CHAPTER 3
GENERAL REQUIREMENTS

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this 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 which 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 106.3 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 reinfection.

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 upon 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, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall 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. No person shall 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.

303.2 Enclosures. Private swimming pools, hot tubs 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. No existing pool enclosure shall be removed,
replaced or changed in a manner that reduces its effectiveness
as a safety barrier.

Exception: Spas or hot tubs with a safety cover that com-
plies with ASTM F 1346 shall be exempt from the provi-
sions of this section.

303.2.1 Enclosures Public Pools. Enclosures at public
pools licensed by the RI Department of Health shall com-
ply with barrier heights as prescribed by those regulations.

SECTION 304
EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be main-
tained in good repair, structurally sound and sanitary so as not
to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions
shall be determined as unsafe and shall be repaired or
replaced to comply with the International Building Code
or the International Existing Building Code as required for
existing buildings:

1. The nominal strength of any structural member is
exceeded by nominal loads, the load effects or the
required strength;
2. The anchorage of the floor or roof to walls or col-
umns, and of walls and columns to foundations is
not capable of resisting all nominal loads or load
effects;
3. Structures or components thereof that have
reached their limit state;
4. Siding and masonry joints including joints
between the building envelope and the perimeter
of windows, doors and skylights are not main-
tained, weather resistant or water tight;
5. Structural members that have evidence of deterio-
ration or that are not capable of safely supporting
all nominal loads and load effects;
6. Foundation systems that are not firmly supported
by footings, are not plumbed and free from open
cracks and breaks, are not properly anchored or
are not capable of supporting all nominal loads
and resisting all load effects;
7. Exterior walls that are not anchored to supporting
and supported elements or are not plumbed and free
of holes, cracks or breaks and loose or rotting
materials, are not properly anchored or are not
 incapable of supporting all nominal loads and resist-
ing all load effects;
8. 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,
fatigue or without proper anchorage and incapable
of supporting all nominal loads and resisting all load
effects;
9. Flooring and flooring components with defects
that affect serviceability or flooring components
that show signs of deterioration or fatigue, are not
properly anchored or are incapable of supporting
all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall
facings and similar decorative features not prop-
erly anchored or that are anchored with connect-
ions not capable of supporting all nominal loads
and resisting all load effects;
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 or that are
anchored with connections not capable of support-
ing all nominal loads and resisting all load effects;
12. 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 con-
nections not capable of supporting all nominal
loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and simi-
lar appurtenances not structurally sound or not
properly anchored, or that are anchored with con-
nections not capable of supporting all nominal
loads and resisting all load effects.

Exceptions:
1. Where substantiated otherwise by an
approved method.
2. Demolition of unsafe conditions shall be per-
mitted where approved by the code official.

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 main-
tained in good condition. Exterior wood surfaces, other than
decay-resistant woods, shall be protected from the elements
decay by painting or other protective covering or treat-
ment. Peeling, flaking and chipped paint shall be elimi-
nated 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 water tight. Metal surfaces subject to rust or cor-
rosion 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 stabi-
lization 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 prop-
erty. These numbers shall contrast with their background.
Address numbers shall be Arabic numerals or alphabet let-
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 maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 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.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.14 Insect screens. During the period from April 1 to October 1, 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. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or 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 a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock 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.
SECTION 305
INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. 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 a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

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

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 Potentially hazardous material on the interior surfaces of any dwelling unit, rooming house, rooming unit, or facility occupied by children is prohibited. The interior surfaces include, but are not limited to, window sills, window frames, doors, door frames, walls, ceilings, stair rails and spindles, or other appurtenances.

305.3.2 Lead-based substances are prohibited wherever circumstances present a clear and significant health risk to the occupants of the property, as defined by regulations of the department of health.

305.3.3 In each instance where there is reason to believe that lead-based substances are present, the enforcing officer shall ascertain whether the lead hazard mitigation standard has been met or confirm whether suspect substances are lead-based by arranging for a lead mitigation inspection that conforms to housing resources commission regulations or arranging for a comprehensive environmental lead inspection that conforms to department of health regulations.

305.3.4 In all instances where either compliance with housing resources commission mitigation standards cannot be confirmed by the enforcement officer by review of certification for the same or where substances confirmed to be lead-based by an environmental lead inspection, and there exists a lead exposure hazard, the enforcing officer shall identify necessary lead hazard reductions that must be taken pursuant to either housing resources commission regulations or department of health regulations.

305.3.5 In all instances where lead-based substances are identified on a dwelling, a dwelling unit, or premises occupied by a child suffering from “lead poisoning,” as defined in the Rhode Island Lead Poisoning Prevention Act, §§ 23-24.6-1 through 23-24.6-26, the enforcing officer shall consider these instances under “emergencies,” pursuant to Section 109.0.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and 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 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
1.1. Collapse of footing or foundation system;
1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
1.4. Inadequate soil as determined by a geotechnical investigation;
1.5. Where the allowable bearing capacity of the soil is in doubt; or
1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

2. Concrete that has been subjected to any of the following conditions:
   2.1. Deterioration;
   2.2. Ultimate deformation;
   2.3. Fractures;
   2.4. Fissures;
   2.5. Spalling;
   2.6. Exposed reinforcement; or
   2.7. 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. Elastic deformation;
   3.4. Ultimate deformation;
   3.5. Stress or strain cracks;
   3.6. Joint fatigue; or
   3.7. 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. Fractures in masonry or mortar joints;
   4.4. Fissures in masonry or mortar joints;
   4.5. Spalling;
   4.6. Exposed reinforcement; or
   4.7. Detached, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:
   5.1. Deterioration;
   5.2. Elastic deformation;
   5.3. Ultimate deformation;
   5.4. Metal fatigue; or
   5.5. 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 beyond charring;
   6.5. Significant splits and checks;
   6.6. Horizontal shear cracks;
   6.7. Vertical shear cracks;
   6.8. Inadequate support;
   6.9. Detached, dislodged or failing connections; or
   6.10. 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.

SECTION 307
HANDRAILS AND GUARDRAILS
307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have guards. 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. Guards shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

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

SECTION 308
RUBBISH AND GARBAGE
308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of refuse, rubbish or garbage.

308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

308.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.
308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

308.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

308.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

308.3.2 Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

SECTION 309
PEST ELIMINATION

309.1 Infestation. 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. After pest elimination, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.

309.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

309.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.