

CHAPTER 1

ADMINISTRATION

SECTION PM-101.0 GENERAL

PM101.1 Title: These regulations shall be known as the Property Maintenance Code of the City of Gladstone hereinafter referred to as “this code”.

PM-101.2 Scope: This code is to protect the public health, safety and welfare in all existing structures, residential and nonresidential, and on all existing premises 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.

PM-101.3 Intent: This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and 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.

PM-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.

PM-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 structure which is dangerous, unsafe and unsanitary.

PM-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.

PM-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 NFPA 70 listed in Chapter 8.

PM-101.8 Inspection fees: The fees for inspection or a re-inspection shall be set by the City Commission.

SECTION PM-102.0 VALIDITY

PM-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 servable.

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

SECTION PM-103.0 MAINTENANCE

PM-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 PM-104.0 APPROVAL

PM-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.

PM-104.2 Modifications: Where there are practical difficulties involved in carrying out provisions of this code, the code official shall have the right 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 that the public health, safety and welfare is assured.

PM-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.

PM-104.3 Material 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.

PM-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 that 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.

PM-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 PM-105.0 DUTIES AND POWERS OF THE CODE OFFICIAL

PM-105.1 General: Every multiple dwelling or leased dwelling unit shall be inspected at least every (2) years. The code official is also empowered to make similar inspections of all dwellings as frequently as may be necessary or convenient. .

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

PM-105.3 Right of entry: The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

PM-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.

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

PM-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 confliction orders before any are issued. A department shall not, however delay the issuance of any emergency orders.

PM-105.7 Rule making authority: The code official shall have power as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violation accepted engineering practice involving public safety.

PM-105.8 Organization: The code official shall appoint such number of officers, technical assistants, 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.

PM-105.9 Restriction of employees: An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the board of appeals established under the provisions of Section PM 111.0, 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.

Exception: An official or employee connected with the administration and enforcement of city funded rehabilitation projects can engage in assisting the property owner with bid specifications, material specifications and awarding of city funded rehabilitation contracts.

PM-105.10 Relief from personal responsibility: 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.

PM-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 PM-106.0 VIOLATIONS

PM-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 premises, property, 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.

PM-106.2 Penalty: Any person who shall violate a provision of this code shall be responsible for a civil infraction subject to payment of a civil fine of not less than Fifty (\$50.00) or more than Five Hundred (\$500.00) Dollars plus costs and other sanctions for each infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

PM-106.3 Prosecution: In case of any unlawful acts the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section PM-106.2. Also, the code official shall ask the jurisdiction's legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

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 PM-107.0 NOTICES AND ORDERS

PM-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 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 in Sections PM-107.2 and PM-107.3. Notices for condemnation procedures shall also comply with section PM-108.3.

PM-107.2 Form: Such notice prescribed in Section PM-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; and
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.

PM-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 first class mail addressed to the owner at the last known address. If the 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.

PM-107.4 Penalties: Penalties for noncompliance with orders and notices shall be as set forth in Section PM-106.2.

PM-107.5 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 or 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 PM-108.0 UNSAFE STRUCTURES AND EQUIPMENT

PM-108.1 General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

PM-108.1.1 Unsafe structure: An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is likely.

PM-108.1.2 Unsafe equipment: Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

PM-108.1.3 Structure unfit for human occupancy: A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

PM-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 contrary to law.

PM-108.2 Closing of vacant structures: If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM-108.3 Notice: Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section PM-107.3. The notice shall be in the form prescribed in Section PM-107.2.

PM-108.4 Placarding: Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment, a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

PM-108.5 Prohibited occupancy: Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

PM-108.6 Removal of placard: The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

SECTION PM-109.0 EMERGENCY MEASURES

PM-109.1 Imminent danger: When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code 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 code 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.

PM-109.2 Temporary safeguards: Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding-up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

PM-109.3: Closing streets: When necessary for the public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

PM-109.4 Emergency repairs: For the purposes of this section the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

PM-109.5 Costs of emergency repairs: Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

PM-109.6 Hearing: Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION PM-110.0 DEMOLITION

PM-110.1 General: The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has

become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to raze and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to raze and remove such structure.

PM-110.2 Order: All notices and orders shall comply with Section PM-107.0.

