

**PAGE CITY COUNCIL
WORK SESSION MEETING MINUTES
JULY 8, 2015**

A Work Session Meeting of the Page City Council was held at 5:30 p.m. on July 8, 2015, in the Council Chambers at City Hall in Page, Arizona. Mayor Bill Diak presided. Vice Mayor John Kocjan, Councilors Mike Bryan, Scott Sadler, Levi Tappan (arrived at 5:35), David Tennis, and Dennis Warner were present.

Mayor Diak called the meeting to order.

Staff members present: City Manager, J. Crystal Prentice; City Attorney, Joe Estes; Community Development Director, Kim Johnson; Deputy City Clerk, Sue Kennedy; and City Clerk, Kim Larson.

Discussion by the City Council pertaining to code enforcement

City Manager Crystal Prentice stated that Kim Johnson, Community Development Director, would present the agenda item.

Mayor Diak introduced Kim Johnson, Community Development Director.

Kim Johnson referred to the memorandum that she prepared for the work session pertaining to Property Maintenance Code and Approach. She stated that there are items not referenced in the City of Page Chapter 9, Health Safety and Sanitation Code that are part of the International Property Maintenance Code-Chapter 3 that the City may want to consider. Ms. Johnson also discussed a Rental Registration Program that can be used as a tool.

Ms. Johnson discussed Code Enforcement and the approach. Ms. Johnson stated that she would like to hear from Council as to what type of approach they would prefer - proactive, reactive, or inactive. A proactive approach establishes a process for seeking out and correcting code violations, while a reactive approach establishes a complaint based system for identifying and correcting violations; and an inactive approach provides for code enforcement on a low priority basis, as time allows, based on work load and other higher priorities. She referenced that one of the priorities of the Strategic Plan is to review and update the property maintenance code and adopt a proactive approach to code enforcement.

City Manager Crystal Prentice stated that she has worked in many cities that were complaint base and the neighborhoods set the standards. If you consider proactive throughout the community, some people will say they do not have the money. She stated that in Mesa, they had a checkout department through code compliance, e.g. if a person did not own a lawn mower, they could check one out.

There was discussion pertaining to code compliance.

City Manager Crystal Prentice stated that a civil process can eventually turn to criminal, it depends on how City Council wants to set up the process.

There was discussion pertaining to the City complying with the code.

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Councilor Warner stated that Chapter 9 defines the rules and enforcement procedures. He stated that he advocates the proactive approach and feels that 90% will comply.

There was discussion pertaining to how to deal with hardship cases, if the City should step in, if there should be a grant program, or to have the City work with different groups for volunteers.

Councilor Tennis asked if there were any legal issues with selective enforcement.

City Attorney Joe Estes stated that it would not be selective enforcement if the City started with higher priorities first.

Discussion continued.

Shirley Manning, 841 Spruce, stated concerns regarding rental properties where the property owners live out of town.

There was discussion pertaining to timelines for the homeowners to make improvements.

Kim Johnson, Community Development Director, stated that the code has a good process, but that most people do not know there is a rule. She prefers to start the process with a phone call, as the main goal is to get the problem taken care of. With her experience she has found this approach to be an effective approach.

Ms. Johnson again mentioned the Rental Property Registration, where the rental property would be inspected to make certain the property complies with the guidelines.

Discussion continued pertaining to code enforcement and the hardship cases.

City Manager Crystal Prentice stated that the Code Enforcement employee will work in the Community Development Department vs. the Police Department.

There was further discussion.

The Consensus of City Council was to have Staff prepare a job description and actively pursue filling the Code Enforcement position, and prepare a plan on how to pursue a proactive approach to Code Enforcement and bring back to City Council at a work session.

The meeting was adjourned at 6:29 p.m.



Kim L. Larson
City Clerk



William R. Diak
Mayor



COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

MEETING DATE: July 8, 2015

TO: Mayor and City Council

FROM: Kimberly Johnson, Community Development Director **KJ**

SUBJECT: Property Maintenance Code and Approach

ATTACHMENTS: International Property Maintenance Code-Chapter 3

INTRODUCTION

The City Council's Strategic Priorities for 2015 include review and update of the property maintenance code and adoption of a proactive approach to code enforcement. The purpose of this memo is to summarize the provisions in the current Code of Ordinances, introduce the International Property Maintenance Code (IPMC), and discuss process and procedures related to a new code enforcement program.

