

Chapter 16.190
PROPERTY MAINTENANCE CODE

16.190.100 Property Maintenance Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2006 International Property Maintenance Code, dated January, 2006, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2006 International Property Maintenance Code shall be marked Official Copy as Adopted by Ordinance No. BC-2635, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.
(History: Ord. BC-2635 §188, 2007; BC-2459 §168, 2004; BC-2237 §10, 2001)

16.190.101.1

Section 101.1 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Overland Park, Kansas, hereinafter referred to as “this code.”
(History: Ord. BC-2635 §189, 2007; BC-2459 §169, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.101; BC-2114 §1, 98)

16.190.101.5

Section 101.5 of the 2006 International Property Maintenance Code is hereby added to read as follows:

101.5 General. The Building Official, or, where appropriate, the Governing Body, is authorized, subject to any adopted policies or administrative rules or regulations, to take the following actions to bring the subject property into compliance with this code or other ordinances of the City. Those actions include, without being limited to, abatement of the violation; vacation of the premises until the violation is corrected; prohibition of occupancy of the premises until the violation is corrected; issuance of a Notice to Appear in Municipal Court; injunctive or other relief in the District Court of Johnson County; suspension or revocation of any City licenses pertaining to the premises that remain in violation, and any other necessary or

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appropriate actions authorized by any applicable law, ordinance, statute, rule or regulation. If no public necessity is found for the immediate demolition of the structure or premises, the Building Official or Governing Body may take such other action, including, without limitation, causing the property to be cleaned, cleared, vacated, secured or otherwise repaired or any other action deemed necessary to promote the public health, safety or general welfare. The provisions of O.P.M.C. Section 7.26.230 shall be made applicable to this Section and pursuant to those provisions and any other applicable laws, statutes, ordinances, rules or regulations, the property owner may be charged for the costs incurred by the City in taking any actions to abate or correct such unlawful conditions, including administrative fees, and a lien may be placed on the property for any such unpaid costs and fees. The City Manager shall designate the department, division, employee or agency of the City to enforce this code, and such designee shall, for the purposes of this code, be known as the "Building Official" or "Code Administrator." In this code the term "Department of Property Maintenance Inspection" shall be used synonymously with the term "Building Official" or "Code Administrator."

(History: Ord. BC-2635 §190, 2007; BC-2459 §170, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.105 (part); BC-2114 §2, 98)

16.190.102.3

Section 102.3 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the 2006 International Existing Building Code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Title 18 of the Overland Park Municipal Code also known as the "Unified Development Ordinance."

(History: Ord. BC-2635 §191, 2007; BC-2459 §171, 2004; BC-2237 §10, 2001)

16.190.102.7

Section 102.7 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

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

102.7.1 Electrical Code. The ICC Electrical Code referenced in Chapter 45 has been deleted and replaced with NFPA-70 (National Electrical Code, 2005 Edition). Wherever the term ICC Electrical Code has been used in this code it shall be used synonymously with the term "NFPA-70" listed in Chapter 45.

(History: Ord. BC-2635 §192, 2007; BC-2459 §172, 2004)

16.190.103

Sections 103, 104, 105, and 106 of the 2006 International Property Maintenance Code are hereby deleted.

(History: Ord. BC-2635 §193, 2007; BC-2459 §173, 2004; BC-2237 §10, 2001)

16.190.107.4

Section 107.4 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 113.4 of the 2006 International Building Code.

(History: Ord. BC-2635 §194, 2007; BC-2459 §174, 2004; BC-2237 §10, 2001)

16.190.108.1.4

Section 108.1.4 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered, or occupied or is being maintained in violation of the Municipal Code or any other applicable laws, statutes, rules or regulations.

(History: Ord. BC-2635 §195, 2007; BC-2459 §175, 2004; BC-2237 §10, 2001)

16.190.108.6

Sections 108.6 through 108.6.11 of the 2006 International Property Maintenance Code are hereby added to read as follows:

108.6 Fire, explosion, or windstorm. Damage created by fire, explosion, or windstorm shall comply with the provisions of Sections 108.6.1 through 108.6.11.

