

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
CONSTRUCTION CODES COORDINATING BOARD**

**NOTICE OF PROPOSED RULEMAKING**

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2008 Repl.)) and Mayor's Order 2009-22, dated February 25, 2009, as amended, hereby gives notice of the intent to adopt the following amendments to Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations, as well as to rename Title 12.

This proposed rulemaking would adopt the following codes published by the International Code Council (ICC), as amended by this rulemaking in a new District of Columbia Construction Codes Supplement of 2013, as the District of Columbia Construction Codes: the 2012 edition of the International Building Code; the 2012 edition of the International Residential Code; the 2012 edition of the International Fuel Gas Code; the 2012 edition of the International Mechanical Code; the 2012 edition of the International Plumbing Code; the 2012 edition of the International Property Maintenance Code; the 2012 edition of the International Fire Code; the 2012 edition of the International Energy Conservation Code; the 2012 edition of the International Existing Building Code; the 2012 edition of the International Green Construction Code; the 2012 edition of the International Swimming Pool and Spa Code; and the 2011 edition of the National Electrical Code (NFPA 70) published by the National Fire Protection Association.

This proposed rulemaking would repeal the D.C. Construction Codes Supplement of 2008, adopted December 26, 2008 (55 DCR 13094), consisting of the following: the 2006 edition of the ICC International Building Code; the 2006 edition of the ICC International Residential Code; the 2006 edition of the ICC International Fuel Gas Code; the 2006 edition of the ICC International Mechanical Code; the 2006 edition of the ICC International Plumbing Code; the 2006 edition of the ICC International Property Maintenance Code; the 2006 edition of the ICC International Fire Code; the 2006 edition of the ICC International Energy Conservation Code; the 2006 edition of the ICC International Existing Building Code; and the 2005 edition of the National Fire Protection Association (NFPA 70) National Electrical Code.

Comments on this proposed rulemaking must be submitted by 5 p.m. on Friday, January 25, 2013. The process for submitting comments is detailed on the final page of this proposed rulemaking.

The Chairperson also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review,

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

and final rulemaking action will not be taken until the later of thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment.

**Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations is amended as follows:**

**The title of title 12 is renamed as the District of Columbia Construction Codes Supplement of 2013.**

**Subtitle 12 A (Building Code Supplement of 2008) is repealed in its entirety and replaced with a new Building Code Supplement of 2013.**

**Subtitle 12 B (Residential Code Supplement of 2008) is repealed in its entirety and replaced with a new Residential Code Supplement of 2013.**

**Subtitle 12 C (Electrical Code Supplement of 2008) is repealed in its entirety and replaced with a new Electrical Code Supplement of 2013.**

**Subtitle 12 D (Fuel Gas Code Supplement of 2008) is repealed in its entirety and replaced with a new Fuel Gas Code Supplement of 2013.**

**Subtitle 12 E (Mechanical Code Supplement of 2008) is repealed in its entirety and replaced with a new Mechanical Code Supplement of 2013.**

**Subtitle 12 F (Plumbing Code Supplement of 2008) is repealed in its entirety and replaced with a new Plumbing Code Supplement of 2013.**

**Subtitle 12 G (Property Maintenance Code Supplement of 2008) is repealed in its entirety and replaced with a new Property Maintenance Code Supplement of 2013.**

**Subtitle 12 H (Fire Code Supplement of 2008) is repealed in its entirety and replaced with a new Fire Code Supplement of 2013.**

**Subtitle 12 I (Energy Conservation Code Supplement of 2008) is repealed in its entirety and replaced with a new Energy Conservation Code Supplement of 2013.**

**Subtitle 12 J (Existing Building Supplement of 2008) is repealed in its entirety and replaced with a new Existing Building Code Supplement of 2013.**

**Subtitle 12 K (Fees) is redesignated as Subtitle M (Fees).**

**A new Subtitle 12 K (Green Construction Code Supplement of 2013) is added.**

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**A new Subtitle 12 L (Swimming Pool and Spa Code Supplement of 2013) is added.**

For purposes of clarity, the following table lists each chapter of the ICC and NFPA 70 codes amended by the District of Columbia Construction Codes Supplement of 2013:

**SUBTITLE A – BUILDING CODE SUPPLEMENT**

Chapter 1	Administration and Enforcement
Chapter 2	Definitions
Chapter 3	Use Group and Classification
Chapter 4	Special Detailed Requirements Based on Use and Occupancy
Chapter 5	General Building Heights and Areas
Chapter 7	Fire-Resistance-Related Construction
Chapter 9	Fire Protection Systems
Chapter 10	Means of Egress
Chapter 12	Interior Environment
Chapter 14	Exterior Walls
Chapter 15	Roof Assemblies and Rooftop Structures
Chapter 16	Structural Design
Chapter 18	Soils and Foundations
Chapter 26	Plastic
Chapter 30	Elevators and Conveying Systems
Chapter 31	Special Construction
Chapter 32	Encroachments into the Public Right-of-Way
Chapter 33	Safeguards During Construction
Chapter 34	Existing Structures
Chapter 35	Referenced Standards
Appendix E	Supplementary Accessibility Requirements

**SUBTITLE B – RESIDENTIAL CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 3	Building Planning
Chapter 9	Roof Assemblies
Chapter 11	Energy Efficiency
Chapter 12	Mechanical Administration
Chapter 15	Exhaust Systems
Chapter 16	Duct Systems
Chapter 24	Fuel Gas
Chapter 25	Plumbing Administration

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

Chapter 29	Water Supply and Distribution
Chapter 30	Sanitary Drainage
Chapter 44	Referenced Standards
Appendix H	Patio Covers
Appendix J	Existing Buildings and Structures
Appendix K	Sound Transmission
Appendix M	Home Day Care – R-3 Occupancies

### **SUBTITLE C – ELECTRICAL CODE SUPPLEMENT**

Article 90	Introduction
Article 408	Switchboards and Panelboards

### **SUBTITLE D – FUEL GAS CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 5	Chimneys and Vents
Chapter 8	Referenced Standards

### **SUBTITLE E – MECHANICAL CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 4	Ventilation
Chapter 5	Exhaust Systems
Chapter 6	Duct Systems
Chapter 8	Chimneys and Vents
Chapter 9	Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment
Chapter 10	Boilers, Water Heaters and Pressure Vessels
Chapter 11	Refrigeration
Chapter 15	Referenced Standards

### **SUBTITLE F – PLUMBING CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 3	General Regulations
Chapter 4	Fixtures, Faucets and Fixture Fittings
Chapter 6	Water Supply and Distribution
Chapter 8	Indirect/Special Waste
Chapter 11	Storm Drainage
Chapter 13	Nonliquid Saturated Treatment Systems

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## **SUBTITLE G – PROPERTY MAINTENANCE CODE SUPPLEMENT**

Chapter 1	Administration and Enforcement
Chapter 2	Definitions
Chapter 3	Requirements
Chapter 4	Light, Ventilation and Occupancy Limitations
Chapter 5	Plumbing Facilities and Fixture Requirements
Chapter 6	Mechanical and Electrical Requirements
Chapter 7	Fire Safety Requirements
Chapter 8	Referenced Standards