CITY OF PAGE CURRENT CODE OF ORDINANCES

Chapter 9 of the Page Code of Ordinances addresses Health, Safety, and Sanitation; which are essentially the public nuisance and property maintenance regulations for the community. Public nuisances covered in this section of the code include the following:

- General Nuisance: Any condition deemed to be a nuisance or hazard to the public health, safety, or welfare, by statute or city ordinance.
- Storage of abandoned or junk vehicle. There are separate provisions for residential and commercial districts.
- Garbage, rubbish, litter or junk that is visible from beyond the property boundaries.
- Refrigerators/freezers (Chapters 9 and 10).
- Litter/trash/junk on public sidewalks or other public places (Chapters 9 and 10).
- Weeds/grass in excess of 8".
- Plants encroaching on right of way, alley, easement, or obstruct visibility at traffic control device or signal.
- Dead, dormant, sticker, injurious, or dry/flammable plant growth.
- Hazardous material, garbage, etc. that is offensive to sight or smell or impedes passage.
- Disagreeable or obnoxious odors.
- Occupation of building/structure unfit for human habitation.
- Stagnate, polluted, offensive swimming pool/pond/spa.
- Smoke, noxious fumes, soot, cinders.
- Graffiti (Chapters 9 and 10).
- Collapsed or fallen fence adjacent to public right of way.
- Items for sale displayed outdoors on any property.
- Parking of commercial vehicles (14,000 GVWR) in Residential Districts.
- Sign, billboard, awning in/over right-of-way (Chapters 9 and 10).
- Vacant/abandoned buildings-must be secured.
- Willful or negligent use of municipal water system.

Chapter 10, Offenses, of the Page Code of Ordinances addresses non-nuisance issues which are typically handled by law enforcement. Many relate to offenses within or over public right of way, but some overlap with or enhance language in Chapter 9, Health, Safety and Sanitation as noted in the previous section. Other issues addressed in this chapter include the following:

- Electric fences
- Noise
- Obstruction of views at intersection and crosswalks

The offences in this section will likely remain under the authority of law enforcement, but it will be important to ensure that related language in Chapter 9 and the IPMC are not in conflict with the language in this chapter. As such, any proposed code amendment may include amendments to this chapter as well.

Chapter 6 of the Page Code of Ordinances addresses Animal Control and is again under the authority of law enforcement. The property maintenance issues covered in this section relate to unsanitary conditions such as accumulations of animal waste and odors related to the keeping of animals.

The City's Planning and Zoning Ordinance primarily addresses land use and zoning standards, and provides guidance on the following issues:

- Parking and parking lots, including prohibiting parking on vacant lots and maintaining weeds and pavement in good repair
- Fences, walls, and hedges
- Screening of outdoor storage
- Obstructions in the sight triangle
- Lighting
- Signs

While the current code has a number of provisions relating to property maintenance, storage, trash and litter and the like, it is apparent that many of them are being unenforced or under enforced. Further, many of the provisions do not go far enough to provide staff with adequate tools to address specific issues. Upon preliminary review, staff has identified the following additional deficiencies in the existing code:

- Regulations related to parking of vehicles on the lawn, especially in the front yard;
- Regulations related to trash/recycling receptacles, including those in public areas at gas/convenience stores and fast food restaurants;
- Clear and specific landscape standards for all uses, including minimum requirements for ground cover and maintenance thereof on residential properties;
- Lighting standards

INTERNATIONAL PROPERTY MAINTENANCE CODE

The International Property Maintenance Code (IPMC) is a model code that establishes minimum maintenance requirements for **existing buildings and developed properties**. The Code is a product of the International Code Council, Inc. which formulates a broad range of regulatory codes for use by local government agencies. These Codes are universal codes intended to establish a standard and consistent set of regulations to be used throughout the nation. They provide for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.

Chapter 3, General Requirements is the section of greatest interest, as it gives authority over the structure, equipment, and exterior areas of the property, including the land. Communities typically use the regulations as a property maintenance code enforcement tool as well as for rental housing inspections related to a rental property registration and inspection program. The City could use this tool as a way to address complaints about issues not adequately addressed in current City Code such as:

- Broken windows/damaged screens
- Accessory structures
- Roofing, siding, masonry, and paint issues
- Decorative and accessory features such as decks, fences, landscaping and lawns, etc.

The Code offers standards on a number of enforcement issues including many of the nuisance issues currently addressed in City Code, and provides for considerable enforcement power. In many cases the IPMC language provides a better enforcement tool due to clarity and/or stricter regulation. Other areas covered by the Code include light and ventilation, fire, plumbing and heating, and electrical.

The Code can be adopted in its entirety or in part/s as desired by a local government to address specific needs within the community. Like the building code, the IPMC is adopted by reference into the City's Code of Ordinance, and any sections not desired by the City are listed as an exception in the authorizing ordinance. Sections can also be amended in the approving ordinance. This allows the local government to customize the code to its own needs and provide consistency with its existing ordinances as desired.

Many communities that adopt the code use it on a complaint basis or proactively for general property maintenance purposes and/or for rental housing registration enforcement. The code also provides additional tools for dealing with derelict buildings that may need to be torn down. An ordinance or policy that establishes the procedures and responsibilities for enforcement of the code may also be adopted.