PM-110.3 Failure to comply: If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be razed and removed, either through an available public agency or by contract or arrangement with private persons and the cost of such razing and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM-110.4 Salvage materials: When any structure has been ordered razed and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such razing and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

PM-111.0 MEANS OF APPEAL

PM-111.1 Application for appeal: Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals. The petition requesting a hearing shall be in writing, and shall specify the name, address and telephone number of the petitioner, and a brief statement of the grounds for appeal, and shall be accompanied by an appeal fee of ten dollars (\$10.00). Such petition shall be filed within ten (10) days after the day the notice and order are served. Upon receipt of such a petition, the building official shall set a time for a hearing before the board and shall give the petitioner written notice thereof.

PM-111.2 Membership of the board: The board of appeals shall consist of five members of the Community appointed by the Mayor for the City of Gladstone with the advice of the City Commission. The City Commission will act as the board of appeals in the absence of a board of appeals.

PM-111.2.3 Chairman: The board shall annually select one of its members to serve as chairman.

PM-111.2.4 Disqualification of member: A member shall not hear an appeal in which that member has any personal, professional or financial interest.

PM-111.2.5 Secretary: The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

PM-111.2.6 Compensation of members: Compensation of members shall be determined by law.

PM-111.3 Notice of meeting: The board shall meet upon notice from the chairman, or at stated periodic meeting.

PM-111.4 Open hearing: All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

PM-111.6 Board decision: The board shall sustain, modify, or reverse the decision of the code official by a concurring vote of a majority.

PM-111.6.1 Resolution: The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

PM-111.6.2 Administration: The code official shall take immediate action in accordance with the decision of the board.

PM-111.7 Court review: All applications for writs of certiorari to correct errors of law shall comply with Section PM-111.1

CHAPTER 3

GENERAL REQUIREMENTS

SECTION PM-301.0 GENERAL

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

PM-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 PM-306.0 and PM-307.0. A person shall not occupy as owner-occupant or permit another person to occupy premises, which do not comply with the requirements of this chapter.

PM-301.2.1 Registration: It shall be the responsibility of the owner or operator of rental property located within the city limits of Gladstone to register all rental property, owned or controlled, with the Property Maintenance Code Official. Failure to register constitutes a violation of this code. New owners are required to register within seven (7) days after obtaining legal possession of the property. When a property has been owner occupied and becomes vacant and intended to be used as rental property it must be registered within seven (7) days. Whenever there are changes in the information that was submitted on the registration, the Property Maintenance Code Official must be notified of the changes within seven (7) days, such as, but not limited to change of ownership, whether or not it will be owner occupied, or change of manager or operator. Registration forms are available through the office of the Property Maintenance Code Official.

Registration fee to be set by Gladstone City Commission.

PM-301.3 Vacant structures and land: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION PM-302.0 DEFINITIONS

PM-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 building, 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, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise 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.

Public nuisance: Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
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;
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premises designated as unsafe for human habitation;
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured so as to endanger life, limb or property;
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;
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.

Tenant: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

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

SECTION PM 303.0 EXTERIOR PROPERTY AREAS

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

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

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

PM-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 sections PM-304.10 and PM-702.9

PM-303.4 Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

PM-303.4.1 Yards: Yards will be covered with grass or ground cover, with no bare spots, including dog run areas. Grass or ground cover must be planted or installed no more than 30 days after final inspection for new construction. In the event that the final inspection occurs during winter months, it shall be done at the earliest possible date in the spring. The grass will be neatly cut and trimmed at all times. All vines, bushes and shrubs will be trimmed so as not to extend over the sidewalk or alley areas. All trash and debris will be removed and properly disposed of. There will be no indoor furniture stored or used in the yard. All dog feces will be removed daily. Fallen tree limbs and dead trees will be removed. It is a violation of this code to keep any refuse or waste on any property. "Refuse and Waste" means any rubbish, refuse, trash or debris of any kind including without limitation: rubble, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, machinery or parts thereof, scrap metal or other pieces of metal, trimmings from plants or trees, cans bottles or barrels.

Exception: A dog run area totally enclosed with fencing material and designed and used specifically for that purpose, such as a kennel.

PM-303.5 Birds, rodents and skunk harborage: All structures shall be kept free from bird, rodent, and skunk infestation. Where birds, rodents, and skunks 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 re-infestation.

PM-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.

PM-303.7 Accessory structures: All accessory structures, including detached garages, fences and walls shall be maintained structurally 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.

PM-303.8 Motor vehicles: Except as provided for in other regulations, no unregistered or inoperable motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

SECTION PM-304.0 EXTERIOR STRUCTURE

PM-304.1 General: The exterior of a 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.

PM-304.2 Exterior painting: All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

PM-304.3 Street numbers: Each structure 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 ½ inch (13mm) stroke.