## **SUBTITLE H – FIRE CODE SUPPLEMENT**

Chapter 1	Administration and Enforcement
Chapter 2	Definitions
Chapter 3	General Requirements
Chapter 5	Fire Service Features
Chapter 6	Building Services and Systems
Chapter 9	Fire Protection Systems
Chapter 10	Means of Egress
Chapter 11	Construction Requirements for Existing Buildings
Chapter 56	Explosives and Fireworks
Appendix B	Fire-Flow Requirements for Buildings
Appendix C	Fire Hydrant Locations and Distribution
Appendix D	Fire Apparatus Access Roads
Appendix H	Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

## **SUBTITLE I – ENERGY CONSERVATION CODE SUPPLEMENT**

Chapter 1[CE]	Administration
Chapter 4[CE]	Commercial Energy Efficiency
Chapter 1[RE]	Scope and Administration

## **SUBTITLE J – EXISTING BUILDING CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 4	Prescriptive Compliance Method
Chapter 6	Repairs
Chapter 7	Alterations-Level 1

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

Chapter 8	Alterations-Level 2
Chapter 9	Alterations-Level 3
Chapter 10	Change of Occupancy
Chapter 15	Construction Safeguards

### **SUBTITLE K – GREEN CONSTRUCTION CODE**

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 3	Green Building Act and ASHRAE 189.1
Chapter 4	Site Development and Land Use
Chapter 5	Material Resource Conservation and Efficiency
Chapter 6	Energy Conservation, Efficiency, and CO <sub>2</sub> <sup>e</sup>
Chapter 7	Water Resource Conservation, Quality and Efficiency
Chapter 8	Indoor Environmental Quality and Comfort
Chapter 9	Commissioning
Chapter 10	Existing Buildings
Chapter 11	Existing Building Site Development
Chapter 12	Referenced Standards
Appendix A	Project Electives

### **SUBTITLE L – SWIMMING POOL AND SPA CODE SUPPLEMENT**

Chapter 1	Scope and Administration
Chapter 2	Definitions

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**DISTRICT OF COLUMBIA  
CONSTRUCTION CODES SUPPLEMENT OF 2013  
12 DCMR G PROPERTY MAINTENANCE  
CODE SUPPLEMENT**

The District of Columbia has adopted the 2012 edition of the *International Property Maintenance Code* (IPMC), as amended by this Supplement.

**IPMC CHAPTERS AMENDED BY THIS SUPPLEMENT:**

CHAPTER 1	ADMINISTRATION AND ENFORCEMENT
CHAPTER 2	DEFINITIONS
CHAPTER 3	REQUIREMENTS
CHAPTER 4	LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS
CHAPTER 5	PLUMBING FACILITIES AND FIXTURES REQUIREMENTS
CHAPTER 6	MECHANICAL AND ELECTRICAL REQUIREMENTS
CHAPTER 7	FIRE SAFETY REQUIREMENTS
CHAPTER 8	REFERENCED STANDARDS

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

- 101 General
- 102 Applicability
- 103 Department of Consumer and Regulatory Affairs
- 104 Duties and Powers of the Code Official
- 105 Approval
- 106 Violations
- 107 Notice and Orders
- 108 Unsafe Structures Premises and Equipment
- 109 Emergency Measures

*Strike Chapter 1 of the International Property Maintenance Code in its entirety and insert new Chapter 1 in the Property Maintenance Code in its place to read as follows:*

### 101 GENERAL

**101.1 Title.** The *D.C. Property Maintenance Code* (2013), hereinafter referred to as the “*Property Maintenance Code*,” shall consist of the 2012 edition of the *International Property Maintenance Code*, as amended by the *D.C. Property Maintenance Code Supplement* (2013) (12 DCMR G).

**101.2 Scope.** The scope of the *Property Maintenance Code* shall be as defined in Section 101.4.5.2 of 12 DCMR A.

**101.3 Intent.** The intent of the *Property Maintenance Code* shall be as defined in Section 101.4.5.3 of 12 DCMR A.

**101.4 Severability.** The provisions of Sections 102.5, Partial Invalidity, and 102.5.1, Segregation of Invalid Provisions, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

### 102 APPLICABILITY

**102.1 Conflicting provisions.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of the *Property Maintenance Code* and its referenced standards, the provisions of the *Property Maintenance Code* shall apply. Where, in a specific case, different sections of the *Property Maintenance Code* specify different requirements, the most restrictive shall govern.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



**102.2 Maintenance.** Equipment, systems, devices and safeguards required by the *Property Maintenance Code* or a previous regulation or code under which the *structure* or *premises* was constructed, altered or repaired shall be maintained in good working order. The requirements of the *Property Maintenance Code* are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, *structures* and *premises*.

**102.3 Application of other codes.** Repairs, additions, demolition, razing or alterations to a structure, or changes of use or occupancy, shall be done in accordance with the provisions of the *Construction Codes*. Nothing in the *Property Maintenance Code* shall be construed to cancel, modify or set aside any provision of the *Construction Codes* or the *Zoning Regulations*, Title 11 DCMR.

**102.4 Existing remedies.** The provisions in the *Property Maintenance Code* shall not be construed to abolish or impair existing remedies of the District of Columbia or its officers or agencies relating to the condemnation, removal or demolition of any structure which is dangerous, unsafe and/or unsanitary, the abatement of nuisance property, or the maintenance of vacant buildings.

**102.4.1 Code precedence.** If a conflict arises between the *Housing Code*, Title 14 DCMR, and the *Property Maintenance Code*, the provisions of the *Property Maintenance Code* shall take precedence.

**Exception:** The provisions of the *Property Maintenance Code* shall not be deemed to nullify any tenant rights established by Section 115 of the *Housing Code*, 14 DCMR.

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of the *Property Maintenance Code* shall be executed and installed in a workmanlike manner, installed in accordance with the manufacturer's installation instructions, and use materials of a quality and kind suitable for the purpose for which used and of a kind normally used in the applicable trade.

**102.6 Historic buildings.** The provisions of the *Property Maintenance Code* shall not be mandatory for historic buildings or structures meeting the requirements of Chapter 11 of the *Existing Building Code*, when such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

**102.7 Referenced codes and standards.** The provisions of Section 102.4, Referenced Standards, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**Exception:** Where enforcement of a *Property Maintenance Code* provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

**102.8 Matters not covered by the code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public health, safety and welfare, not specifically covered by the *Property Maintenance Code*, shall be determined by the *code official*.

**102.9 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of the *Property Maintenance Code*.

**102.10 Other laws.** The provisions of the *Property Maintenance Code* shall not be deemed to nullify any provisions of local or federal law.

**102.11 Special flood hazard areas.** The storage of equipment or materials that are listed as dangerous materials in 20 DCMR § 3106.2 or that will affect either the base flood elevation or the floodway in any Special Flood Hazard Area, as delineated on the Federal Emergency Management Agency's Flood Insurance Rate Map for the District (20 DCMR § 3101.2), shall be required to obtain a building permit from the Department of Consumer and Regulatory Affairs, pursuant to 12 DCMR A § 105, and comply with the requirements of 20 DCMR Chapter 31.

## **103 DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

**103.1 Department of Consumer and Regulatory Affairs.** The provisions of Section 103, Department of Consumer and Regulatory Affairs, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**103.2 Liability.** The provisions of Section 104.8, Relief from Personal Liability, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**103.3 Fees.** The fees for activities and services performed by the Department of Consumer and Regulatory Affairs in carrying out its responsibilities under the *Property Maintenance Code* shall be paid in accordance with the applicable fee schedule published in 12 DCMR L as amended from time to time.

