

General Comments

The title for this chapter (“General Requirements”) indicates that it is broad in scope. It includes a variety of requirements for exterior property areas, as well as interior and exterior elements of the structure. The chapter provides specific criteria for regulating the installation and maintenance of building components. This chapter also contains requirements regulating the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas.

Section 301 identifies the scope of this chapter as containing provisions for maintaining a structure and its exterior property areas, and establishes who is responsible for complying with the chapter’s provisions. This section also provides minimum maintenance requirements for vacant structures and land.

Section 302 establishes criteria for maintaining exterior property areas and accessory structures and provides vehicle storage regulations.

Section 303 contains the requirements for swimming pools, spas, hot tubs, protective barriers and gates in these barriers.

Section 304 establishes maintenance requirements for the structural, weather resistance, sanitary and safety performance of the exterior of a structure.

Section 305 establishes maintenance requirements for the structural, sanitary and safety performance of the interior of a structure.

Section 306 contains provisions for maintaining components of a structure, as well as for determining unsafe conditions based on specific parameters.

Section 307 provides for the safety and maintenance of handrails and guardrails.

Sections 308 and 309 establish the responsible parties for exterminating insects and rodents, and maintaining sanitary conditions in various types of occupancies. When specific requirements are not provided in the code, the following three options for establishing the necessary criteria are available:

1. If the jurisdiction has already established criteria, the code official can continue to enforce that criteria.
2. The jurisdiction may adopt its own criteria and incorporate them as an amendment to the appropriate section of the code.
3. The code official may adopt and enforce criteria already established by the *International Building Code*® (IBC®).

Inadequate sanitation and insect or rodent infestations can have a significant impact on a community. A poorly kept neighborhood affects the self-image of a community, as well as the impression neighboring communities and visitors have about the area. Responsible property owners may shy away from neighborhoods that look unkempt. As a result, property values decrease and the cycle can continue until the neighborhood is considered a slum.

An area that is neat, clean and well maintained attracts owners and occupants who are usually willing to keep the area attractive, if only to protect their own interests. The code official, with vigorous enforcement of sanitation and extermination regulations, can help a community maintain a positive self-image. This creates a favorable image for the rest of the community and its visitors.

Section 310 provides requirements for the maintenance of accessible features of a facility.

Section 311 provides requirements for the maintenance of storm shelters.

Section 312 provides requirements for live fire training structures.

Purpose

This chapter provides requirements 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-resistant performance.

SECTION 301—GENERAL

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

C This chapter establishes minimum requirements for maintenance of property areas, premises and structures. The code deals with all types and all ages of structures; therefore, the criteria must be of a minimum nature, consistent with a reasonable level of protection for the health and safety of the occupants.

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.

C The owner is responsible for complying with the requirements of this chapter and the code under which the building was originally constructed, except where the code places the responsibility on the occupants to keep their portion of the premises in a safe and sanitary condition.

Simply stated, owners must provide a safe and sanitary property and premises when they let it for occupancy. Occupants must continue to keep it safe and sanitary while they occupy, control or use the property and premises. Further, the owner is responsible for code compliance as it relates to any repairs, additions or alterations to the building or portion thereof.

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.

C Both vacant structures and vacant land present special concerns to communities. Because no one is living on these premises, they are often ignored by the owners. Consequently, this section establishes the code official's authority to order the cleanup of vacant lands and the securing of vacant structures that might present an attractive nuisance.

When the owner fails to secure a vacant structure, Section 109.2 provides the code official with the authority to arrange for securing such buildings. Additionally, Section 111 authorizes the code official to pursue demolition of any structure that is deemed unreasonable to repair. When a structure is reasonable to repair, the code official is authorized to require the necessary repairs.

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.

C This section establishes a simple, straightforward requirement that exterior areas shall be clean and free from rubbish and garbage (see the definitions in Chapter 2). The code official may find that enforcement of this section is frequently neither straightforward nor simple.

