

# International Property Maintenance Code Adoption Missouri and Kansas

based on [www.iccsafe.org/government/adoption.html](http://www.iccsafe.org/government/adoption.html) as of January 10, 2006

**Kansas (10 Communities):** Manhattan, Mulvane, Olathe, Ottawa, Overland Park, Russell, Iola, Abilene, Bonner Springs, **Kansas City**

**Missouri (57 Communities):** Bella Villa, Bethany, Cameron, Cuba, Fenton, Herculaneum, Higginsville, Knob Noster, Nixa, Olivette, Pacific, Platte City, Raytown, Rolla, Sikeston, St. Peters, Arnold, Carthage, Cass County, Crystal City, Fulton, Hillsboro, Joplin, Lebanon, West Plains, Branson, Clayton, De Soto Rural FPD, Eldon, Farmington, Foristell, Gladstone, Hannibal, Hazelwood, Kirksville, Kirkwood, Ladue, Lake Saint Louis, Loch Lloyd, Maryland Heights, Mexico, Neosho, O'Fallon, Pineville, St. Charles, St. Clair, **St. Louis, St. Louis County**, Sugar Creek, Washington, West Overland Fire Protection District, Camdenton, Hollister, Maplewood, St. Robert, Waynesville and Willow Springs

## Kansas City, Missouri

### ARTICLE II. RESIDENTIAL PROPERTY

#### DIVISION 1. GENERALLY

##### **Sec. 56-31. Purpose of article.**

The purpose of this article of the property maintenance code is to promote the health, safety, convenience, comfort, morals, prosperity, general interest and welfare of the citizens of the city and to protect neighborhoods against blight and deteriorating influences by establishing minimum standards of fitness for occupancy of residential buildings and by establishing requirements for maintenance of residential buildings and the premises they occupy.

##### **Sec. 56-32. Scope of article.**

(a) The provisions of this article shall apply to every building and its premises used in whole or in part as a dwelling, irrespective of the primary use of such building, and irrespective of when such building may have been constructed, altered or repaired.

(b) This article establishes minimum standards for occupancy and the maintenance of the building and the grounds surrounding such building, and does not replace or modify standards otherwise established for construction, replacement or repair of buildings, except such as are contrary to the provisions of this article.

##### **Sec. 56-33. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- *Accessory building or structure* means a detached building or structure used in a secondary or subordinate capacity from the main or principal building or structure on the same premises.
- *Basement* and *cellar* have the same meaning, that being any space located partially or totally below the surface of the ground.

- *Deterioration* means the condition of a building or part thereof characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.
- *Dwelling* means a building or structure or portion of a building or structure designed for or used for human habitation.
- *Dwelling, multiple* means a dwelling designed for more than two dwelling units or occupied by more than two families.
- *Dwelling unit* means any room or group of rooms located within a dwelling and forming a single habitable unit with cooking, living, sanitary and sleeping facilities.
- *Extermination* means the control and extermination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating or trapping; or by any other recognized and legal pest elimination method.
- *Family* means an individual; or two or more persons related by blood, marriage or adoption; or a group of not more than five persons, excluding servants, who need not be related by blood or marriage, living together and subsisting in common as a separate nonprofit housekeeping unit.
- *Fire hazard* means any device, material or condition likely to cause a fire and which is so situated as to endanger persons or property.
- *Garbage* means the animal and vegetable waste resulting from the handling, preparation, cooking, serving and nonconsumption of food.
- *Habitable room* means every room in any building or structure in which persons sleep, eat or carry on their usual domestic or social vocations or avocations. It shall not include private laundries, bathrooms, toilet rooms, pantries, storerooms, closets, halls, corridors, rooms for mechanical equipment for service in the building or other similar spaces not used by persons frequently or during extended periods. No room shall be considered a habitable room which contains less than 70 square feet of floor area.
- *Hot water* means water at a temperature of not less than 120 degrees Fahrenheit.
- *Kitchen* means any room used for the preparation of foods.
- *Occupant* means any person who has a legal or equitable interest in a parcel of real property other than a fee interest, including a life tenant, lessee, tenant at will, tenant at sufferance or adverse possessor, as well as a person in possession or a person who has charge, care or control of the parcel of real property, as the agent or personal representative of the person holding legal title to a fee interest. Possession, charge, care or control may include living, sleeping, cooking or eating in the parcel of real property.
- *Plumbing* means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
- *Ventilation* means the process of supplying and removing air by natural or mechanical means to or from any space.
- *Weathering* means deterioration, decay or damage caused by exposure to the elements.