## **104 DUTIES AND POWERS OF THE CODE OFFICIAL**

**104.1 General.** The *code official* shall enforce the provisions of the *Property Maintenance Code*.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**104.1.1 Rulemaking authority.** The provisions of Section 104.1.1, Legal Authority, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**104.2 Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by agencies or individuals *approved* by the *code official*. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**104.3 Right of entry.** The *code official* is authorized to enter a structure or *premises* at all reasonable times to inspect and for the purpose of enforcing the *Property Maintenance Code*, subject to constitutional restrictions on unreasonable searches and seizures, and subject to the provisions of this Section. If entry is refused or not obtained, the *code official* is authorized to obtain an administrative search warrant issued pursuant to D.C. Official Code § 11-941 (2001) or D.C. Superior Court Civil Rule 204 or to pursue any other recourse as provided by law.

**104.3.1 Right of entry – housing business license property.** The *code official*, both prior to the issuance of a *housing business* license and during the license period, may, at all reasonable hours, enter and inspect the *premises* occupied or to be occupied by a *housing business* except as provided in Section 104.3.2

**104.3.2 Right of entry of housing business license property with tenant.** If it appears that any portion of a *premises* is under the exclusive control of a *tenant*, or if the operator of a *housing business* so claims, the *code official* shall not enter that portion of the *premises* without first having obtained permission from the *tenant* or the *tenant's* agent, except as provided in Section 104.3.3.

**104.3.3 Tenant refusal to permit inspection.** If a *tenant* of a *housing business* does not give permission to inspect that portion of the *premises* under the *tenant's* exclusive control, the *code official* shall not enter that portion of the *premises* unless the *code official* has:

1. A valid administrative warrant permitting the inspection, issued pursuant to D.C. Official Code § 11-941 (2001) or D.C. Superior Court Civil Rule 204; or
2. A reasonable basis to believe that exigent circumstances require immediate entry into that portion of the *premises* in order to prevent any *imminent danger* to the public health or welfare.

The refusal of any *tenant* to permit such an inspection shall not result in the revocation or suspension of the *housing business* license, nor shall such refusal result in the assessment

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

of penalties against the *operator* of a *housing business*, provided however, that when the *code official* presents a valid administrative search warrant that permits inspection of *premises* under a *tenant's* exclusive control, the *tenant* of a *housing business* who refuses to give permission to inspect that portion of the *premises* shall be in violation of the *Property Maintenance Code*.

**104.3.4 Refusal to permit inspection.** If the *owner* or *operator* of a *housing business*, or agent of such *owner* or *operator*, refuses to permit the *code official* to inspect the *premises* occupied or to be occupied by a *housing business*, such refusal shall be cause for withholding the issuance of a license for those *premises* until the inspection is permitted, and/or cause for the revocation of any existing license.

**104.3.4.1** As a condition of receiving a *housing business* license under D.C. Official Code § 47-2828 (2005 Repl.), the *owner* or *operator* of a *housing business* must agree to:

1. Allow access to the *Department* for any inspection required under the *Construction Codes*; and
2. Notify any affected *tenant* whose unit requires inspection.

**104.4 Identification.** The provisions of Section 104.5, Credentials, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**104.5 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with the *Property Maintenance Code*.

**104.6 Department records.** The provisions of Section 104.7, Department Records, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**104.7 Coordination of inspections.** Whenever in the enforcement of the *Property Maintenance Code* or another code or ordinance, the responsibility of more than one *code official* of the District is involved, it shall be the duty of the *code officials* involved to coordinate their inspections and administrative orders as fully as practicable so that the *owners* and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders.

## 105 APPROVAL

**105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of the *Property Maintenance Code*, the *code official* shall have the authority to grant

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reasons makes the strict letter of the *Property Maintenance Code* impractical, that the modification is in compliance with the intent and purpose of the *Property Maintenance Code*, and that such modification does not lessen health, life and fire safety requirements or violate District law or regulations. The details of any action granting modifications shall be recorded and entered in the Department files.

**105.2 Alternative materials, methods and equipment.** The provisions of Section 104.11, Alternative Materials, Equipment, Methods of Construction and Design, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of the *Property Maintenance Code*, or evidence that a material or method does not conform to the requirements of the *Property Maintenance Code*, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**105.3.1 Test methods.** Test methods shall be as specified in the *Property Maintenance Code* or by other recognized and accepted test methods in the industry. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an agency *approved* by the *code official*.

**105.3.2 Test reports.** The provisions of Section 104.7, Department Records, of 12 DCMR A, regarding retention of test reports, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**105.4 Used material and equipment.** The provisions of Section 104.9.1, Used Materials, Equipment and Devices, of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**105.5 Permits for repairs and improvements.** Any repair or improvement which may be required by a notice issued under the authority of the *Property Maintenance Code* for which a permit is required shall not be made until that permit has been issued by the District.

**105.5.1 Compliance with applicable laws.** All work under a permit shall be done in accordance with all applicable laws and regulations. The provisions of Section 102.4.1, Conflicts, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

## 106 VIOLATIONS

**106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

or in violation of any of the provisions of the *Property Maintenance Code*.

**106.2 Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 107.

**106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor and the violation shall be deemed a strict liability offense. If the violator does not comply with the notice of violation, the *code official* may, in addition to any other remedies or penalties otherwise available to the *code official* in the *Property Maintenance Code* or otherwise, institute the appropriate proceeding at law or in equity to prosecute, restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the *Property Maintenance Code* or of the order or direction made pursuant thereto.

**106.4 Violation fines and penalties.** Any person who violates a provision of the *Property Maintenance Code*, or fails to comply therewith or with any of the requirements thereof, shall be subject to the penalties established hereafter and shall be subject to prosecution. In the event of any failure to comply with any provision of the *Property Maintenance Code* following service of a notice of violation or order in accordance with Section 107, each and every day such violation continues shall constitute a separate offense.

**106.4.1 Penalty.** Any person who violates any of the provisions of the *Construction Codes* or orders issued under the authority of the *Construction Codes*, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$2,000, or by imprisonment not exceeding 90 days, or both, for each such offense. Each day a violation continues shall be deemed a separate offense. Prosecutions pursuant to this section shall be brought in the name of the District of Columbia by the Attorney General for the District of Columbia.

**106.4.2 Additional penalty.** Civil fines, penalties, and fees may be imposed, in addition to other available remedies, for any infraction of the provisions of the *Construction Codes*, including the provisions of the *Property Maintenance Code*, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §2-1801 *et seq.* (2011 Supp.)) (“Civil Infractions Act”). Adjudication of any infraction shall be pursuant to the *Civil Infractions Act*.

**106.4.3 Culpability.** Any person, including a *tenant*, who causes a violation of the *Property Maintenance Code*, is subject to the same penalties as those provided in Section 106.4.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



**106.4.4 Separate offenses.** The penalties prescribed in Section 106.4 shall be applicable to each separate offense.

**106.4.5 Housing business license.** The violation of any of the provisions of the *Property Maintenance Code* may be grounds for denial, suspension or revocation of any *housing business* license or license endorsement under Chapter 28 of Title 47 of the D.C. Official Code and/or the *Housing Code*, Title 14 DCMR.