PM-304.4 Structural members: All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

PM-304.5 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.

PM-304.6 Exterior walls: All exterior walls shall be free from holes, breaks, and loose, or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

PM-304.7 Roofs and drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains; gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

AN ORDINANCE TO AMEND THE CITY OF GLADSTONE PROPERTY MAINTENANCE CODE #527, BY AMENDING 303.0, EXTERIOR PROPERTY AREAS.

PM-302.1

Fence: a barrier intended to prevent escape or intrusion or to mark a boundary.

Hedge: a fence or boundary formed by a dense row of shrubs or low trees.

PM-303.7.1 Fences and Hedges: No person, firm, or corporation shall construct or cause to be constructed any fence or hedge upon any property within the city without first having obtained a permit therefore in the manner hereinafter provided. Any person desiring to build or to cause to be built a fence, or grow a hedge or cause to be grown a hedge upon property owned in the city shall first apply to the Building Inspector or the Code official for a permit. Such application shall contain any and all information required by the inspector necessary for the determination of whether the erection of such fence or growing of such hedge will violate any ordinance of this city or law of this state. Fences and hedges erected in the front yard area shall not exceed four (4) feet in height. The front yard area shall consist of the open area on the street side of a building including the area from the street to the building then to a line from the building to the lot line on either side. Corner lots shall be considered from the street on both sides of the property. Fences and hedges erected on side and rear yards shall not exceed six (6) feet in height. Side and rear yards shall include all of the remainder of a property not described as front yard area.

Materials used for the construction of fences shall be approved by the Building Inspector and shall consist of wood, such as cedar, redwood or pressure treated wood, metal, and plastic or other approved fencing material. Pre-constructed components such as pallets, etc. shall not be used as fencing material. Barbed wire and all of the other restricted fencing material mentioned in Section 92.46 in the Code of Ordinances for the City of Gladstone shall not be used in the City of Gladstone.

PM-304.8 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.

PM-304.9 Overhang extensions: All canopies, marquees, signs, metal awnings, 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 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.

PM-304.10 Stair and walking surfaces: Every stair, ramp, balcony, porch, deck or other walking surface shall comply with the provisions of Section PM-702.9.

PM-304.11 Stairways, decks, porches and balconies: Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

PM-304.12 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. All firewood shall be neatly stacked so that it does not create a safety hazard. Such stacked wood shall not exceed six feet in height. For purposes of this section, stacked wood shall be considered an accessory structure for open space and ground cover purposes.

PM-304.13 Handrails and guards: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

PM-304.14 Window and doorframes: Every window, door and frame shall be kept in sound condition; good repair and weather tight.

PM-304.14.1 Glazing: All glazing materials shall be maintained free from cracks and holes.

PM-304.14.2 Operable windows: Every window, other than a fixed window, shall be easily operable and capable of being held in position by window hardware.

PM-304.15 Insect screens: During the period from June 1 to November 1, every door, window and other outside opening utilized or required for ventilation purposes serving

any structure containing 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.

PM-304.16 Doors: All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

PM-304.17 Basement hatchways: Every basement hatchway shall be maintained to prevent the entrance of rats, rain and surface drainage water.

PM-304.18 Guards for basement windows: Every basement window that is open shall be supplied with rat-proof shields, storm windows or other approved protection against the entry of rats.

SECTION PM-305.0 INTERIOR STRUCTURE

PM-305.1 General: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

PM-305.2 Structural members: All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

PM-305.3 Interior surfaces: All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

PM-305.4 Lead-based paint: Interior and exterior painted surfaces of dwellings and child and day care facilities, including fences and outbuildings, which contain lead levels equal to or greater than 1.0 milligram per square centimeter or in excess of 0.50 percent lead by weight shall be maintained in a condition free from peeling, chipping and flaking paint or removed or covered in an approved manner. Any surface to be covered shall first be identified by approved warnings as to the lead content of such surface.

PM-305.5 Stairs and railings: All interior stairs and railings shall be maintained in sound condition and good repair.

PM-305.6 Stairs and walking surfaces: Every stair, ramp, balcony, porch, deck or other walking surface shall comply with the provisions of Section PM-702.9.

PM-305.7 Handrails and guards: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

R312.1.2 Landings at doors. There shall be a floor or landing on each side of each exterior door.

Exception: At the exterior side of sliding doors.

The floor or landing at a door shall not be more than 1.5 inches (38 mm) lower than the top of the threshold.

