

**User notes:****About this chapter:**

*Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.*

**Relocations:**

*Material in this chapter, or that was in this chapter in the last code cycle, has been relocated. For complete information regarding the relocation of sections, tables and figures, see "Content Relocations" in the Preface of this code.*

**SECTION 301—GENERAL**

**301.1 Scope.** Maintenance of *structures*, equipment and *exterior property* shall comply with this chapter.

**301.2 Responsibility.** The *owner* of the *premises* shall maintain the *structures* and *exterior property* in compliance with these requirements and the code under which the building was constructed, except as otherwise provided for in this code. The *owner* or *owner's agent* shall be responsible to ensure that any repairs, additions or alterations to the building or portion thereof are performed or constructed in accordance with the *International Building Code*, *International Residential Code* or *International Existing Building Code*. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* they occupy and control.

**301.3 Vacant structures and land.** Vacant *structures* and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

**SECTION 302—EXTERIOR PROPERTY AREAS**

**302.1 Sanitation.** *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

**302.2 Grading and drainage.** *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any *structure* located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**302.3 Sidewalks and driveways.** Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

**302.4 Weeds.** *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 107.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

**302.5 Rodent harborage.** *Structures* and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest *elimination*, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another *tenant*.

**302.7 Accessory structures.** Accessory *structures*, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**302.8 Motor vehicles.** Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any *premises*, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a *structure* or similarly enclosed area designed and *approved* for such purposes.

**302.9 Defacement of property.** A *person* shall not willfully or wantonly damage, mutilate or deface any exterior surface of any *structure* or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

### SECTION 303—SWIMMING POOLS, SPAS AND HOT TUBS

**303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**303.1.1 Public pool and spa operation and maintenance.** Public pools, public spas and aquatic recreation facilities shall be operated and maintained in accordance with ANSI/PHTA/ICC-2.

**303.2 Enclosures.** Residential swimming pools and spas containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exceptions:**

1. Spas equipped with a lockable safety cover that complies with ASTM F1346.
2. Residential swimming pools equipped with a power safety cover that complies with ASTM F1346 and is in working condition using the control switch.

### SECTION 304—EXTERIOR STRUCTURE

**304.1 General.** The exterior of a *structure* shall be structurally sound and maintained in good repair.

**304.1.1 Potentially unsafe conditions.** The following conditions shall be considered to be potentially unsafe, shall be assessed in accordance with Section 105, and shall be addressed in compliance with the *International Existing Building Code*, the *International Residential Code* or the *International Building Code*:

1. Structures, structural members or components thereof have *deterioration* or distress that appears to reduce their load-carrying capacity.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations has *deterioration* or distress that appears to reduce its load-carrying capacity.
3. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.
4. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or have deterioration or distress that appears to reduce their load-carrying capacity.
5. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or have deterioration or distress that appears to reduce their load-carrying capacity.
6. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration* or distress that appears to reduce their load-carrying capacity.
7. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or distress that appears to reduce their load-carrying capacity.
8. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections that show signs of deterioration or distress that appears to reduce their load-carrying capacity.
9. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections that show signs of deterioration or distress that appears to reduce their load-carrying capacity.
10. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections that show signs of deterioration or distress that appears to reduce their load-carrying capacity.
11. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections that show signs of deterioration or distress that appears to reduce their load-carrying capacity.



**Exceptions:**

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**304.1.2 Unsafe conditions.** Conditions that are determined to be unsafe shall be addressed in compliance with Section 109 and the *International Existing Building Code*, *International Residential Code* or *International Building Code*.

**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. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

**304.4 Structural members.** Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.** Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.** Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be *anchored* and maintained in good repair.

**304.9 Overhang extensions.** Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be *anchored* and maintained in good repair.

**304.10 Stairways, decks, porches and balconies.** Exterior stairways, decks, porches and balconies, and all appurtenances attached thereto, shall be *anchored*, structurally sound and maintained in good repair.

**304.11 Chimneys and towers.** Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be structurally sound and maintained in good repair.

**304.12 Handrails and guards.** Handrails and *guards* shall be anchored, structurally sound and maintained in good repair.

**304.13 Windows, skylights and doors.** Windows, skylights, doors and related components shall be weathertight and maintained in good repair.

**304.13.1 Glazing.** Glazing materials shall be maintained free from cracks and holes.

**304.13.2 Operable windows.** Operable windows shall open easily and be capable of being held in position by window hardware.