**106.5 Abatement of violation.** Notwithstanding any other penalties or remedies set forth in Section 106.4, where any person violates a provision of the *Property Maintenance Code*, or fails to comply therewith or with any of the requirements thereof, following notice as prescribed in Section 107 of this chapter, the *code official* may cause such condition to be corrected. The costs of any corrective action, and all expenses incident thereto, shall be assessed as a tax against the property on which the violating condition existed, and such tax shall be carried on the regular tax rolls of the District, and collected in the same manner as general taxes in the District are collected. Nothing herein shall be construed to abolish or impair existing remedies relating to abatement of nuisance property, including, but not limited to, Chapters 31 and 31A of Title 42 of the D.C. Official Code.

## **107 NOTICES AND ORDERS**

**107.1 Notice to owner or to person or persons responsible.** Whenever the *code official* determines that there has been a violation of the *Property Maintenance 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 107.2 and 107.3. Notices for closure procedures pursuant to Section 108 shall also comply with Section 108.3.

**107.2 Form.** The notice prescribed in Section 107.1 must:

1. Be in writing;
2. Include the name and address of the person or entity being cited;
3. Include a description of the real estate sufficient for identification;
4. Include a statement of the violation or violations, the code section(s) violated and why the notice is being issued;
5. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of the *Property Maintenance Code*;

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

6. Include a statement informing the property *owner* of the right to appeal pursuant to Section 107.8; and
7. Include a statement of the District of Columbia's right to file a tax lien in accordance with Section 106.5.

**107.3 Method of service.** The *code official* shall effect service of a notice upon the property *owner* or person(s) responsible for the violation or violations by one of the following methods, any of which shall be deemed proper service:

1. Personal service on the property *owner* or persons responsible, or the agents thereof; or
2. By electronic mail to the last-known electronic mail address of the person or business to be notified, provided that a copy of the notice or order is posted in a conspicuous place in or about the structure or *premises* affected by such notice; or
3. Delivering the notice to the last known home or business address of the property *owner* or persons responsible as identified by the tax records, business license records, or corporate registration records, and leaving it with a person over the age of 16 years old residing or employed therein; or
4. Mailing the notice, via first class mail postage pre-paid, to the last known home or business address of the property *owner* or persons responsible or the agents thereof as identified by the tax records, business license records or corporate registration records; or
5. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice in a conspicuous place in or about the structure or *premises* affected by such notice.

**107.4 Unauthorized tampering.** Signs, placards, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed, obstructed or tampered with, or removed without authorization from the *code official*.

**107.5 Penalties.** Penalties for noncompliance with *the Property Maintenance Code* shall be as set forth in Section 106.

**107.6 Transfer of ownership.** It shall be unlawful for the *owner* of any *dwelling unit* or structure upon whom a notice of violation or order has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another person or entity until the provisions of the notice or order have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or order issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee,

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



transferee, mortgagee or lessee, acknowledging the receipt of such notice or order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice or order.

**107.7 Copy of notices.** After an inspection of a *dwelling unit* occupied by a *tenant*, the Director shall provide the *tenant* with a copy of any notice or order with respect to that unit issued to the *owner* pursuant to the *Property Maintenance Code*. This requirement will be satisfied by mailing a copy to the tenant by first-class mail, leaving a copy at the *tenant's* residence or any other reasonable method in the *code official's* discretion.

**107.7.1 Notification for multiple tenants.** In any instance where a violation or violations of the *Property Maintenance Code* involve more than one *tenant* of a residential building or dwelling, including violations involving common space, the *code official* shall post a copy of any notice or order issued to the *owner* pursuant to Section 107 for a reasonable time in one or more locations within the building or buildings in which the deficiency exists. The locations for posting the notification shall be reasonably selected to give notice to all *tenants* affected. Any *tenant* directly affected by the violation(s) shall, upon request to the *code official*, be sent a copy of the posted notification.

**107.7.2 Tampering with notification.** No person shall alter, modify, destroy, obstruct or otherwise tamper with or mutilate a notification posted under Section 107.7.1 or Section 107.3.

**107.7.3 Application of other notice provisions.** The *code official* shall not be subject to any other *tenant* notification provisions, except as set forth in this Section 107.7.

**107.8 Appeal and hearing.** Any person directly affected by a notice or order issued under this *Property Maintenance Code* shall have the right to appeal pursuant to Section 112, Appeals, of 12 DCMR A. The provisions of Section 112 of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference. Appeals of notices, other than notices of closure pursuant to Section 108 or *Imminent Danger* notices pursuant to Section 109, shall stay the enforcement of the notice until the appeal is heard by the Office of Administrative Hearings.

## 108 UNSAFE STRUCTURES AND EQUIPMENT

**108.1 General.** When structures, *premises* or equipment, in whole or in part, are found by the *code official* to be unsafe or dangerous, or when a structure is found unfit for human occupancy, or is found to be unlawful, such structure may be closed by the *code official* pursuant to the provisions of the *Property Maintenance Code* and may be considered for condemnation with referral to the Board of Condemnation, pursuant to An Act To create a board for the

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the International Property Maintenance Code, published by the International Code Council (ICC), as amended by the District of Columbia Property Maintenance Code Supplement (2013) (12 DCMR G). The International Property Maintenance Code is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

condemnation of insanitary buildings in the District of Columbia, and for other purposes, as amended, approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-901 *et seq.* (2008 Repl.)).

**108.1.1 Unsafe structures.** An unsafe structure or anything attached to or connected with any building or other structure that is found to be unsafe or 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 possible.

**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.

**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, due to the degree to which the structure is in disrepair or lacks maintenance, is insanitary or vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by the *Property Maintenance Code*; or whenever the *code official* finds that the location of the structure constitutes a hazard to the *occupants* of the *structure* or to the public.

**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 the *Property Maintenance Code*, or was erected, altered or occupied contrary to law.

**108.1.5 Dangerous structure or premises.** For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *Construction Codes* as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

3. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or *structure*, or part of the building or *structure*, is likely to collapse partially or completely, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way.
6. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, become a harbor for vagrants, criminals or immoral persons, or enable persons to resort to the building or *structure* for committing a nuisance or an unlawful act.
8. The building or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *Construction Codes*, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or *structure*, used or intended to be used for dwelling purposes, that is determined by the *code official* to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system or otherwise..
10. Any building or *structure* that is determined by the *code official* to be a threat to life or health because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause..

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

11. Any portion of a building or *structure* that remains on a site after the demolition or destruction of the building or *structure*, or whenever any building or *structure* or portion thereof is abandoned so as to become an attractive nuisance or hazard to the public.

**108.1.6 Unserviceable equipment.** Whenever the *code official* determines that the repair record on any boiler, air conditioning system, heating equipment, elevator, moving stairway or other equipment on the *premises* or within a *structure* reflects the need for replacement of the equipment, the *code official* may declare the equipment “unserviceable” and order the replacement of the equipment.

**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*, after providing notice as prescribed in 108.3, is authorized to post a closure placard 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 and secured through any available public agency or by contract or arrangement with 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 and may be collected by any other legal resource.

**108.2.1 Authority to disconnect service utilities.** The provisions of Section 111.3, Authority to Disconnect Service Utilities, of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**108.3 Notice.** Whenever the *code official* has closed a *premises* or *structure* or discontinued the use of equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the *premises* or *structure* affected by such notice and shall be served on the *owner* or the person or persons responsible for the *structure* or equipment in accordance with Section 107.3 and An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, as amended, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-801 *et seq.* (2008 Repl.)). If the notice pertains to equipment, it shall also be placed on the equipment removed from service. The notice shall be in the form prescribed in Section 107.2.