Exception: The landing at an exterior doorway shall not be more than 8 inches (197 mm) below the top of the threshold, provided that the door, other than an exterior storm or screen door, does not swing over the landing.

R312.2 Size. The width of each landing shall not be less than the stairway or door served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

R315.1 Handrails. Handrails that have minimum and maximum heights of 34 inches and 38 inches, respectively, measured vertically from the nosing of the treads, shall be provided on at least one side of stairways. All required handrails shall be continuous the full length of the stairs with three or more risers from a point directly above the top riser of a flight to a point directly above the lowest riser of the flight. Ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1.5 inches between the wall and the handrail.

Exceptions:

1. Handrails shall be permitted to be interrupted by a newel post at a turn.
2. The use of a volute, turnout, or starting easing shall be allowed over the lowest tread.

R316.2 Guards required. Porches, balconies or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads.

R316.2 Guard opening limitations. Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures that do not allow passage of a sphere 4 inches (102 mm) in diameter. Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.

Exception: The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.

SECTION PM-306.0 RUBBISH AND GARBAGE

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

PM-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.

PM-306.2.1 Rubbish storage facilities: The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

PM-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.

PM-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; or an approved leak-proof, covered, outside garbage container.

PM-306.3.2 Containers: The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

SECTION PM-307.0 EXTERMINATION

PM-307.1 Infestation: All structures shall be kept free from insect, bird, rodent and skunk infestation. All structures in which insects, birds, rodents and skunks 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 re-infestation.

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

PM-307.3 Single occupant: The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

PM-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.

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

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

SECTION PM-401.0 GENERAL

PM-401.1 Scope: The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

PM-401.2 Responsibility: The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy any premises that do not comply with the requirements of this chapter.

PM-401.3 Alternative devices: In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the building code listed in Chapter 8 shall be permitted.

SECTION PM-402.0 DEFINITIONS

PM-402.1 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.

Habitable space: Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls storage or utility spaces, and similar areas are not considered habitable spaces.

Open able area: That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Ventilation: The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

SECTION PM-403.0 LIGHT

PM-403.1 Habitable spaces: Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total window

area measured between stops, for every habitable space shall be 8 percent of the floor area of such room, except in kitchens where artificial light is provided in accordance with the provisions of the building code listed in Chapter 8. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

PM-403.2 Common halls and stairways: Every common hall and stairway, other than in one and two-family dwellings, shall be lighted at all times with at least a 60 watt standard incandescent light bulb or equivalent for each 200 square feet (19 m squared) of floor area, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). Every exterior stairway shall be illuminated with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

PM-403.3 Other spaces: All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

SECTION PM-404.0 VENTILATION

PM-404.1 Habitable spaces: Every habitable space shall have at least one open-able window. The total open-able area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section PM-403.1.

PM-404.2 Bathrooms and toilet rooms: Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section PM-404.1, except that a window shall not be required in spaces equipped with a mechanical ventilation system that complies with the following:

1. Air exhausted by a mechanical ventilation system from a bathroom within a dwelling unit shall be exhausted to the exterior and shall not be re-circulated to any space, including the space from which such air is withdrawn.
2. Air exhausted by a mechanical ventilation system from all other bathrooms or toilet rooms shall be exhausted to the exterior without re-circulation to any space, or not more than 85 percent of the exhaust air shall be re-circulated where the system is provided with effective absorption and filtering equipment.

PM-404.3 Cooking facilities: Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

PM-404.4 Process ventilation: Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be re-circulated to any space.

PM-404.5 Clothes dryer exhaust: Clothes dryer venting systems shall be independent of all other systems and shall be vented in accordance with the manufacturer's instructions.

SECTION PM-405.0 OCCUPANCY LIMITATIONS

PM-405.1 Privacy: Dwelling units, hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

PM-405.2 Access from sleeping rooms: Sleeping rooms shall not constitute the only means of access to other sleeping rooms or habitable spaces.

Exception: Dwelling units that contain fewer than two bedrooms.

PM-405.3 Area for sleeping purposes: Every room occupied for sleeping purposes by two or less occupants shall contain at least 90 square feet of floor area, and every room occupied for sleeping purposes by more than two persons shall contain at least 50 square feet of floor area for each occupant thereof.

PM-405.4 Water closet accessibility: Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.

PM-405.5 Overcrowding: Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table PM-405.5

**Table PM-405.5
MINIMUM AREA REQUIREMENTS**

Space	Minimum area in square feet		
	1-2 occupants	3-5 occupants	6 or more
Living room	No requirements	120	150
Dinning room	No requirements	80	100
Kitchen	50	50	60
Bedrooms	Shall comply with Section PM-405.3		

Note a. See Section PM-405.6 for combined living room/dining room spaces.

