

JACKSON TOWNSHIP BOARD OF TRUSTEES, STARK COUNTY, OHIO

RESOLUTION

RESOLUTION NO. 06-079

ADOPTED: 8-14-2006

SUBJECT: JACKSON TOWNSHIP PROPERTY MAINTENANCE CODE

A RESOLUTION TO AMEND THE JACKSON TOWNSHIP PROPERTY MAINTENANCE CODE TO, AMONG OTHER MATTERS, ADOPT THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., WITH AMENDMENTS BY THE BOARD OF TRUSTEES OF JACKSON TOWNSHIP MADE THERETO, AND TO INCLUDE IN THE PROPERTY MAINTENANCE CODE ALL DWELLINGS.

The Board of Trustees of Jackson Township, Stark County, Ohio, met in regular session on the 14th day of August, 2006 with the following members present:

John E. Pizzino
Steven M. Meeks
William M. Burger

Trustee MEEKS moved for the adoption of the following resolution:

WHEREAS, pursuant to ORC Sections 504.04(B)(4), 504.05 and 504.13, in order to protect the health, safety and welfare of the inhabitants of the Township, it is necessary and desirable to amend the Jackson Township Property Maintenance Code to now regulate the repair and maintenance of existing dwellings owner occupied, rental or otherwise owned in the Township and to, adopt the 2006 International Property Maintenance Code, as published by the International Code Council, Inc., with amendments by the Board of Trustees of Jackson Township made thereto.

WHEREAS, the required hearings upon the Board of Trustees consideration of the attached Amended Property Maintenance Code have been conducted on July 24, and August 14, 2006 after the required legal notice being given.

WHEREAS, deficiently maintained and unsightly dwellings and related premises can, and do, create safety, health and sanitary hazards for the occupants of such dwellings and premises and that may adversely affect adjacent or neighboring property owners or persons in the peace and enjoyment of their properties and when the above described nuisance conditions are created, the health, safety and welfare of Township residents are threatened and adversely affected creating a public need for Jackson Township Board of Trustees to enact the attached legislation.

WHEREAS, the Board of County Commissioners has not adopted a Property Maintenance Code as adopted herein.

BE IT RESOLVED THAT, pursuant to ORC Sections 504.04(B), 504.05 and 504.13, that we hereby amend the existing Jackson Township Property Maintenance Code by adopting the 2006 International Property Maintenance Code, as published by the International Code Council, Inc. as the Property Maintenance Code of Jackson Township, Stark County, Ohio, as amended by the Board of Trustees, which said amendments are attached hereto and incorporated herein, effective September 14, 2006.

BE IT FURTHER RESOLVED THAT the existing Jackson Township Property Maintenance Code and Resolution No. 95-398 adopting it is hereby replaced in its entirety.

BE IT FURTHER RESOLVED THAT the Fiscal Officer shall publish said Notice in the two newspapers of general circulation in the Township described therein, with the first publication being made within ten (10) days of the date of this Resolution.

Trustee BURGER seconded the motion and upon roll call the vote resulted as follows:

Mr. Pizzino	<u>YES</u>
Mr. Meeks	<u>YES</u>
Mr. Burger	<u>YES</u>

The foregoing is a true and correct counterpart of Resolution Number 06- 079, duly adopted on August 14, 2006 and filed with me as the Township Fiscal Officer on August 15, 2006.

Randy Gonzalez
Randy Gonzalez, Fiscal Officer

The foregoing resolution is approved as to form:

Neal Fitzgerald
Neal Fitzgerald, Law Director

AMENDED JACKSON TOWNSHIP PROPERTY MAINTENANCE CODE

LIMITED SELF-GOVERNMENT RESOLUTION

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CHAPTER 1

ADMINISTRATION

Section 101.0 GENERAL

101.1 Title: These regulations shall be known as the Property Maintenance Code of Jackson Township, Stark County, Ohio hereinafter referred to as this Code.