**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* a closure placard bearing the words “These Premises are Unsafe and Its Occupancy Has Been Prohibited by the Code Official,” or shall post the defective equipment with a placard bearing the words “Removed from Service.” The placard shall include a statement of the penalties provided for occupying the *premises*, operating the equipment, or removing the placard.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**108.4.1 Removal of placard.** The *code official* shall authorize removal of the applicable placards whenever the defect or defects upon which the closure or removal from service actions were based have been eliminated. Any person who defaces or removes a placard without the approval of the *code official* shall be subject to the penalties provided by the *Property Maintenance Code*.

**108.5 Prohibited occupancy.** Any occupied *structure*, closed and placarded by the *code official*, shall be vacated as ordered by the *code official*. 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 the *Property Maintenance Code*.

**108.6 Abatement methods.** The *owner, operator* or *occupant* of a *structure, premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**108.7 Record.** The *code official* shall maintain a report on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

## **109 EMERGENCY MEASURES**

**109.1 Imminent danger.** The provisions of Section 116.1, Imminent Danger, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**109.2 Temporary safeguards.** The provisions of Section 116.2, Temporary Safeguards, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**109.3 Closing streets.** The provisions of Section 116.3, Closing Streets, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**109.4 Emergency repairs.** The provisions of Section 116.4, Emergency Repairs, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

**109.5 Costs of emergency repairs.** The provisions of Section 116.5, Costs of Emergency Repairs, of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## CHAPTER 2 DEFINITIONS

### 202 General Definitions

#### 202 GENERAL DEFINITIONS

*Insert the following new definitions in Section 202 of the Property Maintenance Code:*

**COMMON SPACE.** All portions of the *premises* used in common by the occupants of a *building* or *structure* not under the exclusive control of a single *tenant*.

**HOUSING BUSINESS.** A business licensed, or required to be licensed, under D.C. Official Code § 47-2828 (2005 Repl.), including any *dwelling unit* or *rooming unit* in a residential building that is offered for rent or lease. A housing business also includes the rental of a *dwelling unit* or *rooming unit* in a residential building that the housing business owner or operator also occupies. A housing business does not include any transient housing providers, such as a hotel, bed and breakfast, inn and motel, boarding house or *rooming house*.

**QUALIFIED PERSON.** One who has received training in and has demonstrated skills and knowledge in the construction and operation of specific equipment and installations and the hazards involved.

*Strike the definitions of ROOMING HOUSE and ROOMING UNIT in Section 202 of the International Property Maintenance Code and insert new definitions in Section 202 of the Property Maintenance Code in their place to read as follows:*

**ROOMING HOUSE.** A building or part thereof that provides sleeping accommodations for three or more persons who are not members of the immediate family of the resident operator or manager, and in which *sleeping units* are not under the exclusive control of the *occupants*. The term *rooming house* shall not be interpreted to include an establishment known as, or defined in the *Construction Codes* as, a hotel, motel, inn, bed and breakfast, private club, tourist home, guest house, or other transient accommodation.

**ROOMING UNIT.** One or more *habitable spaces* forming a single habitable unit occupied or intended to be occupied for sleeping or living purposes; but not for the preparation or eating of meals.

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



## CHAPTER 3 REQUIREMENTS

- 302 Exterior Property Areas
- 303 Exterior Structure
- 304 Interior Structure
- 308 Rubbish and Garbage
- 309 Pest Elimination
- 310 Carbon Monoxide Alarms

### 302 EXTERIOR PROPERTY AREAS

*Strike Section 302.4 of the International Property Maintenance Code in its entirety and insert new Section 302.4 in the Property Maintenance Code in its place to read as follows:*

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches (203 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs; provided, however, that 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, the owner shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the District of Columbia. Upon failure to comply with the notice of violation, any duly authorized employee of the District of Columbia or contractor hired by the District of Columbia 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.

### 304 EXTERIOR STRUCTURE

*Insert new Section 304.2.1 in the Property Maintenance Code to read as follows:*

**304.2.1 Lead-based paint; pre-1978 structures.** Peeling, flaking and chipped paint shall be eliminated in accordance with the work practice standards for renovations set forth in regulations governing lead-based paint promulgated, or as may be promulgated, by the District's Department of the Environment (DDOE) or the federal Environmental Protection Agency, including, but not limited to, 40 CFR §745.85(a), as amended August 5, 2011, and in conformance with all pertinent lead abatement requirements in D.C. Official Code § 8-231.01 *et seq.* (2012 Supp.), including all pertinent implementing regulations.

#### **Exceptions:**

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the International Property Maintenance Code, published by the International Code Council (ICC), as amended by the District of Columbia Property Maintenance Code Supplement (2013) (12 DCMR G). The International Property Maintenance Code is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

1. *Structures* built after 1977; or
2. *Structures* with documentation from an approved test in accordance with 40 CFR §745.82 (a), as amended August 5, 2011, that proves that the deteriorating paint contains no lead-based paint.

*Strike Section 304.3 of the International Property Maintenance Code in its entirety and insert new Section 304.3 to the Property Maintenance Code in its place to read as follows.*

**304.3 Premises identification.** Each *premises*, including buildings and *structures*, to which a street number has been assigned shall have the number displayed in conformance with the requirements specified in 12 DCMR A Section 118. The *owner* of a *premises* shall obtain a street number assignment, as applicable, pursuant to Section 118, Addresses of Premises, of 12 DCMR A. The minimum size of a street number shall be 3 inches (76 mm) high and 1/2 inch (13 mm) wide and shall be in Arabic figures on a contrasting background.

**304.3.1** The assigned street number shall be located directly over or near the main entrance in a position easily observed and readable from the opposite side of a *public thoroughfare*.

**304.3.2** Multi-tenant buildings having separate exterior entrances with separate numbers shall post the assigned street numbers near each entrance in accordance with this section.

**304.3.3** In addition to posting the street number of the building or other structure in a position easily observed and readable from the opposite side of the *public thoroughfare* serving that entrance, the *owner* of a building or other *structure* located on a lot where the main entrance is not located at and fronting on a *public thoroughfare*, shall post the street number directly above or near the main entrance.

**304.3.4 Rear Entrance.** If the rear of a *premises*, to which a street number has been assigned, faces a street or *public thoroughfare* accessible to the public, the *owner* shall also place the street number of the main entrance in a position easily observed and readable from the street or alley serving the rear of that *premises*.

**304.3.5 Construction Sites.** Street numbers shall be posted at construction sites in a position easily observed and readable from any public street and alley serving the construction site.

**304.3.6 Private Streets.** The *owner* of a *private thoroughfare* shall provide standard street signs in compliance with Sections 118.11.3 and 118.11.4 of 12 DCMR A. The *owner* of a building, *premises*, or *structure* located on a *private thoroughfare* shall

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



comply with the provisions of Section 304.3; provided, that the street number need not be readable from a public street if, under the circumstances, this requirement would be impracticable and the *approved* address numbers are placed in a position to be plainly legible and visible from the street or road fronting the property.

*Strike Section 304.7 of the International Property Maintenance Code in its entirety and insert new Section 304.7 to the Property Maintenance Code in its place to read as follows.*

**304.7 Roofs and drainage.** The roof and flashing shall be sound and tight and shall 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.

**304.7.1 Storm drainage.** Storm water shall drain into a separate storm sewer system, or a combined sewer system, or to an *approved* place of disposal.

