

Ordinance Submittal and Synopsis

Ordinance Title: 2006 International Property Maintenance Code

Date: January 24, 2006

Section Numbers/Titles: Chapter 11. Article IV. Property Maintenance Code.
Section 11-75 Adopted, and Section 11-76 Amendments

First Reading: February 5, 2007

Requested Date of Hearing: February 20, 2007

Proposed By: Ron Bell
Chief Building Official
Planning and Building Services



Reason: The attached ordinance proposes to adopt the 2006 International Property Maintenance Code (IPMC). The IPMC is a modern, up-to-date code, which governs the maintenance of existing buildings. Included are clear and specific property maintenance requirements for building, plumbing, mechanical, electrical, and fire-protection systems in existing residential and nonresidential structures and their premises.

The IPMC has been prepared and developed by the International Code Council (ICC) and is designed to be compatible with the International Building Code, Residential Code, and other referenced codes.

Notable changes from the 2003 IPMC to the 2006 IPMC are as follows:

106.3 Prosecution of violation. *The term “civil infraction” has been added to the first sentence allowing a local municipality to find an individual guilty of a civil infraction or a misdemeanor when the individual fails to comply with a notice of violation. This is the only I-Code that includes the terminology of “Prosecution of violation.” The same provision was inserted into the other I-Code ordinances for consistency.*

303.2 Enclosures. *An exception has been added to accept a listed safety cover over a hot tub or spa as an alternate to the requirement of providing a barrier around a hot tub or spa which is consistent with the IBC, IRC, and local ordinances concerning pool, hot tub, and spa barriers.*

304.18.1 Doors. *The provision concerning the means of providing security on exterior doors has been rewritten. This will already mirror the existing security ordinance which requires minimum one-inch throw deadbolts as security locks.*

403.3 Cooking facilities. *Cooking appliances are not allowed in rooming units in dormitories. Exception No. 2 has been added to clarify that a coffee pot and microwave are allowed in a rooming or dormitory unit.*

605.3 Luminaires. *The term luminaire replaced the generic term lighting fixture consistent with the National Electrical Code (NEC) which includes all types of lighting units or systems. A luminaire is defined as a complete lighting system consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and ballast (where applicable), and to connect the lamps to the power supply.*

606.1 General. *This section has been changed to include the industry standard for elevator maintenance which is ASME A 17.1. This will also give the code official the authority to require a building owner to perform periodic testing in accordance with the standard which is normally required by the insurance industry.*

The following is a commentary of local amendments or modifications to the 2006 International Property Maintenance Code found in Section 11-76.

101.3 Intent. *The membership of ICC voted out the mandatory reference to the IExBC on the basis that a majority felt that the IExBC is too lenient with regard to fire alarms, suppression, and resistivities. It is now up to the jurisdictions to individually decide as to whether to adopt the IExBC. Building Services intends to continue to utilize the document and has inserted the reference to utilize the IExBC back into this section.*

Section 102.3 Application of other codes; 201.3 Terms defined in other codes. *These provisions reference the other adopted codes when the Property Maintenance Code addresses repairs, additions, or alterations to an existing structure. The local ordinance specifically inserts the Residential Code and the International Existing Building Code as an allowable alternate for prescriptive building standards in existing structures, as compared to the building or residential codes.*

Section 304.14 Insect screens. *This inserts the time of year that screens are necessary for insect control. The dates have been changed at the request of the Multi-Housing Association from April 1 to September 30, to May 1 to October 1.*

404.4.1 Area for sleeping purposes. *At the request of the Multi-Housing Association, the following is to clarify the maximum occupant load that is allowed within a dwelling unit. This provision defines the minimum area of a living room as 120 square feet and a bedroom at 70 square feet. The occupant load within a dwelling unit by ordinance is based on one person for the first 70 square feet of a bedroom and there must be at least 50 square feet of bedroom for each additional occupant. A bedroom is any room or space used or intended to be used for sleeping purposes. If a living room, for instance, is found to be used as an area where the occupants are sleeping, the areas defined in Section 404.4.1 would be the factor to determine if the area is overcrowded.*

404.5 Overcrowding. *The reference to a prescriptive table in the 2003 IPMC determining what constitutes overcrowding is eliminated and replaced with a subjective determination by the Housing Inspector to determine what is overcrowding in the 2006 IPMC. Instead of such a subjective determination by the Housing Inspector, this provision is eliminated by local ordinance. The determination of the allowable occupant load is based on the modification to Section 404.1.1 above.*

602.3 Heat supply. *This section inserts the time period when heat is required to be supplied to a dwelling unit. The dates have been changed at the request of the Multi-Housing Association from April 1 to September 30, to May 1 to October 1.*

Section 602.4 Occupiable work spaces. *This merely inserts the time of year that an indoor occupiable space is required to maintain a minimum temperature of 65°F. The dates have been changed at the request of the Multi-Housing Association from April 1 to September 30, to May 1 to October 1.*

Board Recommendations: The Sioux Falls Property Maintenance Board reviewed and unanimously approved the proposal to adopt the 2006 International Property Maintenance Code and amendments thereto on Wednesday, November 1, 2006.

Staff met with the South Dakota Multi Housing Association to review changes found in the national model code and to receive input for modifications or local amendments to the IPMC.

Code Sections that May be Affected by This Change: The International Property Maintenance Code is a companion code to the International Building Code referenced in Sections 11-17 and 11-20; to the International Residential Code referenced in Sections 11-1 and 11-2; and the International Mechanical and Fuel Gas Codes referenced in Sections 11-31, 11-32, and 11-33; References to the International Electrical Code and the International Plumbing Code have been modified to the 2005 National Electrical Code and the 2003 Uniform Plumbing Code respectively.

Attachments:

Copy: Mayor
 Council member Gerald Beninga
 Council member Vernon Brown
 Council member J. Pat Costello
 Council member Bob Jamison
 Council member Kevin Kavanaugh
 Council member De Knudson
 Council member Bob Litz
 Council member Kermit Staggers
 City Attorney
 Planning Director
 City Clerk

Use additional sheets if necessary.