

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.50 (PROPERTY MAINTENANCE CODE), OF THE EL PASO CITY CODE, TO PROVIDE FOR LOCAL AMENDMENTS TO THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

WHEREAS, the 2009 edition of the International Property Maintenance Code has been published and adoption of the 2009 edition of the International Property Maintenance Code is now proposed; and

WHEREAS, the Development Services Department Director and the Planning and Development Legislative Review Committee have reviewed and favorably recommend the adoption of the 2009 International Property Maintenance Code together with the local amendments appropriate for the City of El Paso; and

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

A. That the book entitled “International Property Maintenance Code,” 2009 Edition, a copy of which authenticated by the City Clerk is on file in the City Clerk’s Office, is hereby adopted by the City Council for the City of El Paso.

B. That Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code), of the El Paso City Code, containing the local amendments to the 2009 International Property Maintenance Code, shall be and is hereby amended in its entirety to read as follows:

Chapter 18.50 PROPERTY MAINTENANCE CODE*

18.50.010 Short title.

18.50.020 Adoption.

18.50.030 Section 202 General Definitions, amended.

18.50.040 Section 301.1 Scope, amended.

18.50.050 Section 302.2 Grading and drainage, amended.

18.50.060 Section 302.4 Weeds, amended.

18.50.070 Section 304.3 Premises identification, amended.

18.50.080 Section 304.14 Insect screens, amended.

18.50.090 Section 310 Additional requirements for vacant buildings, added.

18.50.100 Section 501.1 Scope, amended.

18.50.110 Section 503.4 Floor surface, amended.

- 18.50.120 Section 601.1 Scope, amended.
- 18.50.130 Section 605.2 Receptacles, amended.
- 18.50.140 Section 605.3 Luminaires, amended.
- 18.50.150 Section 701.1 Scope, amended.
- 18.50.160 Appendix A, Boarding Standard, adopted.
- 18.50.170 Appendix A, Boarding Standard, Section A101.1 General, amended.
- * Prior ordinance history: Ord. 15999, 16327.

18.50.010 Short title.

This chapter may be cited as the “Property Maintenance Code.”

18.50.020 Adoption.

The book entitled “International Property Maintenance Code,” 2009 Edition, a copy of which authenticated by the City Clerk is on file in the City Clerk’s Office, is adopted as the Property Maintenance Code of the City, as fully as if copied at length in this chapter, but with the amendments set forth in this chapter and Chapter 18.02, the Building and Administrative Code of the City of El Paso.

18.50.030 Section 202 General Definitions, amended.

International Property Maintenance Code, 2009 Edition, Section 202 General Definitions is hereby amended to add the following definitions to read as follows:

BOARD. The Building and Standards Commission for the City of El Paso.

OFFICIAL. The Building Official or any duly authorized representative or designee of the City Manager.

URBAN NUISANCE. A premises or structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety and welfare.

STREET FACADE. The elevation of the structure facing or abutting a public street including the main public access or entry to the structure.

VACANT. The term “vacant” shall have the meaning as defined in Chapter 18.40 of this title.

18.50.040 Section 301.1 Scope, amended.

International Property Maintenance Code, 2009 Edition, Section 301.1 Scope is hereby amended to read as follows:

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 and shall apply to both vacant and occupied structures and premises.

18.50.050 Section 302.2 Grading and drainage, amended.

International Property Maintenance Code, 2009 Edition, Section 302.2 Grading and Drainage, is hereby amended to read as follows:

302.2 Grading and drainage.

All premises shall be graded and/or 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.

18.50.060 Section 302.4 Weeds, amended.

International Property Maintenance Code, 2009 Edition, Section 302.4 Weeds, is hereby amended to read as follows:

302.4 Weeds, Trash, Rubbish and other Matter.

All premises and exterior property shall be maintained free from weeds or plant growth in accordance with Chapter 9.04 of the City Code.

18.50.070 Section 304.3 Premises identification, amended.

International Property Maintenance Code, 2009 Edition, Section 304.3 Premises Identification, is hereby amended to read as follows:

304.3 Premises Identified.

Premises shall be identified in accordance with the requirements of Chapter 18.08 or 18.10 of the City Code.