**304.7.2 Grading.** The yard or area at the *premises* shall be graded so that all storm drainage flows freely from all parts of the *premises* into an inlet or place of disposal that complies with Section 304.7.1, and so that the drainage shall flow away from any building on the *premises*.

**304.7.3 Water accumulation.** Yard spaces and other areas appurtenant to a residential building shall be graded to avoid the accumulation of water.

*Strike Section 304.11 in the International Property Maintenance Code in its entirety and insert new Section 304.11, to the Property Maintenance Code in its place to read as follows:*

**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.

**304.11.1** Unused openings in chimneys shall be closed.

**304.11.2** All flue openings in chimneys shall be supplied with flue crocks, and metal or masonry thimbles.

*Strike Section 304.14 of the International Property Maintenance Code in its entirety and insert new Section 304.14 in its place to read as follows:*

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**304.14 Insect screens.** During the period from April 15 to October 15 of each year, 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.

*Strike Section 304.18.3 of the International Property Maintenance Code in its entirety and insert new Section 304.18.3 in its place to read as follows:*

**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. Each *basement* hatchway shall be constructed and maintained to prevent the entrance of rodents, rain or surface drainage water into the *dwelling unit, rooming unit* or *housekeeping unit*.

## **305 INTERIOR STRUCTURE**

*Insert new Section 305.3.1 in the Property Maintenance Code to read as follows:*

**305.3.1 Lead-based paint; pre-1978 structures.** Peeling, flaking and chipped paint shall be repaired, removed or covered in accordance with the work practice standards for renovations set forth in regulations governing lead-based paint promulgated, or as may be promulgated, by the District's Department of the Environment (DDOE) or the federal Environmental Protection Agency, including, but not limited to, 40 CFR §745.85(a), as amended August 5, 2011, and in conformance with all pertinent lead abatement requirements in D.C. Official Code § 8-231.01 *et seq.* (2012 Supp.), including all pertinent implementing regulations.

### **Exceptions:**

1. *Structures* built after 1977; or
2. *Structures* with documentation from an approved test in accordance with 40 CFR §745.82 (a), as amended August 5, 2011, that proves that the deteriorating paint contains no lead-based paint.

## **308 RUBBISH AND GARBAGE**

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

*Insert new Section 308.2.3 in the Property Maintenance Code to read as follows:*

**308.2.3 Housing business.** The operator of a housing business shall not permit the accumulation or rags, waste paper, broken furniture or any combustible junk in any portions of the premises under the operator's control.

## **309 PEST ELIMINATION**

*Strike Section 309 of the International Property Maintenance Code in its entirety and insert new Section 309 in the Property Maintenance Code in its place to read as follows:*

**309.1 Infestation.** All structures shall be kept free from insect and rodent infestation. The maintenance of all structures in a reasonably insect-free and rodent-free state shall be the responsibility of the owner and occupant or tenant. 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 extermination, proper precautions shall be taken by the owner and occupant or tenant to prevent re-infestation.

**309.2 Owner.** The owner of any structure shall be responsible for extermination 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 non-residential structure shall be responsible for extermination on the premises.

**309.4 Non-residential multiple occupancy.** The owner of a non-residential structure containing multiple occupants shall maintain the public or shared areas of the structure and exterior property free from insects, rodents and rodent harborages. It shall be the responsibility of each occupant to maintain the area occupied in a safe and sanitary condition so as to minimize the potential for infestation by insects or rodents.

**309.4.1 Infestation.** If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination; or, where the infestation is caused by defects in the structure, the owner shall be responsible for extermination.

**Exception:** A lease between owner and occupant may assign responsibility for extermination.

**309.5 Residential multiple occupancy.** The owner of a structure containing two or more sleeping units or dwelling units, a Group R occupancy (other than a single-family dwelling) or a rooming house, shall maintain the public or shared areas of the structure and exterior property free from insects, rodents and rodent harborages. In addition, the owner shall provide regular

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the International Property Maintenance Code, published by the International Code Council (ICC), as amended by the District of Columbia Property Maintenance Code Supplement (2013) (12 DCMR G). The International Property Maintenance Code is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

extermination services that may be utilized by the *occupant* of each dwelling upon reasonable request. Each *occupant* shall maintain the occupied areas in a safe and sanitary condition so as to minimize the potential for *infestation* by insects or rodents, promptly report any *infestation* to the *owner* and request and allow the extermination services provided by the *owner*.

**309.5.1 Multiple sleeping unit or dwelling unit infestation.** Where more than one *sleeping unit* or *dwelling unit* in a *structure* is infested with insects or rodents, the *owner* shall provide extermination services at the *owner's* expense.

**309.5.2 Single sleeping unit or dwelling unit infestation.** Where only one *sleeping unit* or *dwelling unit* is infested, and there is evidence that the *occupant* has not kept their *sleeping unit* or *dwelling unit* in a safe and sanitary condition, the *owner* may charge the *occupant* for the cost of the extermination services in that *sleeping unit* or *dwelling unit*.

**309.5.3 Owner responsibility.** Where the *owner* fails to provide regular extermination services that may be utilized by the *occupant* upon reasonable request, the *owner* shall pay for all extermination services as are required.

## 310 CARBON MONOXIDE ALARMS

*Insert new Section 310 in the Property Maintenance Code to read as follows:*

**310.1. Carbon monoxide alarms.** Effective the later of either (a) the effective date of the 2013 edition of the *Construction Codes* or (b) July 1, 2014, an *approved* carbon monoxide alarm shall be installed, in Group I and R occupancies and buildings regulated by the *Residential Code*, in the immediate vicinity of the *bedrooms* in *dwelling units* located in a building containing a fuel-burning appliance or a building which has an attached garage. Only one alarm shall be required outside each separate sleeping area or grouping of *bedrooms*. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An *open parking garage*, as defined by Chapter 2 of the *Building Code*, or an enclosed parking garage ventilated in accordance with section 404 of the *Mechanical Code*, shall not be considered an attached garage.

**Exception:** A *sleeping unit* or *dwelling unit* which does not itself contain a fuel-burning appliance or have an attached garage, but which is located in a building with a fuel-burning appliance or an attached garage, need not be equipped with a carbon monoxide alarm provided that:

1. The *sleeping unit* or *dwelling unit* is located more than one story above or below any story which contains a fuel-burning appliance or attached garage;

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

2. The *sleeping unit* or *dwelling unit* is not connected by ductwork or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and
3. The building is equipped with a common area carbon monoxide alarm system.

**310.1.1 Single station carbon monoxide alarms.** Single station carbon monoxide alarms shall be battery operated, or shall receive their primary power from the building wiring system. Plug-in devices securely fastened to the *structure* and installed in accordance with the manufacturer's installation instructions are deemed to satisfy this requirement. Hard wired and plug-in carbon monoxide alarms shall be equipped with battery back up.

**310.1.2 Combination smoke/carbon monoxide alarms.** Combination smoke/carbon monoxide alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarm features of combination smoke/carbon monoxide alarms shall be interconnected.

**310.2 Carbon monoxide detection systems.** Carbon monoxide detection systems, which include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

**310.2.1 Housing business.** The *owner* or *operator* of a *housing business* shall replace or repair the carbon monoxide detectors within 15 days of receipt of written notification by an *occupant* or *tenant* that replacement or repairs are needed. The *owner* or *operator* shall ensure that a carbon monoxide detector is operable and in good repair at the beginning of each tenancy.