**Sec. 56-34. Violations.**

- (a) It shall be unlawful for any person to:
  - (1) Use, occupy, maintain or own any premises which fails to comply with the requirements of divisions 2 through 5, inclusive, of this article, or to cause or permit such use, occupancy, maintenance or ownership, unless this code expressly excepts that person from having to comply with the requirement.
  - (2) Enter, occupy, remain or permit or cause any other person to enter, occupy or remain in any building or structure which has been posted as unfit for human occupancy under section 56-314 unless such person's presence is authorized by the director pursuant to section 56-316.
  - (3) Remove or deface any order to vacate which is posted upon any premises.
  - (4) Permit a building which has been temporarily closed under section 56-317 to remain vacant and unrepaired for more than 150 days after the date of issuance of the order to vacate.
  - (5) Fail, neglect or refuse to obey any subpoena or final order of the property maintenance appeals board.
  - (6) Refuse to admit an authorized person into a structure or premises when such person is in lawful possession of a search warrant authorizing entry into such building or structure.
- (b) Every day that a violation continues shall be considered a separate offense, for which the violator may be arrested, tried and convicted without necessity for further notice.

**Sec. 56-35. Penalty for violation of article.**

- (a) Any person convicted of a violation of this article shall be punished for that violation by a fine of not less than \$85.00, but not more than \$1,000.00, or by imprisonment of not more than 180 days, or by both such fine and imprisonment. All fines imposed shall be in accordance with the minimum fine schedule set out in subsection (c) of this section.
- (b) Every day that a violation continues shall be considered a separate offense, for which the violator may be arrested, tried and convicted without necessity of further notice.
- (c) Whenever the penalty is to be a fine or a fine and imprisonment, the fine shall be no less than the minimum amount set out in the following schedule:

(1)	First offense	Not less than \$85.00 but not more than \$1,000.00
(2)	Second offense	Not less than \$150.00 but not more than \$1,000.00
(3)	Third offense	Not less than \$300.00 but not more than \$1,000.00
(4)	Fourth and subsequent offenses	Not less than \$500.00 but not more than \$1,000.00

In determining the applicable minimum fine, an offense shall be considered a recurring offense if the defendant has previously pleaded or been found guilty of causing or permitting the same nuisance at any location.

## DIVISION 2. RESPONSIBILITIES

### Sec. 56-61. Owner.

Unless otherwise provided in this code, every owner shall be responsible for complying with the requirements of this code even though a similar responsibility is also imposed on the occupants of his building, and even though the owner has, by agreement, imposed on the occupants the duty of furnishing required equipment or of complying with this code. However, only the owner of a multiple dwelling shall have the responsibility for:

- (1) Supplying facilities or containers sufficient and adequate for the sanitary and safe storage and disposal of refuse.
- (2) Extermination of insect or rodent infestation that extends beyond a single occupied dwelling unit. Whenever rodent infestation in a dwelling is caused by the failure of the owner to maintain such dwelling in a rodentproof condition, extermination thereof shall be the sole responsibility of the owner.
- (3) The installation, maintenance and proper operation of the electrical, plumbing, heating, cooling and ventilation systems within the building.

### Sec. 56-62. Occupant.

Unless otherwise provided in this code, every adult occupant of a dwelling shall be responsible for complying with the requirements of this code, even though a similar responsibility is also imposed upon the owner.

### Sec. 56-63. Inspectors.

Every inspector shall be responsible for performing the duties imposed upon him by the director in his enforcement of this code so as to protect the health and safety of the general public and to preserve the integrity of the neighborhood environment of the community.

### Sec. 56-64. Curtailment of essential services.

No owner or occupant shall cause an essential service, including but not limited to electric, gas, water or sewer service, to an occupied dwelling to be interrupted, diminished or shut off or cause a facility or equipment necessary for the delivery of an essential service to be removed from any occupied dwelling, except for such temporary period as may be necessary to complete repairs or improvements. Any owner or occupant causing the curtailment of an essential service shall take immediate and appropriate steps to completely restore the service.