18.50.080 Section 304.14 Insect screens, amended.

International Property Maintenance Code, 2009 Edition, Section 304.14 Insect screens, is hereby amended to read as follows:

304.14 Insect Screens.

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

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

18.50.090 Section 310 Additional requirements for vacant structures, added.

International Property Maintenance Code, 2009 Edition, Section 310 Additional requirements for vacant structures, is hereby added to read as follows:

Section 310 Additional requirements for vacant structures.

310.1 Street facade windows and doors.

On the street facade, the exterior surface of any window shall not be covered by any substance or adhesive material sprayed, painted or otherwise applied to the windows. All street facade windows and doors having cracked, broken or missing glass or glazing material shall be repaired and replaced with glass and glazing material in a manner compatible with the original design of the structure.

310.2 Fire Safety and Security.

Structures that have a certificate of occupancy designated as assembly (A), business (B), educational (E), factory (F), hazard (H), institutional (I), mercantile (M), or utility (U) shall comply with the following additional requirements:

1. Existing fire suppression systems shall be maintained and be in working order in conformance with the currently adopted International Fire Code.
2. Security and fire alarms and security lighting shall be installed, be placed in use, and be maintained in an operable condition at all times. Additional security methods and systems shall be compatible with the original exterior of the structure and not detract from the aesthetic appearance of the structure or adjacent buildings as determined by building official.

310.3 Historic Buildings.

Any restoration, rehabilitation, maintenance or demolition of a historic building and any building with a historic zoning overlay is subject to the requirements of this chapter and chapter 20.20 of this code, and whichever being the more restrictive shall govern.

18.50.100 Section 501.1 Scope, amended.

International Property Maintenance Code, 2009 Edition, Section 501.1 Scope, is hereby amended to read as follows:

501.1 Scope.

The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided for both vacant and occupied structures and premises.

18.50.110 Section 503.4 Floor surface, amended.

International Property Maintenance Code, 2009 Edition, Section 503.4 Floor surface, is hereby amended to read as follows:

503.4 Floor surface.

In other than owner occupied dwelling units, every toilet room floor shall be constructed of a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

18.50.120 Section 601.1 Scope, amended.

International Property Maintenance Code, 2009 Edition, Section 601.1 Scope, is hereby amended to read as follows:

601.1 Scope.

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided for both vacant and occupied structures and premises.

18.50.130 Section 605.2 Receptacles, amended.

International Property Maintenance Code, 2009 Edition, Section 605.2 Receptacles, is hereby amended to read as follows:

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 or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle with ground fault circuit interrupter protection. Every countertop outlet within five feet of the flood rim of the kitchen sink shall be a ground fault circuit interrupter receptacle.

18.50.140 Section 605.3 Luminaires, amended.

International Property Maintenance Code, 2009 Edition, Section 605.3 Luminaires, is hereby amended to read as follows:

605.3 Lighting Fixtures.

Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room, furnace room, attached garage, and detached garage with electric power shall be provided with at least one wall switch controlled ceiling or wall type light fixture.

18.50.150 Section 701.1 Scope, amended.

International Property Maintenance Code, 2009 Edition, Section 701.1 Scope, is hereby amended to read as follows:

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, for both vacant and occupied structures and premises.

18.50.160 Appendix A, Boarding Standard, adopted.

International Property Maintenance Code, 2009 Edition, Appendix A, Boarding Standard, is hereby adopted in its entirety.

18.50.170 Appendix A, Boarding Standard, Section A101.1 General, amended.

International Property Maintenance Code, 2009 Edition, Appendix A, Boarding Standard, Section A101.1 General, is hereby amended to read as follows:

A101.1 General.

Except as otherwise required by this chapter, all windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

C. All references to the NEC, National Electrical Code, shall be construed to mean the Electrical Code of the City of El Paso.

D. The effective date of this ordinance shall be September 1, 2010. This ordinance shall be applicable to all permit applications received on or after that date.

E. Except as herein provided, Title 18 (Building and Construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Cynthia Osborn
Assistant City Attorney

Patricia D. Aauto
Deputy City Manager
Development & Infrastructure Services