Note b. 1 square foot = 0.093 m²

PM-405.6 Combined spaces: Combined living room and dining room spaces shall comply with the requirements of Table PM-405.5 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.

PM-405.7 Prohibited occupancy: Kitchens, non-habitable spaces and interior public areas shall not be occupied for sleeping purposes.

PM-405.8 Minimum ceiling heights: Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions

1. In one and two family dwellings, beams or girders spaced not less than 4 feet on center and projecting not more than 6 inches below the required ceiling height.
2. Basement rooms in one and two family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches with not less than 6 feet 4 inches of clear height under beams girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet or more shall be included.

PM-405.9 Minimum room widths: A habitable room, other than a kitchen, shall not be less than 7 feet in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet between counter-fronts and appliances or counter-fronts and walls.

PM-405.10 Food preparation: All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION PM-501.0 GENERAL

PM-501.1 Scope: The provisions of this chapter shall govern the minimum plumbing facilities and plumbing fixtures to be provided.

PM-501.2 Responsibility: The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises, which does not comply with the requirements of this chapter.

SECTION PM-502.0 DEFINITIONS

PM-502.1 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.

Bathroom: A room containing plumbing fixtures including a bathtub or shower.

Plumbing: The practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances within the scope of the plumbing code listed in Chapter 8.

Plumbing fixture: A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water there-from; or discharges waste water, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.

Toilet room: A room containing a water closet or urinal but not a bathtub or shower.

SECTION PM-503.0 REQUIRED FACILITIES

PM-503.1 Dwelling units: Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located.

PM-503.2 Rooming houses: At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

PM-503.3 Hotels: Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

PM-503.4 Employee's facilities: A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

PM-503.4.1 Drinking facilities: Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

SECTION PM-504.0 TOILET ROOMS

PM-504.1 Privacy: Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior.

PM-504.2 Location: Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

PM-504.3 Location or employee toilet facilities: Toilet facilities shall have access from within the employee's regular working area. The required toilet facilities shall be located not more than one story above or below the employee's regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet. Employee facilities shall either be separate facilities or public customer facilities.

Exception: Facilities that is required for employees in storage structures or kiosks, and which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet from the employees' regular working area to the facilities.

SECTION PM-505.0 PLUMBING FIXTURES

PM-505.1 General: All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

PM-505.2 Fixture clearances: Plumbing fixtures shall have adequate clearances for usage and cleaning.

SECTION PM-506.0 WATER SYSTEM

PM-506.1 General: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

PM-506.2 Contamination: The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

PM-506.3 Supply: The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

PM-506.4 Water heating facilities: Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees F. (43 degrees C.). A gas burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

P2803.6.1 Relief Valve Discharge: The discharge pipe from relief valves shall terminate atmospherically not more than 4 inches (102mm) from the floor with an unthreaded end and shall not be directly connected to the drainage system.

SECTION PM-507.0 SANITARY DRAINAGE SYSTEM

PM-507.1 General: All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

PM-507.2 Maintenance: Every plumbing stack, vent waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

SECTION PM-508.0 STORM DRAINAGE

PM-508.1 General: Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION PM-601.0 GENERAL

PM-601.1 Scope: The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

PM-601.2 Responsibility: The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises, which does not comply with the requirements of this chapter.

SECTION PM-602.0 HEATING FACILITIES

PM-602.1 Facilities required: Heating facilities shall be provided in structures as required by this section.

PM-602.2 Residential buildings: Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 70 degrees F. (22 degrees C.) in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in Chapter 8.

PM-602.2.1 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 express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 31 to May 31 to maintain the room temperatures specified in Section PM-602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours.

PM-602.2.2 Room temperature exception: When the outdoor temperature is below the outdoor design temperature required for the locality by the mechanical code listed in Chapter 8, the owner or operator shall not be required to maintain the minimum room temperatures, provided that the heating system is operating at full capacity, with supply valves and dampers in a full open position.

PM-602.3 Nonresidential structures: Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 31 to May 31 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

Exceptions

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

PM-601.4 Room temperature measurement: The required room temperatures shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from the exterior walls.

SECTION PN-603.0 MECHANICAL EQUIPMENT

PM-603.1 Mechanical equipment: All mechanical equipment, fireplaces and solid fuel-burning appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

PM-603.2 Equipment access: Access to outdoor mechanical equipment shall be maintained under all weather conditions.

