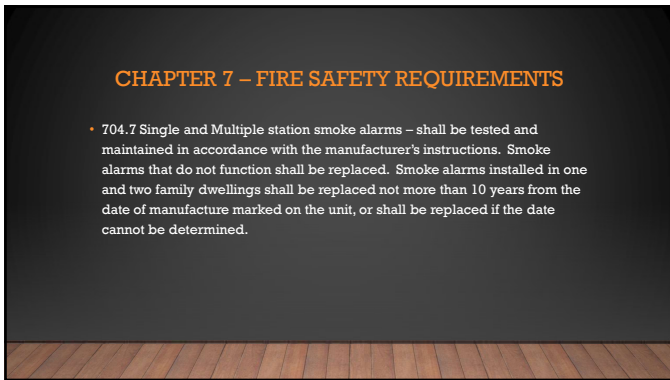
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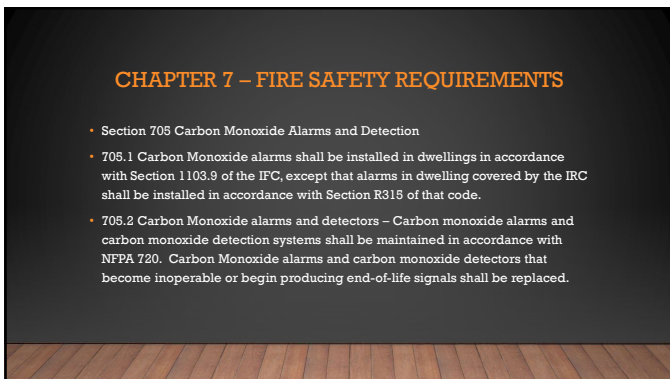
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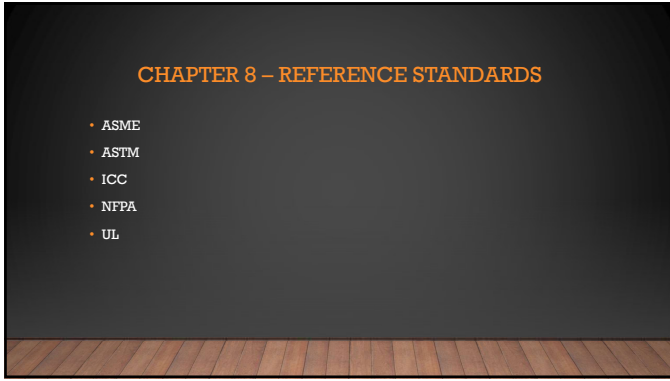
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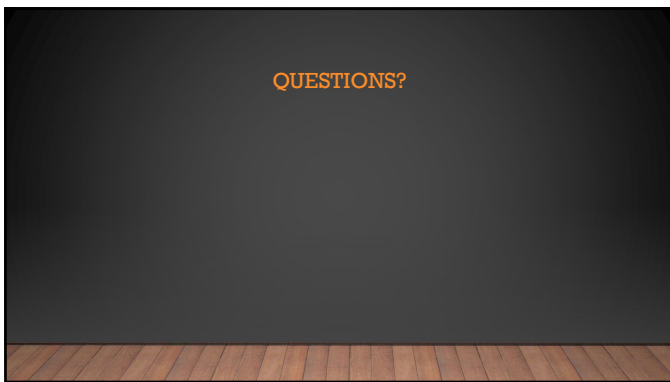
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