CODE ENFORCEMENT PROGRAM AND APPROACH

In addition to review and adoption of existing and new codes, the City Council has asked that a Code Enforcement program be established and implemented. A new program with the intent of actively enforcing new and/or existing codes will require personnel to support and maintain that program. There are three primary approaches to code enforcement; proactive, reactive, and inactive. A proactive approach establishes a process for seeking out and correcting code violations, while a reactive approach establishes a complaint based system for identifying and correcting violations. An inactive approach provides for code enforcement on a low priority basis, as time allows, based on work load and other higher priorities. The system of code enforcement historically used in Page is the inactive approach.

A proactive program is more time, labor, and resource intense as it establishes a process for systematic inspection of all or targeted properties within the community to determine code violations and attain compliance. In these programs, the community can take one of several approaches including the following:

- Dividing the community into sections and systematically inspecting all properties and enforcing the codes section by section, taking one section over a specific time period, such as one section per year or season;
- Targeting specific property types/land uses and systematically inspecting all such properties and enforcing the codes;
- Establishing a priority list of violation types and systematically inspecting all properties in the community and enforcing the applicable codes. This approach may need to involve dividing the

community into manageable sections each of which is handled over a specific time period, as in the first approach above.

There are a variety of ways a proactive program can be set up to address community needs while working within staffing confines.

A reactive program that is complaint based is less staff intense, but still demands a considerable amount of time and resources to be successful. In these programs, the community can take a few different approaches including the following:

- Respond to complaints as received and conduct inspection and enforcement action on the subject property only. Complaint based systems tend to generate additional informal complaints from the offending property owner. It is recommended that a procedure/position be established for addressing such complaints.
- Respond to complaints only, as received, and upon inspection of the offending property, also conduct a review of adjacent properties within a 360° view of that property for the same/similar issues.

REQUESTED COUNCIL DIRECTION

Staff would like to hear from the Council its primary concerns and issues as well as have a discussion of the code enforcement approach that would be best for the City of Page and its citizens.

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301 GENERAL

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

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

301.3 Vacant structures and land. 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 302 EXTERIOR PROPERTY AREAS

302.1 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.

302.2 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: *Approved* retention areas and reservoirs.

302.3 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.

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN 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.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of viola-

tion, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

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

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

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

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of 54 inches (1372 mm) above the bottom of the gate,

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the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

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.

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

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

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

304.2 Protective treatment. All exterior surfaces, including but not limited to, *doors*, *door and window frames*, *cornices*, *porches*, *trim*, *balconies*, *decks* and *fences*, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

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.

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 rodents and other pests.

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*.

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

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

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

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

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

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

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

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

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

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation

areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

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

304.15 Doors. All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

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

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound

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and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

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

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

Exceptions:

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

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

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened

and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 COMPONENT SERVICEABILITY

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system;
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
 - 1.4. Inadequate soil as determined by a geotechnical investigation;
 - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
 - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration*;
 - 2.2. *Ultimate deformation*;
 - 2.3. Fractures;
 - 2.4. Fissures;
 - 2.5. Spalling;
 - 2.6. Exposed reinforcement; or
 - 2.7. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. *Deterioration*;
 - 3.2. Corrosion;
 - 3.3. Elastic deformation;
 - 3.4. *Ultimate deformation*;
 - 3.5. Stress or strain cracks;
 - 3.6. Joint fatigue; or
 - 3.7. *Detached*, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:
 - 4.1. *Deterioration*;
 - 4.2. *Ultimate deformation*;
 - 4.3. Fractures in masonry or mortar joints;
 - 4.4. Fissures in masonry or mortar joints;
 - 4.5. Spalling;
 - 4.6. Exposed reinforcement; or
 - 4.7. *Detached*, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
 - 5.1. *Deterioration*;
 - 5.2. *Elastic deformation*;
 - 5.3. *Ultimate deformation*;
 - 5.4. Metal fatigue; or
 - 5.5. *Detached*, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
 - 6.1. *Ultimate deformation*;
 - 6.2. *Deterioration*;
 - 6.3. Damage from insects, rodents and other vermin;
 - 6.4. Fire damage beyond charring;
 - 6.5. Significant splits and checks;
 - 6.6. Horizontal shear cracks;
 - 6.7. Vertical shear cracks;
 - 6.8. Inadequate support;
 - 6.9. *Detached*, dislodged or failing connections; or
 - 6.10. Excessive cutting and notching.

Exceptions:

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

SECTION 307 HANDRAILS AND GUARDRAILS

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface 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) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall not be less than 30 inches (762 mm) in height

above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

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

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. All *exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or *garbage*.

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

308.2.1 Rubbish storage facilities. The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

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

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

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

SECTION 309 PEST ELIMINATION

309.1 Infestation. All structures shall be kept free from insect and rodent *infestation*. All structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

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

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

309.4 Multiple occupancy. The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a

GENERAL REQUIREMENTS

rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

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

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

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the City Council Work Session Meeting, held on the 8th day of July, 2015. I further certify that the meeting was duly called and that a quorum was present.

Dated this 22nd day of July, 2015

A handwritten signature in cursive script, appearing to read "Kim Larson", is written above a horizontal line.

Kim Larson, City Clerk