**310.3 Where required in existing dwellings.** Where work requiring a permit occurs in an existing *dwelling unit*, carbon monoxide alarms shall be provided in the *dwelling unit* in accordance with Section 908.7 of the *Building Code* for new construction.

**Exception:** Work involving the exterior surfaces of a *building* or *structure*, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, are exempt from the requirements of Section 310.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

- 402 Light
- 403 Ventilation
- 404 Occupancy Limits

### 402 LIGHT

#### 402.1 Habitable Space.

*Insert new subsections 402.1.1 through 402.1.13 to Section 402.1 of the Property Maintenance Code to read as follows:*

**402.1.1** Any room with more than 50 percent of any exterior wall area from floor to ceiling below ground level (using average level along each exterior wall) shall not be used as a *habitable space*, except as otherwise provided in Section 402.

**402.1.2** In a building in existence prior to June 9, 1960, where there is an existing open well or *areaway* which is three feet (917 mm) or more in width immediately adjacent to any exterior wall, that wall shall be considered above ground level for the length and depth of the open well or *areaway*.

**402.1.3** Whenever any building in existence prior to June 9, 1960 is altered to conform to the requirements of this Section 402, the newly constructed *court* or *areaway* immediately adjacent to any exterior wall shall be four feet (1219 mm) or more in width and of a depth necessary so that one-half (1/2) the height of all portions of any exterior wall of the room, measured from floor to ceiling, shall be above the ground immediately adjacent to the newly constructed *court* or *areaway*.

**402.1.4** Whenever any existing building is altered to conform to the requirements of Section 402, a permit shall be obtained from the *code official*, and all alterations must conform in other respects to the applicable requirements of the *Construction Codes* ( 12 DCMR A).

**402.1.5** *Areaways* constructed on buildings erected after June 9, 1960 shall comply fully with the applicable requirements of the *Construction Codes* (12 DCMR A) and the *Zoning Regulations* (11 DCMR).

**402.1.6** No room shall be divided in any manner into space intended for living, sleeping, eating or cooking purposes by an installed partition or divider of any type above four feet (1219 mm) in height, unless each such subdivided part complies with the requirements

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



for a *habitable* space, except as otherwise provided in Section 402.

**402.1.7** The enclosure of cabinet-type kitchenettes by doors or other closing devices, where those kitchenettes are too small to be occupied when the doors or other closing devices are closed in a normal manner, and where those kitchenettes are continuously mechanically ventilated when closed, shall not be deemed to subdivide the room.

**402.1.8** If any separation of a *habitable space* leaves a clear unobstructed opening between the parts of that *habitable space* at least equal to 80 percent of the cross sectional area of that part of the *habitable space* receiving its light through any other part, that separation shall not be in violation of Section 402.

**402.1.9** Each *habitable space* shall have a glass area transmitting natural light at least equal to one-tenth of the floor area served, consisting of one or more of the following:

1. Windows;
2. Glazed doors;
3. Glazed doors with either or both side lights or transoms; or
4. Other glass construction facing directly to the outside.

**402.1.10** Rooms opening on enclosed porches and rooms lighted through sunporches, which comply with Section 402.1.9, shall be deemed to have adequate natural light.

**402.1.11** The sash area of operable windows, side lights, or transoms, the horizontal projection of the glass area of skylights, and in all other instances the gross glass area, shall be used in computing the required glass area.

**402.1.12** Any portion of any glass area facing directly on any wall, portion of a *structure*, or other light obstruction less than 3 feet (914 mm) from that glass area, shall not be included as contributing to the required natural light.

**402.1.13** At least 50 percent of the required glass area shall be a window, glazed door, side light or transom, each glazed with clear glass. Obscure glass, glass blocks or other approved translucent material may be used to transmit up to 50 percent of the required natural light.

### **402.3 Other spaces.**

*Insert new subsection 402.3.1 to Section 402.3 of the Property Maintenance Code to read as*

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the International Property Maintenance Code, published by the International Code Council (ICC), as amended by the District of Columbia Property Maintenance Code Supplement (2013) (12 DCMR G). The International Property Maintenance Code is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

*follows:*

**402.3.1 Bathrooms.** Each *bathroom, toilet room* or compartment, and other similar rooms shall be naturally or artificially lighted at least equivalent to the requirements of Section 402. Naturally lighted *bathrooms, toilet rooms* or compartments, and other similar rooms shall be provided with aggregate glazing area of not less than 3 square feet (0.3 m<sup>2</sup>).

## **403 VENTILATION**

### **403.1 Habitable spaces.**

*Insert new subsection 403.1.1 to Section 403.1 of the Property Maintenance Code to read as follows:*

**403.1.1** If a habitation is located on the ground floor of a residential building, the yard of the building which lies immediately outside the habitation shall be maintained clear of any obstruction to ventilation for a distance of at least 3 feet (914 mm) from the exterior wall of the building, or such further distance as may be required by any other law or regulation. A reasonable number of trees or shrubs shall not violate this section.

## **404 OCCUPANCY LIMITS**

### **404.7 Food preparation.**

*Insert new subsection 404.7.1 to Section 404.7 of the Property Maintenance Code to read as follows:*

**404.7.1 Facilities provided by an owner.** If an *owner* furnishes any facilities for cooking, storage or refrigeration of food that are not within a *sleeping unit* or *dwelling unit*, these facilities shall be maintained by the *owner* in a safe and sanitary condition and in good working order.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



## CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

- 503 Toilet Rooms
- 505 Water System

### 503 TOILET ROOMS

*Strike Section 503.4 of the International Property Maintenance Code in its entirety and insert new Section 503.4 in the Property Maintenance Code in its place to read as follows:*

**503.4 Floor surface.** In other than *dwelling units*, every *toilet room* floor and every wall base in a *toilet room* shall be a smooth, hard, nonabsorbent surface that permits such floor to be easily kept in a clean and sanitary condition. The wall base shall be at least 3 inches (76.20 mm) in height.

### 505 WATER SYSTEM

#### 505.4 Water heating facilities.

*Insert new subsection 505.4.1 in the Property Maintenance Code to read as follows:*

**505.4.1 Inspection.** The owner or operator of a *housing business*, with one or more *dwelling units* occupied by a *tenant* or *tenants* served by a water heating facility, shall cause the water heating facility, including the flues, vents and dampers for escape of carbon monoxide gas, to be inspected by a qualified person annually. A copy of all inspection and service reports shall be available on site.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

- 602 Heating Facilities
- 603 Mechanical Equipment
- 604 Electrical Facilities
- 605 Electrical Equipment
- 606 Elevators and Conveying Systems
- 608 Air Conditioning

### 602 HEATING FACILITIES

*Strike Section 602.3 of the International Property Maintenance Code in its entirety and insert new Section 602.3 in the Property Maintenance Code in its place to read as follows:*

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units*, rooming units, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from October 15 to May 15 to maintain a temperature of not less than 68 °F (20 °C) in all habitable rooms, *bathrooms* and *toilet rooms*.

#### **Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the District, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the District shall be as indicated in appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30 °F (-1 °C), a minimum temperature of 65 °F (18 °C) shall be maintained.

*Strike Section 602.4 of the International Property Maintenance Code in its entirety and insert new Section 602.4 in the Property Maintenance Code in its place to read as follows (maintain Exceptions to this Section):*

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 15 to May 15 to maintain a minimum temperature of 65 °F (18 °C) during the period the spaces are occupied.