PM-603.3 Cooking and heating equipment: All cooking and heating equipment, components and accessories in every heating, cooking and water-heating device shall be maintained free from leaks and obstructions.

PM-603.4 Flue: All fuel burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel burning equipment and appliances, which are labeled for un-vented operation.

PM-603.5 Clearances: All required clearances to combustible materials shall be maintained.

PM-603.6 Safety controls: All safety controls for fuel burning equipment shall be maintained in effective operation.

PM-603.7 Combustion air: A supply of air for complete combustion of the fuel and for ventilation of the space shall be provided for the fuel burning equipment.

PM-603.8 Energy conservation devices: Devices purporting to reduce fuel consumption by attachment to a fuel burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping there-from, shall not be installed unless labeled for such purpose and the installation is specifically approved.

SECTION PM-604.0 ELECTRICAL FACILITIES

PM-604.1 Facilities required: Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section PM-605.0.

PM-604.1 Service: The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70 listed in Chapter 8. Every dwelling shall be served by a main service that is not less than 60 amperes, three wires.

PM-604.3 Electrical system hazards: Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION PM-605.0 ELECTRICAL EQUIPMENT

PM-605.1 Installation: All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. A person shall not

alter, maintain, service or repair or cause to permit the installation, altering, maintaining, servicing or repairing of electrical equipment in or on any building, structure, or part thereof, or on any premises, if by the person's actions the work does not conform with the latest edition of the National Electrical Code and the rules and regulations of the State of Michigan and City of Gladstone. Every owner or operator shall be responsible for identifying all circuits in each electrical panel.

PM-605.2 Receptacles: Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle. All 125 volt, single phase, 15 and 20-ampere receptacles installed within six (6) feet of any water supply fixtures shall have ground fault interrupt protection.

PM-605.3 Lighting fixtures: At least one (1) wall switch controlled lighting fixture shall be installed in every habitable room, in bathrooms, hallways, stairways, attached garages and detached garages with electric power, and at outdoor entrances or exits. Receptacle outlets controlled by a wall switch in lieu of ceiling light fixture is acceptable in the living room, bedrooms, and dining rooms.

SECTION PM-606.0 ELEVATORS, EXCALATORS AND DUMBWAITERS

PM-606.1 General: Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards.

PM-606.2 Elevators: In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

SECTION PM-701.0 GENERAL

PM-701.1 Scope: The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

PM-701.2 Responsibility: The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

SECTION PM-702.0 MEANS OF EGRESS

PM-702.1 General: A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to a public way.

PM-702.2 Exit capacity: The capacity of the exits serving a floor shall be sufficient for the occupant load thereof as determined by the building code listed in Chapter 8.

PM-702.3 Number of exits: In nonresidential buildings, every occupied story more than six stories above grade shall be provided with not less than two independent exits. In residential buildings, every story exceeding two stories above grade shall be provided with not less than two independent exits. In stories where more than one exit is required, all occupants shall have access to at least two exits. Every occupied story which is both totally below grade and greater than 2,000 square feet (186 m²) shall be provided with not less than two independent exits.

Exception: A single exit is acceptable under any one of the following conditions:

1. Where the building is equipped throughout with an automatic sprinkler system and an automatic fire detection system with smoke detectors located in all corridors, lobbies and common areas.
2. Where the building is equipped throughout with an automatic fire detection system and the exit is an approved smoke proof enclosure or pressurized stairway.
3. Where an existing fire escape conforming to the building code listed in Chapter 8 is provided in addition to the single exit.
4. Where permitted by the building code listed in Chapter 8.

PM-702.4 Arrangement: Exits from dwelling units, rooming units, guestrooms and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

PM-702.5 Exit signs: All means of egress shall be indicated with approved "Exit" signs where required by the building code listed in Chapter 8. All "Exit" signs shall be maintained visible and all illuminated at all times that the building is occupied.

PM-702.6 Corridor enclosure: All corridors serving an occupant load greater than 30 and the openings therein shall provide an effective barrier to resist the movement of smoke. All transoms, louvers, doors and other openings shall be closed or shall be self-closing.

Exceptions

1. Corridors in occupancies in other than Use Group H, which are equipped throughout with an automatic sprinkler system.

2. Patient room doors in corridors in occupancies in Use Group 1-2 where smoke barriers are provided in accordance with the fire prevention code listed in Chapter 8 are not required to be self-closing.
3. Corridors in occupancies in Use Group E where each room that is occupied for instruction or assembly purposes has at least one-half of the required means of egress doors opening directly to the exterior of the building at ground level.
4. Corridors that are in compliance with the building code listed in Chapter 8.