108.6.1 Scope and application. The City of Overland Park, Kansas, is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., whereby no insurance company shall pay a claim of a named insured for loss or damage to any building or structure located within the City, arising out of any fire, explosion or windstorm, where the amount recoverable for the loss or damage to the building or structure under all policies covering such building or structure is in excess of 75 percent (75%) of the face value of the policy covering such building or structure, unless there is compliance with the procedures set out in this ordinance.

108.6.2 Lien created. The Governing Body of the City hereby creates a lien in favor of the City on the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure located within the City, caused by or arising out of any fire, explosion or windstorm, where the amount recoverable for

all the loss or damage to the building or other structure under all policies is in excess of 75 percent (75%) of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy, or any other charge imposed upon real property by or on behalf of the City which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one year prior to the filing of a proof of loss.

108.6.3 Same, encumbrances. Prior to final settlement on any claim covered by Section 108.6.2, the insurer or insurers shall contact the County Treasurer, Johnson County, Kansas, to determine whether any such encumbrances are presently in existence. If the same are found to exist, the insurer or insurers shall execute and transmit in an amount equal to the owing under the encumbrances a draft payable to the County Treasurer, Johnson County, Kansas.

108.6.4 Same; pro rata basis. Such transfer of proceeds shall be on a pro rata basis by all insurance companies insuring the building or other structure.

108.6.5 Procedure:

1. When final settlement on a covered claim has been agreed to or arrived at between the named insured or insureds and the company or companies, and the final settlement exceeds 75 percent (75%) of the face value of the policy covering the building or other structure, and when all amounts due the holder of a first mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the City Treasurer in an amount equal to the sum of 15 percent (15%) of the covered claim payment unless the Building Official of the City has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt, or otherwise made the premises safe and secure.
2. Such transfer of funds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the City shall be disbursed in accordance with the policy terms.
3. Upon the transfer of funds as required by Section 108.6.1 of this Section, the insurance company shall provide the City with the name and address of the named insured or insureds, the total insurance coverage applicable to said building or other structure, and the amount of the final settlement agreed to or arrived at between the insurance company or companies and the insured or insureds, whereupon the Building Official shall contact the named insured or insureds by registered mail, informing them that said insurance proceeds have been received by the City and apprise them of the procedures to be followed under this ordinance.

108.6.6 Fund created; deposit of moneys. The City Treasurer is hereby authorized and shall create a fund to be known as the "Insurance Proceeds Fund." All moneys received by the City Treasurer as provided for by this ordinance, shall be placed in said fund and deposited in an interest-bearing account.

108.6.7 Building Inspector; investigation, removal of structure.

1. Upon receipt of moneys provided for by this ordinance, the City Treasurer shall immediately notify the Building Official of said receipt, and transmit all documentation received from the insurance company or companies to the Building Official.
2. Within 20 days of the receipt of said moneys, the Building Official shall determine, after prior investigation, whether the City shall instigate proceedings under the provisions of K.S.A. 12-1750 et seq., as amended.
3. Prior to the expiration of the 20 days established by Section 108.6.7(2) of this Section, the Building Official shall notify the City Treasurer whether he or she intends to initiate proceedings under K.S.A. 12-1750 et seq., as amended.
4. If the Building Official has determined that proceedings under K.S.A. 12-1750 et seq., as amended shall be initiated, he or she will do so immediately but no later than 30 days after receipt of the moneys by the City Treasurer.
5. Upon notification to the City Treasurer by the Building Official that no proceedings shall be initiated under K.S.A. 12-1750 et seq., as amended, the City Treasurer shall return all such moneys received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within 30 days of the receipt of the moneys from the insurance company or companies.