## DIVISION 3. MINIMUM ENVIRONMENTAL, OCCUPANCY AND SPACE REQUIREMENTS

### Subdivision I. In General

#### Sec. 56-91. Sanitation.

- (a) All exterior property areas and the interior of every dwelling shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. The storage, collection and disposal of refuse shall be in accordance with chapter 62.
- (b) The owner of any dwelling may provide an approved mechanical garbage disposal unit (mechanical sink grinder) for the use of the occupants of each dwelling.

**Sec. 56-92. Insect and rodent control.**

Buildings, structures and exterior property areas shall be kept free from insect and rodent infestation. Where insects or rodents are found, they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation. Every opening located within four feet of the ground level shall be protected against the possible entry of insects and rodents.

**Sec. 56-93. Stairs, porches and handrails.**

Every porch and interior or exterior stairs shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected. They shall be maintained in sound condition and good repair. Treads and risers that evidence excessive wear or are broken, warped or loose shall be replaced. Where required for safety, approved handrails and baluster shall be installed and they shall be maintained in a safe condition.

**Subdivision II. Exterior Property Areas**

**Sec. 56-111. Grading and drainage.**

All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon.

**Sec. 56-112. Sidewalks, driveways and parking spaces.**

- (a) Private sidewalks shall be maintained to provide for safe passage of pedestrians. The sidewalk must be free of tripping hazards like displaced cracks and holes. Isolated, single steps, when present in sidewalks, shall have risers at least four inches in height, but less than 8.25 inches. Private sidewalks shall be constructed of asphaltic or Portland cement concrete, bricks, flat rocks, blocks, treated lumber, gravel, crushed rock and wood chips; provided, however, if gravel, crushed rock or wood chips are used as construction material, such material shall be held in place with barriers along the edge.
- (b) Private driveways and parking spaces shall be constructed in accordance with section 52-35. Driveways and parking spaces must be maintained so as to prevent the tracking of mud onto the public right-of-way and the generation of dust. Driveways, or portions thereof, that also serve as pedestrian ways from the public right-of-way to the building entrance must comply with the requirements given in subsection (a) of this section for private sidewalks.
- (c) For driveways and parking spaces excluded by section 52-35, the minimum acceptable surface material is crushed rock. Existing crushed rock driveways allowed by section 52-35 must be maintained by periodically adding crushed rock. A properly maintained driveway and parking space surface will not have vegetation growing through it and/or will not be fully or partially covered with dirt.
- (d) Cracks of one-inch width or greater in paved driveways shall be patched with concrete, asphalt or other material designed and marketed for this purpose. Paved surfaces shall not be allowed to degenerate to a point where there is loose gravel, broken up pavement or potholes present.
- (e) Nothing in this section is intended to prohibit existing ribbon driveways.

**Sec. 56-113. Accessory structures.**

Accessory buildings and structures shall be structurally sound and be maintained in good repair or such buildings and structures shall be removed from the premises. The accessory building or structure must comply with all applicable foundation, exterior and interior requirements as set forth in this code.

**Sec. 56-114. Fences and retaining walls.**

*Maintenance.* All fences and retaining walls on the premises shall be structurally sound and kept in good repair. The fenceposts shall be firmly set in a base that does not allow the posts to wobble. The fence railings or slatting shall be firmly attached to the supporting posts. Gaps or wedges in a retaining wall shall be restored to the original condition. Fences and retaining walls shall not encroach on the public right-of-way and must be maintained in a manner that will protect the fence or wall from rotting, decay, deterioration or loss of structural integrity.

**Sec. 56-115. Maintenance of manmade pools--Residential.**

Manmade pools shall be in good repair, free from deterioration and/or holes or breaks.

**Subdivision III. Building Exterior**

**Sec. 56-131. Foundations, walls and roof.**

Every foundation, exterior wall, roof and chimney and all other exterior surfaces shall be maintained plumb and free from open cracks and breaks. The foundation elements shall adequately support the building at all points.

