Chapter 17.02 - INTERNATIONAL PROPERTY MAINTENANCE CODE

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Editor's note— Ord. No. 6224, adopted January 26, 2015, amended CBMC 17.02 in its entirety to read as herein set out. Former CBMC 17.02.010—CBMC 17.02.200, pertained to similar material, and derived from Ord. No. 6108, adopted November 8, 2010.

17.02.010 Adoption

The "International Property Maintenance Code," ~~2009~~ 2018 Edition, as approved and published by the International Code Council, including also the "Referenced Standards," contained therein, all as modified or amended herein, is adopted as the property maintenance code of the city, a copy of which is to remain on file in the office of the building official.

(Ord. No. 6224, 1-26-2015)

17.02.020 Section 101.1 Amended - Title

Section 101 is amended as follows:

These regulations shall be known as the Council Bluffs Property Maintenance Code, hereinafter referred to as "this code".

(Ord. No. 6224, 1-26-2015)

17.02.030 Section 103.5 Amended - Fees

Section 103.5 is amended as follows:

The fees for activities and services performed by the city in carrying out its responsibilities under this code shall be as indicated in CBMC 2.08.

(Ord. No. 6224, 1-26-2015)

17.02.040 Section 104.7 Amended - Department Records

Section 104.7 is amended as follows:

The building official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period of time required by applicable law for retention of public records.

(Ord. No. 6224, 1-26-2015)

17.02.050 Section 111.1 Amended - Application For Appeal

Section 111.1 is amended as follows:

Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal to the board of appeals pursuant to CBMC ~~13.01.110.~~ 13.01.204.

(Ord. No. 6224, 1-26-2015)

17.02.065 Swimming Pools, Spas, And Hot Tubs Enclosures

Section 303.2 is amended as follows:

Enclosures. Private swimming pools, hot tubs, and spas, capable of containing water more than 24 inches (610 mm) in depth shall be in compliance with the adopted swimming pool code found in CBMC 13.27. ~~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 door in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, 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 exiting pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

(Ord. No. 6224, 1-26-2015)

17.02.068 Section 304.13 Amended - Window, Skylight, And Door Frames

Section 304.13 is amended as follows:

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

304.1.1 Glazing. All glazing materials shall be maintained in a manner that when closed forms a reasonably tight seal. Any window designed to be opened must be operable, and cannot be painted or nailed shut.

304.1.2 Openable windows. Every bedroom shall have at least one (1) window.

(Ord. No. 6224, 1-26-2015)

17.02.070 Section 304.14 Amended - Insect Screens

Section 304.14 is amended as follows:

During the period of April 1st to October 31st, every door, window, and other outside opening required for ventilation of any habitable room, food preparation area, food service areas, or any

areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

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

(Ord. No. 6224, 1-26-2015)

~~17.02.075 Section 305.3 Amended - Interior Surfaces~~
~~Section 305.3 is amended as follows:~~

~~All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition, normal wear and tear excepted. 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, normal wear and tear excepted.~~

~~(Ord. No. 6224, 1-26-2015)~~

~~17.02.076 Section 308 Adopted - Rubbish And Garbage~~
~~Section 308 is adopted, as follows:~~

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

(Ord. No. 6224, 1-26-2015)

17.02.077 Section 309 Adopted - Pest Elimination
Section 309 is adopted.

(Ord. No. 6224, 1-26-2015)

17.02.080 Section 402.1 Repealed - Habitable Spaces
Section 402.1 is repealed.

(Ord. No. 6224, 1-26-2015)

17.02.081 Section 402.2 Amended - Common Halls And Stairways
Section 402.2 is amended as follows:

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, 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 illumination for each 200 square feet (19 m2) of floor area.

(Ord. No. 6224, 1-26-2015)

~~**17.02.082 Section 402.3 Repealed - Other Spaces**~~
~~Section 402.3 is repealed.~~

~~(Ord. No. 6224, 1-26-2015)~~

~~**17.02.085 Section 404.6 Amended By Adding Subsection 5 - Efficiency Unit**~~
~~Section 404.6 is amended by adding subsection 5 as follows:~~

~~5. A unit that was registered with the city as rental property during the calendar year 2002 that did not meet the standards of this section shall continue to be deemed in compliance with this section, subject to the following conditions:~~

1. ~~It is occupied by no more than one (1) person.~~
2. ~~It has a clear floor area of not less than 150 square feet, including the areas required by paragraphs 2 and 3; and~~
3. ~~The owner of the unit requested a certificate of compliance from the city by March 1, 2003, and upon verification of the information the city issued a certificate of compliance.~~

~~(Ord. No. 6224, 1-26-2015)~~

17.02.087 Section 403.3 Amended- Cooking Facilities

Section 403.3 is amended by adding:
Exception 3. If a stove or range is provided at the time of occupancy, that appliance it to be maintained in operable condition. At no time shall the stove or range be removed and not replaced during the existing tenant's occupancy.

17.02.090 Section 602.3 Amended - Heat Supply
Section 602.3 is amended as follows:

Every owner or operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory, or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees F. in all habitable rooms, bathrooms, and toilet rooms from October 1 to May 1.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the International Energy Conservation Code as adopted in CBMC 13.12.
2. In order to attain compliance with the winter outdoor design temperature criteria, listed portable heat appliances may be utilized to augment heating plants that are deemed operational and safe but cannot attain the minimum standard for conditioned space requirements.
3. Room temperature shall be measured at a distance of two feet (2') in from an exterior wall and at a height of three feet (3') above the floor.

(Ord. No. 6224, 1-26-2015)

17.02.100 Section 602.4 Repealed - Occupiable Work Spaces

Section 602.4 is repealed.

(Ord. No. 6224, 1-26-2015)

17.02.200 Section 702.4 Amended - Emergency Escape Openings

Section 702.4 is amended as follows:

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following:

1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, gates, or similar devices are permitted to be placed over emergency escape and rescue openings, provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices are releasable or removable from the inside without the use of key, tool, or force greater than that which is required for normal operation of the escape and rescue opening.
2. Any room used or designed as a bedroom shall be provided with an emergency escape opening (window or door) designed and installed in accordance with the International Residence Code section R310, 2018 ~~2009~~ Edition. Pursuant to the National Fire Protection Association Life Safety Code NFPA 101 (~~2009~~ 2018 edition), the building official may grant an exception to window size for a story above grade room used or designed as a bedroom in a residential structure constructed prior to 1976.

(Ord. No. 6224, 1-26-2015)