PM-702.7 Dead-end travel distance: All corridors that serve more than one exit shall provide direct connection to such exits. The length of a dead-end corridor shall not exceed 35 feet (10668 mm) where the building is not equipped throughout with an automatic sprinkler system. The dead-end travel distance limitation shall be increased to 70 feet (21336 mm) where the building is equipped throughout with an automatic sprinkler system.

PM-702.8 Aisles: Arrangements of chairs or tables and chairs shall provide for ready access by aisle access-ways and aisles to each egress door. The minimum clear width of each aisle in occupancies in Use Groups A, E and 1-2 shall be maintained in accordance with the requirements of the building code listed in Chapter 8. In all other occupancies, aisles shall have a minimum required clear width of 44 inches (1118 mm) where serving an occupant load greater than 50, and 36 inches (914 mm) where serving an occupant load of 50 or less. The clear width of aisles shall not be obstructed by chairs, tables or other objects.

1009.2 Maximum window height from floor. Emergency escape and rescue openings shall have the bottom of the clear opening not greater than 44 inches (1118 mm) measured from the floor.

PM-702.9 Stairways, handrails and guards: Every exterior and interior flight of stairs having more than four risers, and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) nor more than 42 inches (1067 mm) high, measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, ramp or other walking surface.

PM-702.10 Information signs: A sign shall be provided at each floor landing in all interior stairways more than three stories above grade, designating the floor level above the floor of discharge. All elevator lobby call stations on all floor levels shall be identified by approved signs in accordance with the requirements for new buildings in the building code listed in Chapter 8.

Exception: The emergency sign shall not be required for elevators that are part of an accessible means of egress complying with the building code listed in Chapter 8.

PM-702.11 Locked doors: All means of egress doors shall be readily open-able from the side from which egress is to be made without the need for keys, special knowledge or effort, except as provided for in Section PM-702.11.1.

PM-702.11.1 Locks permitted: Locks or fasteners shall not be installed on egress doors except in accordance with the following conditions:

1. In mental, penal or other institutions where the security of inmates is necessary, in which case properly trained supervisory personnel shall be continuously on duty and approved provisions are made to remove occupants safely in case of fire or other emergency.
2. In problem security areas, special-purpose door alarms or locking devices shall be approved prior to installation. Manually operated edge or surface molded flush bolts are prohibited.
3. Where the door hardware conforms to that permitted by the building code listed in Chapter 8.

PM-702.12 Emergency escape: Every sleeping room located in a basement in occupancies in Use Group I-1 or R shall have at least one open-able window or exterior door approved for emergency egress or rescue; or shall have access to not less than two approved independent exits.

Exception: Buildings equipped throughout with an automatic fire suppression system.

PM- 702.12.1 Security: Bars, grilles or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the window.

SECTION PM-793.0 ACCUMULATIONS AND STORAGE

PM-703.1 Accumulations: Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, doors, windows, fire escapes or other means of egress.

PM-703.2 Hazardous material: Combustible, flammable, explosive or other hazardous materials, such as paints, volatile oils and cleaning fluids, or combustible rubbish, such as wastepaper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the building code and the fire prevention code listed in Chapter 8.

SECTION PM-704.0 FIRE RESISTANCE RATINGS

PM-704.1 General: The fire resistance rating of floors, walls, ceilings, and other elements and components shall be maintained.

PM-704.2 Maintenance: All required fire doors and smoke barriers shall be maintained in good working order, including all hardware necessary for the proper operation thereof. Fire doors shall not be held open by doorstops, wedges and other unapproved hold-open devices.

SECTION PM-705.0 FIRE PROTECTION SYSTEMS

PM-705.1 General: All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be properly maintained.

PM-705.2 Fire suppression system: Fire suppression systems shall be in proper operating condition at all times.

PM-705.2.1 Valves: Control valves shall be in the fully open position.

PM-705.2.2 Sprinklers: Sprinklers shall be clean and free from corrosion, paint and damage. Stock shall be at least 18 inches (457 mm) below sprinkler deflectors.

PM-705.2.3 Piping: Piping shall be properly supported and shall not support any other loads.

PM-705.3 Standpipe systems: Standpipe systems shall be in proper operating condition at all times.

PM-705.3.1 Valves: Water supply control valves shall be in the fully open position.

PM-705.3.2 Hose connections: Hose connections shall be identified and have ready access thereto.