Each jurisdiction has neighborhoods within the overall community that have distinct characteristics. Deteriorated, low-cost housing may dominate in one area, while another has expensive, well-maintained housing units. Sanitation standards should be enforced uniformly and consistently.

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.

C Improperly graded property areas create health and safety hazards. Stagnant water provides a home for many nuisance insects, especially mosquitoes. Stagnant water next to a structure can cause mold growth or foundation leaks, which can lead to the decay of wooden members. Ponded water is an attractive nuisance for children and has contributed to numerous drowning deaths.

Stagnant water is foul or stale water, and regrading the premises may be necessary to prevent stagnant water. If regrading is not practical, some type of water-diversion system must be installed. Other solutions include replacing nonabsorbent soil with absorbent soil, installing underground drain tile, or building an underground leaching pit or rain garden.

Soil erosion can be a nuisance if material is being deposited in drainage systems or on adjacent properties and is an indication of improper grading. Planting and maintaining an acceptable ground cover generally prevents erosion.

As indicated by the exception, water retention areas or reservoirs are permitted by the code even though they may contain stagnant water; however, the code official must approve of their use.

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.

GENERAL REQUIREMENTS

C The code official is authorized to require that all sidewalks, walkways, stairs, driveways, parking spaces, and similar surfaces are usable and kept in proper repair. Walking surfaces that have deteriorated to a condition that presents a hazard to pedestrians must be repaired or replaced to eliminate the hazard and thus reduce the potential for accidents or injuries.

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.

C Criteria establishing maximum heights for grass and weeds are necessary to reduce rodent shelters, pollen dust problems and blight in a neighborhood. The maximum height in most municipalities is 12 inches (305 mm), but the adopting jurisdiction must set a height requirement in the local amendments. Dry, tall vegetation can become a fire hazard, especially during hot or dry periods. Overgrown vegetation may also block sightlines for drivers and pedestrians at intersections.

This section provides a mechanism for removal of weeds on neglected or abandoned properties after proper notice has been given to the responsible owner or agent (see Section 109). It is important that the code official acts quickly in requiring weed removal to prevent the weeds from contributing to a blight condition that could eventually become a harbor for pests and rodents.

All noxious weeds are prohibited; however, each community has different weeds that are considered noxious. The code official should confer with the state or local agricultural agent to become familiar with weeds that are noxious in their community.

Cultivated flowers and gardens are not considered to be weeds, such as pollinator gardens that support biodiversity. The word “cultivated” is important. Cultivated is defined as “to loosen or dig (soil) around growing plants.” Uncultivated gardens should be treated the same as weeds and tall grass.

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.

C Rodents carry disease organisms in their feces and on their bodies. The code official must require the extermination of all rodents by approved processes. All harborage areas should be eliminated by removing piles of rubbish, towing or repairing inoperable cars and cutting back weeds. Garbage should be stored in solid containers with tight-fitting lids and disposed of regularly. The code official may enforce this section by requiring mitigation efforts to be made to prevent reinfestation, which could include setting traps or sealing openings around the structure.

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*.

C There are three common problems associated with exhaust vent discharges:

- Odor problems caused by exhaust gases emanating from business and industrial properties.
- Noise problems created by exhaust vents.
- Health and safety problems created by exhausts that contain hazardous or potentially hazardous discharge.

To reduce these problems, exhaust vents are prohibited from discharging directly on abutting or adjacent public and private property.

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

C Accessory structures must be maintained in accordance with the criteria established by this section. Property owners often give detached garages, sheds, fences, retaining walls and similar structures a lower maintenance priority than the primary structure; thus, these structures are more frequently in disrepair. A thorough inspection of all property areas and accessory buildings is necessary to identify violations of the code, structural integrity, and to improve a neighborhood’s appearance.

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.

C Improper storage of inoperable vehicles can be a serious problem for a community. The vehicles are unsightly, clutter the neighborhood, provide a harborage for rodents and are an attractive nuisance for children.