101.2 Scope: This code is to protect the public health, safety and welfare in all ~~rental dwellings and on all rental dwellings~~ premises **owner occupied, rental or otherwise** by establishing minimum requirements and standards for premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards and for safe and sanitary maintenance; fixing the responsibility of owners, operators and occupants; regulating the occupancy of existing structures and premises and providing for administration, enforcement and penalties. Chapters 1, 2, 3 and 8 of the 2006 International Property Maintenance Code are hereby included or modified herein as part of this Code. Chapters 4, 5, 6 and 7 are not being adopted as part of this Code.

101.3 Intent: This code shall be construed to secure its express intent, which is to insure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of rental dwellings and related premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Referenced standards: The standards referenced in this code and listed in Chapter 8 shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

101.5 Existing remedies: The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any buildings which are dangerous, unsafe, and unsanitary.

101.6 Workmanship: All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner.

101.7 Application of other codes: Any repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes and NFPA70 listed in Chapter 8.

Section 102.0 VALIDITY

102.1 Validity: If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of

this code which shall continue in full force and effect, and to this end the provisions of this code are hereby declared to be severable.

102.2 Saving clause: This code shall not affect violations of any other resolution, code or regulation existing prior to the effective date hereof, any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those resolutions, codes or regulations in effect at the time the violation was committed.

SECTION 103.0 MAINTENANCE

103.1 Required: All equipment, systems, devices and safeguards required by this code or a previous statute or code for the structure or premises when erected or altered shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

SECTION 104.0 APPROVAL

104.1 Approved materials and equipment: All materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

104.2 Modifications: Where there are practical difficulties involved in carrying out structural or mechanical provisions of this code, the code official shall be permitted to vary or modify such provisions upon application of the owner or the owner's representative, provided that the spirit and intent of the law is observed and public health, safety and welfare is assured.

104.2.1 Records: The application for modification and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the department.

104.3 Materials and equipment reuse: Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

104.4 Alternative materials and equipment: The provisions of this code are not intended to prevent the installation of any material or method of construction not specifically prescribed by this code, provided any such alternative has been approved. An alternative material or method of construction shall be approved when the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.5 Research and investigations: Sufficient technical data shall be submitted to substantiate the proposed installation of any material or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the proposed installation, the code official shall approve such alternative subject to the requirements of this code. The cost of all tests, reports and investigations required under these provisions shall be paid by the applicant.

SECTION 105.0 DUTIES AND POWERS OF CODE OFFICIAL

105.1 General: The code official shall enforce all the provisions of this code. The Jackson Township Police Chief is the designated Code official for the administration and enforcement of the within legislation.

105.2 Notices and orders: The code official shall issue all necessary notices or orders to ensure compliance with the code.

105.3 Right of entry: The code official is authorized to enter the structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law.

105.4 Access by owner or operator: Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs, or alterations as are necessary to comply with the provisions of this code.

105.5 Identification: The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

105.6 Coordination of enforcement: Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders.

105.7 Rule-making authority: DELETED

105.8 Organization: The code official shall appoint such number of officers, technical assistance, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority. The code official is authorized to designate an employee as deputy who shall exercise all the powers of the code official during the temporary absence or disability of the code official.

105.9 Restriction of employees: An official or employee connected with the enforcement of this code, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

105.10 Relief from personal liability: The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

105.11 Official records: An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times and according to reasonable rules to maintain the integrity and security of such records.

SECTION 106.0 VIOLATIONS

106.1 Unlawful acts: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

106.2 Penalty: Any person, firm or corporation who shall violate any provision of this code shall be subject to a fine of \$500 for the first violation and \$750 for each subsequent violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.3 Prosecution: In case of any unlawful acts, the code official may issue citations as authorized by ORC Section 504.06 and this code and otherwise adhere to the requirements of attached ORC Sections 504.06, 504.07 and 504.08, which are incorporated herein.

Where the violation of this resolution is a matter of health or safety, the code official may request the Township Law Director to file an action for injunctive relief as authorized by ORC Section 504.08 against the person(s) responsible for the violation for the purpose of ordering, among other things, that person(s):

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such structure;
3. To require the removal of work in violation; or
4. To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

SECTION 107.0 NOTICES AND ORDERS

107.1 Notice to owner or to person or persons responsible: Whenever the code official determines that there has been a violation of this code or has reasonable grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed Sections PM-107.2 and PM-107.3.