**Sec. 56-132. Exterior walls.**

- (a) Every exterior wall, including screened-off areas, doors and windows, shall be free of holes, breaks, loose or rotting boards or timbers, or any conditions which might admit rain, dampness or insects to the interior portions of the walls or to the occupied spaces of the building.
- (b) All exterior wall or surface material, once painted, must be kept in good repair free of peeling, cracked, blistered paint or paint weathered to an uneven and spotty condition.
- (c) Any exterior wall or surface material must be protected against weathering.

**Sec. 56-133. Roofs, eaves and soffits.**

The roof, eave and soffit shall be structurally sound and tight, and shall not admit rain. Roof drainage shall be sufficient to prevent rainwater from causing dampness in the walls or interior portion of the building. All existing downspouts and gutters shall be kept in good repair.

**Sec. 56-134. Exterior openings.**

Every exterior opening shall be fitted with a window, door or basement hatchway cover, as appropriate, which shall be tight and maintained in sound condition and good repair to exclude wind and prevent the entrance of rodents, rain and surface drainage water into the dwelling or structure. Every doorway which gives access from a habitable room or dwelling unit into a common passageway, hall, stairway or the exterior shall be fitted with a door, equipped with hardware capable of ensuring security and privacy to the occupants of such habitable room or dwelling unit.

**Sec. 56-135. Windows and screens.**

Every window shall be in good condition and fit tightly within its frame so as to exclude wind and rain as completely as possible from entering the dwelling or structure. All windows shall be fully supplied with glass windowpanes or an approved substitute without cracks or holes. Windows, other than fixed windows, shall be capable of being easily opened and shall be held in position by window hardware. Any window that is open shall have a screen in place covering the open window area. Screens shall be maintained in good repair. When present, awnings are to be kept in good repair. Every other opening located within four feet of the ground level shall be protected against the possible entry of insects and rodents.

**Sec. 56-136. Doors.**

Every exterior door shall be maintained in good condition and when closed shall fit well within its frame so as to exclude wind and rain as completely as possible from entering the dwelling or structure. Every door hinge and door latch shall be maintained in good condition. Every door available as an exit shall be capable of being easily opened from the inside.

**Sec. 56-137. Secondary means of egress.**

Every dwelling shall have at least two means of egress leading to safe and open space at ground level. Access to or egress from each dwelling unit shall be provided without passing through any other dwelling unit.

**Subdivision IV. Building Interior**

**Sec. 56-161. Freedom from dampness.**

Every building shall be maintained free from dampness to prevent conditions conducive to decay, electrical hazards or deterioration of the structure.

**Sec. 56-162. Structural members.**

The supporting structural members of every building shall be maintained structurally sound, showing no evidence of deterioration which would render them incapable of carrying the imposed loads.

**Sec. 56-163. Interior walls, ceilings and floors.**

All interior walls, ceilings and floors shall be structurally sound, in good repair, free from defects, and painted or decorated.

**Sec. 56-164. Bathroom and kitchen floors.**

Every water closet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water so as to permit such floor to be easily kept in a cleanable and sanitary condition.

**Subdivision V. Basic Sanitary and Comfort Facilities**

**Sec. 56-181. Sanitary facilities required.**

The minimum sanitary facilities set out in this subdivision shall be provided by the owner and maintained in a sanitary, safe working condition.

**Sec. 56-182. Water closet.**

Every dwelling unit shall contain within its walls at least one room, separate from the habitable rooms, which affords privacy and is equipped with a water closet and a lavatory. Any window present shall have a minimum area equivalent to ten percent of its floor area. At least one water closet shall be available for every four rooms in a roominghouse when a private water closet is not provided, and access to such water closet may not be through another rooming unit.

**Sec. 56-183. Bathtub or shower.**

Every dwelling unit shall contain a room which affords privacy to a person and which is equipped with a bathtub or shower. At least one bathtub or shower shall be available for every four rooms in a roominghouse when a private bathtub or shower is not provided.

**Sec. 56-184. Kitchen sink.**

Every dwelling unit shall contain a kitchen sink apart from the room with a water closet.