PM-705.3.3 Hose: Where provided, the hose shall be properly packed, dry and free from deterioration.

PM-705.4 Fire extinguishers: All portable fire extinguishers shall be visible, provided with ready access thereto, and maintained in an efficient and safe operating condition. Extinguishers shall be of an approved type.

PM-705.5 Smoke detectors: A minimum of one approved single-station or multiple-station smoke detector shall be installed in each guestroom, suite or sleeping area in

occupancies in Use Groups R-1 and I-1, and in dwelling units in the immediate vicinity of the bedrooms in occupancies in Use Groups R-2 and R-3. In all residential occupancies, smoke detectors shall be required on every story of the dwelling unit, including basements. In dwelling units with split-levels and without an intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level, provided that the lower level is less than one full story below the upper level.

PM-705.5.1 Installation: All detectors shall be installed in accordance with the building code listed in Chapter 8. When actuated, the smoke detectors shall provide an alarm suitable to warn the occupants within the individual room or dwelling unit.

PM-705.5.2 Power source: The power source for smoke detectors shall be either an AC primary power source or a monitored battery primary power source.

PM-705.5.3 Tampering: Anyone tampering or interfering with the effectiveness of a smoke detector shall be in violation of this code.

PM-705.6 Fire alarm systems: Fire alarm systems shall be in proper operating condition at all times.

PM-705.6.1 Control panel: The “power on” indicator shall be lit. Alarm or trouble indicators shall not be illuminated.

PM-705.6.2 Manual fire alarm boxes: All manual fire alarm boxes shall be operational and unobstructed.

PM-705.6.3 Automatic fire detectors: All automatic fire detectors shall be operational and free from any obstructions that prevent proper operation, including smoke entry.

PM-705.7 Records: A complete written record of all tests and inspections of fire protection systems shall be maintained on the premises by the owner or occupant in charge of said premises.

SECTION PM-706.0 ELEVATOR RECALL

PM-706.1 Required: All elevators having a travel distance of 25 feet (7620 mm) or more above or below the primary level of elevator access for emergency fire fighting or rescue personnel shall conform to the requirements of Rule 211.3 of ASMEA 17.1 listed in Chapter 8.

SECTION PM-707.0 MECHANICAL EQUIPMENT CONTROL

PM-707.1 Smoke and heat detection: Approved smoke or heat detectors shall be installed in return air ducts or plenums in each re-circulating air system with a capacity of more than 2,000 cfm (0.94 m³/sec) and serving more than one floor in buildings that exceed six stories in height in accordance with the mechanical code listed in Chapter 8. Actuation of the detector shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required where the system is part of an approved smoke control system.

FROM THE BOCA NATIONAL BUILDING CODE

1010.4 Emergency escape: Every sleeping room below the fourth story in occupancies in Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units shall be operable from the inside without the use of special knowledge, separate tools for the window. Where windows are provided as a means of egress or rescue, the windows shall have the bottom of the clear opening not more than 44 inches (1118 MM) above the floor. All egress net clear opening of 5.7 square feet (0.53m²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).

Bars, grilles or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the window.

REGISTRATION OF RENTAL PROPERTIES

1010.4 Emergency escape: Every sleeping room below the fourth story in occupancies in Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units shall be operable from the inside without the use of special knowledge, separate tools or force greater than that which is required for normal operation of the window. Where windows are provided as a *means of egress* or rescue, the windows shall have the bottom of the clear opening not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet (0.53 m²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).

Bars, grilles or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the window.

Exceptions

1. The minimum net clear opening for grade floor windows shall be 5 square feet (0.47 m²).
2. An outside window or an exterior door for emergency escape is not required in buildings where the sleeping room is provided with a door to a *corridor* having access to two remote exits in opposite directions.
3. An outside window or an exterior door for emergency escape is not required in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 906.2.1 or 906.2.2.

Chimneys and vents:

M1801.11 Multiple-appliance venting systems. Two or more listed and labeled appliances connected to a common natural draft venting system shall comply with the following requirements:

1. Appliances that are connected to common venting systems shall be located on the same floor of the dwelling.

Exception: Engineered systems as provided for in Section G2426.

2. Inlets to common venting systems shall be offset such that no portion of an inlet is opposite another inlet.
3. Connectors serving appliances operating under a natural draft shall not be connected to any portion of a mechanical draft shall not be connected to any portion of a mechanical draft system operating under positive pressure.
4. Solid-fuel-burning appliances shall not be connected to a vent or chimney flue serving other appliances.