107.2 Form: Such notice prescribed in Section 107.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why the notice is being issued;
4. Include a correction order allowing a reasonable time for the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.

107.3 Method of Service: Such notice shall be deemed to be properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

107.4 Transfer of ownership: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108.0 RIGHT TO HEARING UPON CITATION

108.0: Any person affected by any citation which has been issued in connection with the enforcement of any provision of this code, shall have the rights described in the citation and attached ORC Sections 504.06 and 504.07, which are incorporated herein.

CHAPTER 2

DEFINITIONS

SECTION 201.0 GENERAL

201.1 Scope: Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meanings indicated in this article.

201.2 Interchangeability: Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes: Where terms are not defined in this code and are defined in the building, plumbing or mechanical codes listed in Chapter 8, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined: Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts: Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "story," or "structure," are used in this code, they shall be construed as though they were followed by the words, "or any part thereof."

SECTION 202.0 GENERAL DEFINITIONS

Approved: Approved by the code official.

Basement: See Section 302.0.

Building code: The building code officially adopted by the legislative body of this jurisdiction, or other such codes officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

Code official: The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

Condemn: To adjudge unfit for occupancy.

Construction documents: All the written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of the project necessary for obtaining a building permit. The construction drawings shall be drawn to an appropriate scale.

Dwellings: (See Section 201.5)

Dormitory: A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

Dwelling unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Hotel: Any building containing six or more guestrooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.

One-family dwelling: A building containing one dwelling unit with not more than five lodgers or boarders.

Rooming house: A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one-family dwelling or a two-family dwelling.

Rooming unit: Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

Two-family dwelling: A building containing two dwelling units with not more than five lodgers or boarders per family.

Multi-family dwelling: A building containing more than two dwelling units designed for or occupied by three (3) or more families living independently of each other.

Exterior property: See Section 302.0.

Extermination: See Section 302.0.

Family: An individual or married couple and the children thereof with not more than two other persons related directly to the individual or married couple by blood or marriage; or a group of unrelated persons, living together as a single housekeeping unit in a dwelling unit.

Garbage: See Section 302.0.

Infestation: See Section 302.0.

Let for occupancy or let: See Section 302.0.

Occupancy: The purpose for which a building or portion thereof is utilized or occupied.

Occupant: See Section 302.0.

Openable area: See Section 302.0.

Operator: See Section 302.0.

Owner: See Section 302.0.

Person: See Section 302.0.

Premises: See Section 302.0.

Public nuisance: See Section 302.0.

Rental: A dwelling that is let for occupancy or let.

Rubbish: See Section 302.0.

Structure: That which is built or constructed or a portion thereof.

Workmanlike: Executed in a skilled manner, e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

Yard: See Section 302.0.

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301.0 GENERAL

301.1 Scope: The provisions of this article shall govern the minimum conditions and 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 Sections 306.0 and 307.0. A person shall not permit another person to occupy premises which do not comply with the requirements of this article.

301.3 Vacant structures and land: All vacant rental dwellings and related premises thereof 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 302.0 DEFINITIONS

302.1 General: The following words and terms shall, for the purposes of this chapter and as stated elsewhere in this code, have the meanings shown herein.

Basement: That portion of a structure which is partly or completely below grade.

Exterior property: The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination: The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Infestation: The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Let for occupancy or let: To permit possession or occupancy of a dwelling, dwelling unit, rooming unit, building or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Occupant: Any person living or sleeping in a building; or having possession of a space within a building.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person: An individual, corporation, partnership or any other group acting as a unit.

Premises: A lot, plot or parcel of land including any structures thereon constituting a dwelling.

Public nuisance: Includes the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law; or
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises that has unsanitary sewerage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation; or
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or

rendered ineffective, or the required precautions against trespassers have not been provided;
or

7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or

8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Yard: An open space on the same lot with a structure.