**Sec. 56-185. Water and sewer system.**

Every kitchen sink, lavatory basin, bathtub, shower and water closet shall be properly connected to an approved and properly operating water and sewer system. All sinks, lavatories, bathtubs and showers shall be provided with hot and cold running water.

**Sec. 56-186. Water-heating facilities.**

Every dwelling unit shall be equipped with water-heating facilities which are installed in an approved manner, properly maintained and connected with hot water lines to the fixtures required by this code to be provided with hot water. Water-heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower and laundry facility, or other similar unit, at a temperature of not less than 120 degrees Fahrenheit at any time needed.

**Sec. 56-187. Location of bathroom and second sleeping room.**

A dwelling or dwelling unit containing two or more sleeping rooms shall not have such room arrangement that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room, nor shall the room arrangement be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment. Existing one-family dwellings without lodgers as occupants existing as of May 22, 1977, are exempt from the requirement concerning access through a first sleeping room.

**Sec. 56-188. Heating facilities.**

Every dwelling shall have adequately vented heating facilities.

- (1) Heat shall be supplied to every habitable room and every room containing a toilet, shower or bathtub to at least 68 degrees Fahrenheit between 6:00 a.m. and 12:00 midnight and at least 64 degrees Fahrenheit between 12:00 midnight and 6:00 a.m. The temperature shall not exceed 78 degrees Fahrenheit during the heating season.
- (2) The heating facilities shall be properly installed, maintained in a safe manner, and capable of delivering heat to the dwelling as required.



- (3) Space heaters, furnaces, boilers and water heaters, except electrical ones, shall be properly vented to a chimney or vent leading outdoors.

**Sec. 56-189. Plumbing and electrical system installation and maintenance.**

In all dwellings, water lines, plumbing fixtures, vents, drains, stacks, waste and sewer lines shall be properly installed in an approved manner and maintained so as to function properly and shall be kept free from obstructions, leaks and defects. Electrical wiring and fixtures shall be installed, maintained and used in an approved manner and shall not be altered or allowed to deteriorate in any way that might create an unsafe condition.

**Subdivision VI. Occupancy Requirements**

**Sec. 56-211. Minimum ceiling height in habitable rooms.**

Habitable rooms in existing buildings shall have a clear ceiling height of not less than seven feet over the minimum floor area required by this code.

**Sec. 56-212. Required space in dwelling units.**

Every dwelling unit shall contain a minimum gross floor area of not less than 120 square feet for the first occupant, and 100 square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

**Sec. 56-213. Required space in sleeping rooms.**

In every dwelling unit, every room occupied for sleeping purposes by one occupant shall have a minimum gross floor area of at least 70 square feet. Every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each additional occupant thereof.

**Sec. 56-214. Access from dwelling unit to commercial uses.**

A bathroom or water closet compartment which is accessory to a dwelling unit shall not open directly into, or be used in conjunction with, a place of business.

**Sec. 56-215. Occupancy of dwelling units below grade.**

No space located partially or totally below grade shall be used as a habitable room of a dwelling unit unless all environmental, health and safety features required of habitable rooms above grade are provided. Two approved exits shall be provided or an approved smoke detector shall be provided at the first floor level near the single exit opening.

**Sec. 56-216. Width of common halls and stairways.**

Every common hall and stairway shall be a minimum of three feet in width.

**Subdivision VII. Light and Ventilation**

**Sec. 56-231. Natural light in habitable rooms.**

Every habitable room, except basements, shall have at least one window facing directly to the outdoors. The minimum total window area shall be ten percent of the floor area of the room, except in kitchens when artificial light may be provided. Whenever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet from the window and extend to a level

above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included in the required minimum total window area for the room.

**Sec. 56-232. Light in nonhabitable rooms.**

Every laundry, furnace room, bathroom, water closet compartment and all nonhabitable work spaces located in a building or structure shall have one electric light fixture available at all times.

**Sec. 56-233. Light in common halls and stairways.**

Every common hall and inside stairway in every building or structure, other than single-family dwellings, shall be adequately lighted at all times.