**304.14 Insect screens.** During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**304.15 Doors.** Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Basement hatchways shall be maintained in good repair to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.** Operable basement windows shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building security.** Doors, windows and hatchways for *dwelling units*, rooming units and *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.** Doors providing access to an individual *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* where equipped with a deadbolt lock, the deadbolt shall be designed to be readily openable from the side from which egress

is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.** *Basement hatchways* that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* shall be equipped with devices that secure the units from unauthorized entry.

**304.19 Gates.** Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates. Horizontal side, swing and automatic vehicle gates shall comply with Sections 304.19.1 through 304.19.3, as applicable.

**304.19.1 Horizontal slide gates.** A manual slide gate not less than 84 inches (2134 mm) in height measured vertically from the bottom of the gate leaf shall be maintained in accordance with the following:

1. The gate shall not fall over more than 45 degrees (0.79 rad) from the vertical plane when detached from the supporting hardware.
2. Positive stops shall be required to limit travel to the designed fully open and fully closed positions. These stops shall be installed at the top or bottom of the gate, where such stops shall horizontally or vertically project no more than is required to perform their intended function.
3. All exposed load-bearing rollers not greater than 8 feet (2.44 m) above grade shall be guarded or covered.
4. Gate movement shall not be initiated by gravity in either lineal direction of travel.
5. Gates shall have sufficient lateral stability to ensure that the gate will enter a receiver guide, where provided.
  - 5.1. For single-panel gates, receiver guides shall be recessed behind the leading edge of the receiver post or fixed object.
 

**Exception:** Receiver guides mounted greater than 8 feet (2.44 m) above grade shall not be required to comply with this section.
  - 5.2. For dual-panel gates, receiver guides installed on either panel shall include a cross-sectional area of not less than 9 square inches (5806 mm<sup>2</sup>) as measured on the leading edge of each guide.
6. Openings shall be designed, guarded or screened from the bottom to the top of the gate or not less than 72 inches (1.83 m) above grade, whichever is less, to prevent a 2 1/4-inch-diameter (57 mm) sphere from passing through openings in the gate or in any portion of the adjacent fence that the gate covers in the open position. The gate panel shall include the entire section of the moving gate and any back frame or counterbalance portion of the gate.
7. A gap, measured in the horizontal plane parallel to the roadway, between a fixed stationary object nearest the roadway, such as a gate support post, and the gate frame when the gate is in either the fully open position or the fully closed position, shall not exceed 2 1/4 inches (57 mm).

**304.19.2 Manual swing gates.** A manual swing gate not less than 84 inches (2134 mm) in height measured vertically from the bottom of the gate leaf shall be maintained in accordance with the following:

1. The hinge side of the gate shall be fitted with an anti-drop device so that the gate will not move downwards by more than 12 inches (305 mm) in the case of a hinge separation.
2. Positive stops shall be required to limit travel to the designed fully open positions.
3. Gate keepers shall securely retain the gate leaf in the fully open position.
4. Gate latches shall securely retain the gate leaf in the fully closed position.
5. The minimum height for barbed wire shall be not less than 6 feet (1.83 m) above grade.
6. The minimum height for barbed tape shall be not less than 8 feet (2.44 m) above grade.
7. Gates shall have smooth bottom edges, with vertical bottom edged protrusions not greater than 1/2 inch (12.7 mm).
8. Protrusions shall not be permitted on any gate.

**Exceptions:**

1. Vertical bottom edge protrusions permitted by Item 7.
2. Gate locks and latches shall not be considered protrusions.
3. Protrusions at the leading vertical gate edge shall not exceed 1/2 inch (12.7 mm), and shall be smooth on all surfaces with no sharp edges.
4. Top pickets and top decorative designs shall not be considered protrusions, provided they are in a vertical plane with respect to the gate. Protrusions extending outside the vertical plane shall be permitted, provided such protrusions are located not less than 7 feet (2.13 m) above grade.
9. Gates shall be designed, constructed and installed such that their movement is not initiated by gravity.
10. Horizontal swing gates shall not result in continuous, unimpeded movement in either direction along the arc of its path of travel.

**304.19.3 Automatic vehicular gates.** Automatic vehicular gate assemblies shall be maintained in accordance with ASTM F2200 and UL 325.