108.6.8 Removal of structure excess moneys. If the Building Official has proceeded under the provisions of K.S.A. 12-1750 et seq., as amended, all moneys in excess of that which is ultimately necessary to comply with the provisions for the removal of the building or structure, less salvage value, if any, shall be paid to the insured.

108.6.9 Same; disposition of funds. If the Building Official, with regard to a building or other structure damaged by fire, explosion, or windstorm, determines that it is necessary to act under K.S.A. 12-1756, any proceeds received by the City Treasurer under the authority of Section 108.6.5(1) relating to that building or other structure shall be used to reimburse the City for any expenses incurred by the City in proceeding under K.S.A. 12-1756. Upon reimbursement from the insurance proceeds, the Building Official shall immediately effect the release of the lien resulting therefrom. Should the expenses incurred by the City exceed the insurance proceeds paid over to the City Treasurer under Section 108.6.5(1), the Building Official shall publish a new lien as authorized by K.S.A. 12-1756, in an amount equal to such excess expenses incurred.

108.6.10 Effect upon insurance policies. This ordinance shall not make the City a party to any insurance contract, nor is the insurer liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

108.6.11 Insurers; liability. Insurers complying with this ordinance or attempting in good faith to comply with this ordinance shall be immune from civil and criminal liability and such action shall not be deemed in violation of K.S.A. 40-2404 and any amendments thereto, including withholding payment of any insurance proceeds pursuant to this ordinance, or releasing or disclosing any information pursuant to this ordinance.

(History: Ord. BC-2635 §196, 2007; BC-2459 §176, 2004; BC-2237 §10, 2001; Source or prior law: 7.04.240 (part); NU-1382,A §1, 87; NU-1382 §1, 86; 7.04.250 (part); NU-1382,A §2, 87; NU-1382 §1, 86; 7.04.260 (part); NU-1382,A §3, 87; NU-1382 §1, 86; 16.07.108; BC-2114 §6, 98)

16.190.108.7

Repealed. See 16.190.108.6 through 16.190.108.6.11

(History: Ord. BC-2459 §187, 2004; BC-2237 §10, 2001; Source or prior law: 7.04.240 (part); NU-1382,A §1, 87; NU-1382 §1, 86; 7.04.250 (part); NU-1382,A §2, 87; NU-1382 §1, 86; 7.04.260 (part); NU-1382,A §3, 87; NU-1382 §1, 86; 16.07.108; BC-2114 §6, 98)

16.190.109.1

Section 109.1 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

109.1 Imminent danger. When, in the opinion of the Building Official, there is imminent danger of failure or collapse of a building, or when any structure or part of a structure has collapsed, or when there is actual or potential danger to the building occupants because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Building Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. When the Building Official has determined that a structure is in danger of collapse or has suffered a partial collapse, and thus poses an imminent danger to life for those in proximity to the structure, the Building Official is further authorized to order the immediate removal or demolition of the structure or portion thereof as authorized under K.S.A. 12-1756.

The Building Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Building Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(History: Ord. BC-2635 §197, 2007)

16.190.110.1.1

Section 110.1.1 of the 2006 International Property Maintenance Code is hereby added to read as follows:

110.1.1 Enforcement against unsafe structure. The following procedures shall be used to process actions regarding unsafe structures:

1. The Building Official shall cause a written report to be filed with the Governing Body of the City describing the situation, its location, and the circumstances that support the determination that the structure is unsafe; and,
2. The Governing Body shall fix a time and place at which the owner, representative, tenant, or lien holders of record may appear and show cause why such structure should not be condemned and ordered repaired or demolished; and,
 - 2.1 A resolution, including the findings of the Governing Body and the time and place for the hearing, shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail, return receipt requested, within three days after its first publication to each such owner, representative, tenant or lien holder of record, as can reasonably be determined, at the last known address and shall be marked, “deliver to addressee only.”
3. On the hearing date fixed by the Governing Body’s resolution all relevant parties, interest holders, and relevant City officials shall be allowed to present evidence concerning the status of the property. The Governing Body shall subsequently make findings by resolution; and,
4. If the Governing Body finds that such structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure; and,
 - 4.1 Such resolution shall be published once in the official city newspaper and a copy mailed to the owners, representatives, tenants, or lien holders of record by certified mail, return receipt requested.
 - 4.2 The resolution shall fix a reasonable time within which the repair or removal of the structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated, or fails to diligently commence such action until the work is completed, the Governing Body will cause the structure to be razed and removed.
5. If the Building Official determines that a violation of this Act exists, he or she may issue a Notice to Appear in Municipal Court for such violation. No other procedures are required as a prerequisite to the issuance of a Notice to Appear.