SECTION 303.0 EXTERIOR PROPERTY AREAS

303.1 Sanitation: All exterior dwelling property and related premises shall be maintained in a clean, safe, sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

303.2 Grading and drainage: All dwelling premises shall be graded and maintained to prevent the accumulation of stagnant water thereon or within any structure located thereon.

Exception: Water retention areas and/or reservoirs approved by the code official.

303.3 Sidewalks and driveways: All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of Section 304.10.

303.4 Weeds: All dwelling premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. 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.

303.5 Rat harborage: All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

303.6 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.

303.7 Accessory structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

303.8 Motor vehicles: Deleted

SECTION 304.0 EXTERIOR STRUCTURE

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

304.2 Street numbers: Each building to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in arabic numerals at least 3 inches (76 mm) high and 1/2-inch (13 mm) stroke.

304.3 Structural members: All structural members shall be maintained free from deterioration, and shall be capable of safely bearing the imposed dead and live loads.

304.4 Foundation walls: All 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 rats.

304.5 Exterior walls: All exterior walls shall be free of holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.

304.6 Roofs and drainage: The roof and flashing shall be sound, tight, and not have defects which might admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall not be discharged in a manner that creates a public nuisance.

304.7 Decorative features: All 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.

304.8 Overhang extensions: All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When 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.

304.9 Chimneys and towers: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair. 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 Handrails and guardrails: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.11 Window and door frames: Every window, door and frame shall be kept in sound condition, good repair and weather-tight.

304.11.1 Glazing: All glazing materials shall be maintained free of cracks and holes.

304.11.2 Openable windows: Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.12 Inspect screens: Deleted

304.13 Doors: All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

304.14 Basement hatchways: Every basement hatchway shall be maintained to prevent the entrance of rats, rain and surface drainage water.

304.15 Guards for basement windows: Every basement window which is openable shall be supplied with rat-proof shields, storm windows or other approved protection against the entry of rats.

304.16 Defacement of property: No person, including the property owner, 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 305.0 INTERIOR STRUCTURE - DELETED

SECTION 306.0 RUBBISH AND GARBAGE

306.1 Accumulation of rubbish or garbage: All exterior dwelling property and related premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

306.2 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.

306.2.1 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.

306.3 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.

306.3.1 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.

306.3.2 Containers: The operator of every establishment producing garbage shall provide, and at all

times cause to be utilized, leakproof approved containers provided with closefitting covers for the storage of such materials until removed from the premises for disposal.

SECTION 307.0 EXTERMINATION

307.1 Infestation: All dwelling structures shall be kept free from insect and rat infestation. All structures in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

307.2 Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

307.3 Single occupancy: The occupant of a structure containing a single dwelling unit or of a single nonresidential structure shall be responsible for extermination on the premises.

307.4 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 extermination 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 occupants shall be responsible for extermination.

307.5 Occupant: The occupant of any structure shall be responsible for the continued ratproof condition of the structure, and if the occupant fails to maintain the ratproof condition, the cost of extermination shall be the responsibility of the occupant.

CHAPTER 8

REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

Standard reference number	Title	Referenced in code section number
ASME American Society of Mechanical Engineers Three Park Avenue New York, NY 10016-5990		
A17.1—2000	Safety Code for Elevators and Escalators with A17.1a 2002 Addenda	606.1

Standard reference number	Title	Referenced in code section number
ASTM ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2959		
F1346—91 (2003)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	303.2

Standard reference number	Title	Referenced in code section number
ICC International Code Council 5203 Leesburg Pike, Suite 600 Falls Church, VA 22041		
ICC EC—06	ICC Electrical Code® — Administrative Provisions	201.3, 604.2
IBC—06	International Building Code®	102.3, 201.3, 401.3, 702.3
IFC—06	International Fire Code®	201.3, 702.1, 702.2, 704.1, 704.2
IFGC—06	International Fuel Gas Code®	102.3
IMC—06	International Mechanical Code®	102.3, 201.3
IPC—06	International Plumbing Code®	201.3, 505.1, 602.2, 602.3
IZC—06	International Zoning Code®	102.3, 201.3