This section establishes criteria for acceptable vehicle storage. No inoperable or unlicensed vehicles are permitted on a property unless approved in other regulations adopted by the community. This regulation addresses two problems associated with vehicle storage and repair:

- The blighting influence that improperly stored, inoperable vehicles have on a neighborhood.
- The neighborhood mechanic who attempts to operate a vehicle repair business from home.

Major vehicle repairs are permitted, but only if the work is performed in a structure designed and approved for such use. Of course, this regulation does not affect the storage of vehicles on property that complies with applicable zoning or license requirements, such as repair garages, salvage yards and similar establishments.

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.

C Graffiti, carving and damage are problems that plague exterior surfaces of walls, fencing and sidewalks in cities and towns of all sizes. This problem begins as an eyesore and can result in serious consequences, including declining property values and degradation of the structures' ability to repel rain and snow.

It is 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.

C Swimming pools, if neglected, can become a health hazard, resulting in insect-attracting stagnant water or a blight on a neighborhood. This typically becomes an issue if the pool filtration system is not working or is absent, or the water is not properly treated with chemicals to maintain a sanitary condition for the pool to be safely used as intended.

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.

C ANSI/PHTA/ICC-2 is a safety standard that was developed by the Pool and Hot Tub Alliance in coordination with the International Code Council® (ICC®). With safety as the priority, the standard sets clear technical criteria that help building owners, designers and inspectors base their work on the same set of expectations. The standard covers topics such as pool barriers, entrapment protection for drains, safe slopes, circulation of water and other requirements. This section allows the code official to enforce the safe maintenance of publicly used pools and spas in hotels, schools, communities, water parks and other recreational areas.

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.

C These performance-based criteria were specifically added to address pool-related problems where a child could possibly drown by entering a pool through a gate that failed to close and latch properly. Gates that may have deteriorated over time through age, wear and exposure to the elements are now addressed so that they will continue to provide the intended level of protection. Exception 1 allows for lockable safety covers for spas or hot tubs that comply with ASTM F1346. Exception 2 allows for power safety covers for private swimming pools that comply with ASTM F1346 and are operated with a control switch. This language mirrors requirements of the *International Swimming Pool and Spa Code*® (ISPSC®). For above-ground residential pools, the side wall of the pool can be used as the barrier if it is at least 48 inches (1219 mm) in height above grade, and the access to the pool water is a removable or lockable ladder.

ASTM F1346 requires fastening the safety cover via key locks, combination locks or similar devices that will keep the cover in place; testing to demonstrate that the cover can support a minimum required weight; limitations on openings in the cover; and minimum installation requirements.

SECTION 304—EXTERIOR STRUCTURE

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

GENERAL REQUIREMENTS

C The exterior of structures must perform three primary functions:

- It must be in good repair. There should be no evidence of deterioration, or damaged or loose elements.
- It must be structurally sound. There should not be any loose or collapsing pieces. Stairways, porches, balconies, and similar structural elements must safely perform their intended functions.
- It must be capable of preventing the elements (rain, snow and wind) and rodents from entering the interior areas.

304.1.1 Potentially unsafe conditions. The following conditions shall be considered to be potentially unsafe, shall be assessed in accordance with Section 109, 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*.

C The purpose of these requirements is to set out general and specific delineations in a building or structure that would make it potentially unsafe. These delineations allow the code official more specific references to conditions that characterize a potentially unsafe building or structure and require a third-party analysis conducted by a structural engineer or another approved agency to evaluate the property.

This section describes in detail potentially unsafe conditions related to the exterior of the structure to provide the code official the ability to require the condition to be assessed and addressed in compliance with the applicable code.

Item 1 addresses conditions (deterioration or distress) that may reduce the load-carrying capacity of a structural member. Such members include load-bearing walls, beams, columns or other key components that transfer the weight of the structure to the foundation and work in a system to ensure the stability of the structure.