(History: Ord. BC-2635 §198, 2007; BC-2459 §177, 2004; BC-2237 §10, 2001; Source or prior law: 7.04.210; NU-1382 §1, 86)

16.190.111

Section 111 of the 2006 International Property Maintenance Code is hereby deleted.

(History: Ord. BC-2635 §199, 2007; BC-2459 §178, 2004; BC-2237 §10, 2001)

16.190.112

Section 112 of the 2006 International Property Maintenance Code is hereby added to read as follows:

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112 Appeals. Any person directly affected by a decision of the Building Official or a notice or order issued under this code directly pertaining to the interpretation or application of technical provisions of this code or the City's adopted building codes shall have the right to appeal to the Code Board of Appeals, pursuant to the applicable provisions of the Overland Park Municipal Code pertaining to that board. Any person directly affected by any decision of the Building Official or a notice or order issued under this code not under the jurisdiction of the Code Board of Appeals shall have only such rights of appeal as are specified in any applicable laws, statutes, ordinances, rules or regulations.

(History: Ord. BC-2635 §200, 2007; BC-2459 §179, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.111; BC-2114 §7, 98)

16.190.303.2

Repealed. See 16.190.304.2.

(History: Ord. BC-2459 §187, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.2 (part); BC-2114 §8, 98)

16.190.303.3.1

Repealed. See 16.190.304.3.1.

(History: Ord. BC-2459 §187, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.3.1 (beginning on the bottom of page 268-7); BC-2114 §10, 98; 16.14.320 (part); BC-2013 §83, 97; BC-1824 §129, 94)

16.190.303.7

Repealed. See 16.190.304.7.

(History: Ord. BC-2459 §187, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.3.1 (that is on page 268-8); BC-2114 §11, 98)

16.190.303.14

Repealed. See 16.190.304.14.

(History: Ord. BC-2459 §187, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.15; BC-2114 §12, 98)

16.190.304.2

Section 304.2 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

304.2 Protective treatment. All 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 areas in excess of 20 percent (20%) of any individual surface area shall be eliminated and such surfaces repainted. The area of peeling, flaking or chipped paint shall be calculated by drawing one rectangle around all occurrences of the peeling, flaking and chipped paint on any individual surface and calculating the area of that rectangle. All 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. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all 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.

(History: Ord. BC-2635 §201, 2007; BC-2459 §180, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.2 (part); BC-2114 §8, 98)

16.190.304.3.1

Section 304.3.1 of the 2006 International Property Maintenance Code is hereby added to read as follows:

304.3.1 Secondary entry numbers. Multi-tenant shopping centers in which tenant spaces have secondary entry doors from an exterior facade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on or adjacent to each door. Secondary address numbers shall be a minimum of 4 inches in height.

Exception 1: If more than one entry door is installed on a facade, only one door needs to be marked (entry doors defined as overhead cargo doors and normal passage doors).

Exception 2: The Building Official may grant further exceptions after consultation with the Crime Prevention Unit of the Overland Park Police Department if it can be shown that marking the doors would create a security risk.