## SECTION 305—INTERIOR STRUCTURE

**305.1 General.** The interior of a *structure* and equipment therein shall be in a sanitary condition, structurally sound, safe, and maintained in good repair. *Occupants* shall keep that part of the *structure* that they occupy or control in a clean and sanitary condition. Every *owner* of a *structure* containing *rooming units*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential *occupancies*, shall maintain the shared or public areas of the *structure* and *exterior property* in a clean and sanitary condition.



**305.1.1 Potentially unsafe conditions.** The following conditions shall be considered to be potentially unsafe, shall be assessed in accordance with Section 105, and shall be addressed in compliance with the *International Existing Building Code*, the *International Residential Code* or the *International Building Code*:

1. Structures, structural members or components thereof have *deterioration* or distress that appears to reduce their load-carrying capacity.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations has *deterioration* or distress that appears to reduce its load-carrying capacity.
3. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections that show signs of deterioration or distress that appears to reduce their load-carrying capacity.
4. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or that show signs of deterioration or distress that appears to reduce their load-carrying capacity.

**Exceptions:**

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**305.1.2 Unsafe conditions.** Conditions that are determined to be unsafe shall be addressed in compliance with Section 109 and the *International Existing Building Code*, *International Residential Code* or *International Building Code*.

**305.2 Structural members.** Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**305.3.1 Gypsum panel products.** Gypsum panel products that have been subjected to any of the following conditions shall be repaired or replaced:

1. Deterioration.
2. Fire or smoke damage.
3. Significant splits, cracks or holes.
4. Hazardous chemical exposure.
5. Visible mold.

**305.4 Stairs and walking surfaces.** Stairs, ramps, landings, balconies, porches, decks and other walking surfaces shall be structurally sound and maintained in good repair.

**305.5 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## SECTION 306—COMPONENT SERVICEABILITY

**306.1 General.** The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Potentially unsafe conditions.** The following conditions shall be considered to be potentially unsafe and shall be assessed in accordance with Section 104 and the *International Existing Building Code*, *International Residential Code* or *International Building Code*:

1. Foundations that exhibit any of the following conditions:
  - 1.1. Collapse or damage.
  - 1.2. Adverse effects due to the water table or a chemical reaction from the soil.
  - 1.3. Inadequate or questionable soil bearing capacity.



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2. Concrete that has been subjected to any of the following conditions:
  - 2.1. *Deterioration.*
  - 2.2. *Ultimate deformation.*
  - 2.3. Cracks.
  - 2.4. Spalling.
  - 2.5. Exposed reinforcement.
  - 2.6. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. *Deterioration.*
  - 3.2. Corrosion.
  - 3.3. *Ultimate deformation.*
  - 3.4. Cracks.
  - 3.5. Fatigue.
  - 3.6. *Detached*, dislodged or failing connections.
4. Masonry that has been subjected to any of the following conditions:
  - 4.1. *Deterioration.*
  - 4.2. *Ultimate deformation.*
  - 4.3. Cracks.
  - 4.4. Spalling.
  - 4.5. Exposed reinforcement.
  - 4.6. *Detached*, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
  - 5.1. *Deterioration.*
  - 5.2. *Ultimate deformation.*
  - 5.3. Fatigue.
  - 5.4. *Detached*, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
  - 6.1. Ultimate deformation.
  - 6.2. Deterioration.
  - 6.3. Damage from insects, rodents and other vermin.
  - 6.4. Fire damage.
  - 6.5. Significant splits.
  - 6.6. Inadequate support.
  - 6.7. *Detached*, dislodged or failing connections.
  - 6.8. Excessive cutting and notching.

### Exceptions:

1. Where substantiated otherwise by an *approved* method
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**306.1.2 Unsafe conditions.** Conditions that are determined to be unsafe shall be addressed in compliance with Section 109 and the *International Existing Building Code*, *International Residential Code* or *International Building Code*.

## SECTION 307—HANDRAILS AND GUARDRAILS

**307.1 Handrails.** Stairs having four or more risers shall have a handrail on one side of the stair.

**307.1.1 Height.** Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces.

**307.2 Guards.** *Guards* shall be provided along open-sided walking surfaces, including balconies, porches, decks, stairs, ramps and landings, that are more than 30 inches (762 mm) above the floor or grade below.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

**307.2.1 Height.** Guards constructed to meet the minimum guard height required by the adopted code shall be permitted to remain.