Item 2 deals with conditions that may affect the load-carrying capacity of connections between structural members. Anchorage of various elements of a structure is essential to its stability. The load-carrying capacity could be compromised by issues with sill plate anchor bolts, joist hangers, ledger board anchorage, roof truss/rafter to top plate connections, post to beam connections, post to footing connections and similar scenarios.

Since weather penetration can degrade structural components, Item 3 specifies that if any joint in the building envelope allows weather to penetrate, it may be used as a basis to classify the structure as unsafe. This may be, in and of itself, the basis for the classification. However, supporting evidence of deterioration caused by penetration would add weight to the characterization as unsafe.

Item 4 addresses foundations. Foundation systems are essential to the structural integrity of any building. If any portion of any foundation system is not supported by adequate soil, is not plumb as intended to distribute the loads, has cracks or breaks or is inadequately anchored, the building may be regarded as unsafe.

Item 5 addresses exterior walls. Exterior walls are essential to the structural integrity of any building. If any portion of any exterior or bearing wall system is not supported by adequate foundation, is not plumb as intended to distribute the loads, has cracks or breaks or is inadequately anchored, the building may be regarded as unsafe.

Item 6 addresses roofing and roofing components. Since weather penetration can degrade structural components, this section specifies that if any roof component allows weather to penetrate, it may be used as a basis to classify the structure as unsafe. This may be, in and of itself, the basis for the classification. However, supporting evidence of deterioration caused by penetration would add weight to the characterization as unsafe. Additionally, any structural component of the roof assembly not capable of supporting design loads is a basis for classifying as unsafe.

Item 7 addresses flooring and flooring components. Walking surfaces on floors with fatigue, defects or deterioration are a basis for determining that a building or structure is unsafe. If a floor may collapse due to any of these conditions or is likely to cause harm or injury, it may be regarded as unsafe.

Item 8 addresses exterior wall facings. Decorative features either inside or outside that may become detached and fall is a basis for classifying a building or portion thereof as unsafe. Lateral movement, such as an earthquake or wind, may cause any feature such as this to fall if not secured properly.

Item 9 addresses overhangs and projections from a building. As with decorative features, any overhang, extension or projection (trash chutes, canopies, marquees, signs, etc.) that is not anchored properly and can fall is a basis for declaring that an unsafe condition exists.

Item 10 addresses exterior stairs, decks and similar appurtenances. Exterior stairs, decks, porches, balconies and all similar appurtenances are all portions of a means of egress system and as such represent a significant safety concern if left in an unsafe condition. Should any of these elements of a means of egress system become structurally unsound, the building or portion thereof may be regarded as unsafe.

Item 11 addresses chimneys, cooling towers and similar appurtenances. As with decorative features and other appurtenances, chimneys, cooling towers, smokestacks or similar large vertical elements that become structurally unsound may be regarded as unsafe.

Exception 1 is to recognize that a qualified entity could substantiate an alternative method or material that meets the purpose and intent of the code. This alternative would need to be approved by the code official. An engineering study that substantiates the structural integrity in a rational analysis may be the basis for accepting a contention that the building is not unsafe.

Exception 2 allows a building owner the option of demolition of an unsafe condition subject to the code official's approval. If the building or structure or portion thereof is demolished, and does not exist, the condition is considered to be resolved.

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*.

C Any structure or piece of equipment that is unsanitary, insufficient, or dangerous to human life, property or public health is considered unsafe. The three types of situations are life-safety concerns, fire dangers and severe structural faults.

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.

C Other sections of the code require items such as walls, doors, windows and architectural trim to be maintained in good repair and condition. This section makes it clear that if paint or other protective covering or treatment is used to provide protection from the elements, it cannot be peeling, flaking or chipped. Additionally, buildings with deteriorated paint, or with masonry joints and siding in disrepair or not weather tight will eventually decay and exert a blighting influence on the community.

[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).

C Identifying buildings during an emergency (such as fire, medical, or police) is greatly aided by the proper placement of address identification. In other than emergencies, the address identification serves as a convenience for people attempting