(History: Ord. BC-2635 §202, 2007; BC-2459 §181, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.3.1 (beginning on the bottom of page 268-7); BC-2114 §10, 98; 16.14.320 (part); BC-2013 §83, 97; BC-1824 §129, 94)

16.190.304.7

Section 304.7 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

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 and water from intermittent sources such as discharges from sump pumps, foundation drains, or other similar sources, excluding lawn sprinklers, shall not be discharged at a point closer than five feet to any adjoining property line nor in a manner that creates a public nuisance.

(History: Ord. BC-2635 §203, 2007; BC-2459 §182, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.3.1 (that is on page 268-8); BC-2114 §11, 98)

16.190.304.14

Section 304.14 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

304.14 Insect screens. During the period from May 15 to October 15, 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 not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

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

(History: Ord. BC-2635 §204, 2007; BC-2459 §183, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.304.15; BC-2114 §12, 98)

16.190.404.4

Section 404.4 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

404.4 Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Section 404.4.1 through 404.4.5.

404.4.1 Room area. Every living room shall contain at least 120 square feet. Every bedroom occupied by one person shall contain at least 70 square feet. Every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

(History: Ord. BC-2635 §205, 2007)

16.190.404.5

Section 404.5 of the 2006 International Property Maintenance Code is hereby by amended to read as follows:

404.5 Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the Building Official, endanger the life, health, safety or welfare of the occupants. Dwelling units shall not be occupied by more occupants than permitted by Table 404.5.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

Table 404.5
MINIMUM AREA REQUIREMENTS

Space	Minimum Area in square feet		
	1-2 Occupants	3-5 Occupants	6 or more Occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

(History: Ord. BC-2635 §206, 2007)

16.190.602.3

Section 602.3 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15 to May 15 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the 2006 International Plumbing Code.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

(History: Ord. BC-2635 §207, 2007; BC-2459 §184, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.602.2.1 (part); BC-2114 §14, 98)

16.190.602.4

Section 602.4 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 15 to May 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

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2. Areas in which persons are primarily engaged in vigorous physical activities.
 (History: Ord. BC-2635 §208, 2007; BC-2459 §185, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.602.3; BC-2114 §15, 98)

16.190.606.1

Section 606.1 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in Table 606.1.

**TABLE 606.1
 INSPECTION AND TEST INTERVALS IN “MONTHS”**

Reference Section	Equipment Type	Periodic Inspections		Periodic Test					
		Requirement	Interval	Category 1		Category 3		Category 5	
				Requirement	Interval	Requirement	Interval	Requirement	Interval
8.11.2	Electric elevators	8.11.2.1	6	8.11.2.2	12	N/A	N/A	8.11.2.3	60
8.11.3	Hydraulic elevators	8.11.3.1	6	8.11.3.2	12	8.11.3.3	36	8.11.3.4	60
8.11.4	Escalators and moving walks	8.11.4.1	6	8.11.4.2	12	N/A	N/A	N/A	N/A
8.11.5.1	Sidewalk elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.3	Hand elevators	8.11.2.1	12	8.11.2.2	12	N/A	N/A	8.11.2.3, 8.11.3.4	60
8.11.5.4	Dumbwaiters	8.11.2.1, 8.11.3.1	12	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.5	Material lifts and dumbwaiters with automatic transfer devices	8.11.2.1, 8.11.3.1	12	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.6	Special purpose personnel elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.7	Inclined elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.8	Shipboard elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.9	Screw-column elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.10	Rooftop elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.12	Limited-use/limited-application elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.13	Elevators used for construction	8.11.2.1, 8.11.3.1	3	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60

(History: Ord. BC-2635 §209, 2007)

16.190.800

Chapter 8 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

REFERENCED STANDARDS. The referenced standards shall be amended as follows:

Delete:

ICC EC – 2006 ICC Electrical Code.
IZC – 2006 International Zoning Code.

Add:

NFPA 70 National Electrical Code, 2005 Edition

(History: Ord. BC-2635 §210, 2007; BC-2459 §186, 2004; BC-2237 §10, 2001; Source or prior law: 16.07.800 (part); BC-2114 §16, 98)

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