**Sec. 56-234. Electric outlets required.**

Where there is electric service available to the building, every habitable room of a dwelling or multiple dwelling shall contain at least two separate and remote outlets, one of which may be a ceiling or wall-type electric light fixture. In kitchens, three separate and remote wall-type electric convenience outlets or two such convenience outlets and one ceiling or wall-type electric light fixture shall be provided. In every bathroom and laundry room there shall be provided at least one electric outlet.

**Sec. 56-235. Ventilation.**

Every room shall have at least one window which can be easily opened, or such other system that will adequately ventilate the room. The total openable window area in such room shall be equal to at least 45 percent of the minimum window area required by this code.

**Subdivision VIII. Minimum Requirements for Safety**

**Sec. 56-251. Dwelling prohibited in certain locations.**

A dwelling shall not be located within a building or structure containing any establishment handling, dispensing or storing flammable liquids.

**Sec. 56-252. Cooking and heating equipment and facilities.**

All cooking and heating equipment, components and accessories in every heating, cooking and water-heating device shall be maintained free from leaks and obstructions and kept functioning properly so as to be free from fire, health and accident hazards. All installments and repairs shall be made in an approved manner. Portable cooking equipment employing a flame is prohibited. Cooking facilities shall not be permitted in any rooming unit.

**Sec. 56-253. Storage of flammable or combustible materials.**

Flammable or combustible materials of all types shall be stored safely and shall not be stored in the vicinity of open heaters, kitchen ranges, furnaces or boilers or in the stairways or exitways.

**Sec. 56-254. Storage of explosive material.**

No explosive material shall be stored or located so as to put in jeopardy either persons or property.

**Sec. 56-255. Fire or arson hazards.**

Every dwelling or dwelling unit, whether vacant or occupied, including any common areas, shall be maintained to prevent a condition which poses a fire hazard or presents a target for arson.

**Sec. 56-256. Obstruction of exits.**

There shall be no obstruction to or of fire escapes, ladders which may be used as escapes, stairways, aisles, exits, doors, windows, passageways or halls, likely in the event of fire to interfere with the operations of the fire department or of the safety and ready egress of occupants.

## **Kansas City, Kansas**

**Sec. 8-336. 2003 International Property Maintenance Code—Adopted; purpose.**

- (a) 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; making of inspections; the execution of plan reviews; the enforcement of chapter 8 of the 1988 Code of Ordinances for Kansas City, Kansas and the fixing of penalties for violations thereof, the 2003 International Property Maintenance Code, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended in the 1988 Code of Ordinances for Kansas City, Kansas chapter 8, sections 8-1 through and including 8-351. Further, that if there exists or arises any conflict between the provisions of the publication and this Code, then the provisions of this Code are controlling.
- (b) *Marked copies of code on file.* There shall be not less than three (3) copies of the standard code, adopted by reference above, kept on file in the office of the unified government clerk, to which shall be attached a copy of this incorporating ordinance, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04, with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.
- (c) Any person who shall violate any of the provisions of this article or the 2003 International Property Maintenance Code herein adopted shall be guilty of a violation of this article, and shall upon conviction, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two thousand five hundred dollars (\$2,500.00), or be imprisoned for not exceeding six (6) months, or both. The office of chief counsel shall, at the request of the public officer, render such legal assistance as may be necessary in carrying out the provisions of this article.

**Sec. 8-337. Same—Statement of purpose, definitions, amendments, etc.**

- (a) *Statement of purpose.* It is the intent of this code to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all real properties of all types, including buildings and structures within this jurisdiction.
- (b) *Code Official changed to public officer.* All references responsibilities, duties, powers and obligations referred and conveyed upon the "code official" in the 2003 *International Property Maintenance Code* is hereby amended to and designated upon the "public officer."

(c) *Amendments.* The 2003 International Property Maintenance Code is amended in the following respects:

**Section 304.14 Insect screens.** During the period from April 1 to November 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 not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

**Section 307.3.1 Garbage facilities.** The owner or occupant of every dwelling shall be required to maintain on the premises 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.

**Section 505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the 2003 Uniform Plumbing Code.

**Section 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 to maintain a temperature of not less than 68 degrees F (20 degrees 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 International Plumbing Code.
2. In areas where the average monthly temperature is above 30 degrees F (-1 degrees C) a minimum temperature of 65 degrees F (18 degrees C) shall be maintained.