*Insert new Section 602.6 in the Property Maintenance Code read to as follows:*

The District of Columbia Property Maintenance Code (2013), referred to as the "Property Maintenance Code," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**602.6 Inspection of heating facilities by qualified persons.** The *owner* of a multiple dwelling, containing two or more units served by a heating facility, shall cause the heating facility to be inspected by a qualified person annually. A copy of all inspection and service reports shall be available for public inspection on site in the office of the building *operator*.

## **603 MECHANICAL EQUIPMENT**

### **603.1 Mechanical appliances.**

*Insert new subsection 603.1.1 to Section 603.1 of the Property Maintenance Code to read as follows:*

**603.1.1 Prohibited Locations.** Gas meters and fuel-fired appliances and equipment shall not be located in sleeping rooms, *bathrooms*, *toilet rooms*, storage closets, or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of the *Fuel Gas Code* Section 304.5.
3. A single wall-mounted unvented room heater is installed in a bathroom and such unvented room heater is equipped as specified in the *Fuel Gas Code* Section 621.6 and has an input rating not greater than 6,000 Btu/h (1.76 kW). The bathroom shall meet the required volume criteria of the *Fuel Gas Code* Section 304.5.
4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in the *Fuel Gas Code* Section 621.6 and has an input rating not greater than 10,000 Btu/h (2.93 kW). The bedroom shall meet the required volume criteria of the *Fuel Gas Code* Section 304.5.
5. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with the *Fuel Gas Code* Section 304.6.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## 604 ELECTRICAL FACILITIES

*Strike Section 604.2 of the International Property Maintenance Code in its entirety and insert new Section 604.2 in the Property Maintenance Code in its place to read as follows:*

**604.2 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. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

**Exception:** For installations consisting of not more than two 2-wire branch circuits, service disconnecting means shall have a rating of not less than 30 amperes.

## 605 ELECTRICAL EQUIPMENT

*Insert new Section 605.4 in the Property Maintenance Code to read as follows:*

**605.4 Switchboards of 1000 amperes or larger.** Preventative maintenance shall be performed on switchboards having a capacity of 1000 amperes or larger as required by Article 408.23 of the *Electrical Code*, as amended.

*Strike Section 606 of the International Property Maintenance Code in its entirety and insert new Section 606 in the Property Maintenance Code in its place to read as follows:*

## 606 ELEVATORS AND CONVEYING SYSTEMS

**606.1 General.** No elevator or conveying system, including, but not limited to, escalators, dumbwaiters, wheelchair lifts, cartveyors, manlifts and moving walks, shall be operated without a valid certificate of inspection issued by the *code official*.

### Exceptions:

1. Where the *code official* authorizes limited approval of use in accordance with the provisions of Section 606.2, or Section 3010.2 of the *Building Code*.
2. Elevators and conveying systems covered by the *Residential Code* where the equipment is serving one *dwelling unit*.
3. In Groups R-2 and R-3 occupancies where the equipment is serving one *dwelling unit*.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**606.2 Content of certificate of inspection; posting.** The certificate of inspection shall contain the following information, and a copy of the most current certificate of inspection shall be on display at all times within the elevator or attached to the conveying system unless exempted pursuant to Section 606.6:

1. The address of the structure.
2. The name and address of the owner.
3. A description of the vertical transportation equipment (e.g., escalator, elevator, dumbwaiter, wheelchair lift, moving walk or conveyor).
4. The rated load and speed.
5. A statement that the described equipment has been inspected for compliance with the requirements of the *Construction Codes*.
6. The name of the *code official*.
7. Any special stipulations and conditions of the permit under which the equipment was installed, relocated or altered.

**606.3 Maintenance, testing, inspections.** Periodic tests and inspections shall be made by the *code official*, or by an *approved* Third Party Inspection Agency, and shall be made at the expense and responsibility of the *owner*. Except as otherwise provided for in this code, the maintenance, inspection and testing of all elevators and conveying systems and their components, including the frequency of inspections and testing, shall conform to:

**606.3.1 Elevators, escalators and other conveyances listed in ASME A17.1, Appendix N.** Inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the *code official*.

**Exception:** Units in residential use serving one family *dwelling unit*.

**606.3.2 Platform lifts and stairway chair lifts.** Inspections and testing of platform lifts and stairway chair lifts shall be performed for all units as stated in ASME A18.1, Safety Standard for Platform Lifts and Stairway Chairlifts.

**Exception:** Units in residential use serving one family *dwelling unit*.

**606.3.3 Manlifts.** Inspections and testing of manlifts shall be performed for all units as

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

stated in ASME A90.1, Safety Standard for Manlifts.

**606.3.4 Conveyors and related equipment.** Inspections and testing of conveyors and related equipment shall be performed as stated in ASME B20.1, Safety Standard for Conveyors and Related Equipment.

**606.3.4.1 Cartveyors.** Cartveyors shall be maintained as per original equipment manufacturer's recommendations. Inspection and testing shall be at the same frequency as escalators as stated in ASME A17.1, Appendix N.

**606.4 Reports and certificates.** Where inspections and tests are not made by the *code official*, the *approved* agency shall submit a report of the inspections and tests to the *code official* on *approved* forms not more than 30 days after completion of the inspection and tests. Upon receipt of satisfactory inspection and test reports, the *code official* shall authorize the issuance of a certificate of inspection, or a renewal certificate as provided in Section 3010.9, for each unit of equipment.

**Exceptions:** The submission of test reports to the *code official* and the issuance of certificates and display of certificates is not required:

1. In Group R-2 and R-3 occupancies where the equipment is serving one *dwelling unit*.
2. In buildings under the jurisdiction of the *Residential Code* where the equipment is serving one *dwelling unit*.

**606.5 Out of service; temporarily dormant.** A permit from the *Department* shall be required: (a) to take an elevator or conveying system out of service pursuant to ASME A17.1, Section 8.11.1.4; or (b) to place an elevator or conveying system in temporarily dormant status as set forth in Section 606.5.1.

**606.5.1 Temporarily dormant.** An elevator or conveying system shall be temporarily dormant where removed from its normal class of service for an extended period of time (not to exceed five years) by an owner's decision and not due to maintenance or repair. During this period of time, the equipment shall be secured for the benefit of public safety in accordance with the following requirements:

1. The power supply shall be disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "OFF" position. This padlock shall not be removed without permission from the *code official*.
2. The unit shall be parked and the hoistway/runway doors securely bolted from

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

opening in any plane. The means of securing the doors shall be exclusive of the interlocks.

3. A wire seal shall be installed on the mainline disconnect switch by an elevator inspector accredited by a national certifying agency and *approved* by the *code official* which wire seal shall not be removed without permission from the *code official*.
4. The equipment shall not be used again until it has been put in safe running order and passed an acceptance test, congruent with the installation date or the Code Data Tag posted on the equipment, as provided in ASME 17.1, Section 8.10, and the *owner* has obtained a valid certificate of inspection from the *code official*.
5. Annual inspections shall continue for the duration of the period that the elevator is temporarily dormant, and the inspector shall file an annual report with the *code official* to confirm that the requirements set forth in this section are met.

**606.6 Equipment in operation.** 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 or conveying system shall be permitted to have the elevator or conveying system temporarily out of service for testing, maintenance and/or repair.

**606.7 Renewal of certificates.** The certificate of inspection, for each elevator and conveying system, must be renewed every 24 months, or at an alternate interval specified by the *code official*, as long as the unit is in service. Renewal of the certificate of inspection will be granted upon satisfactory demonstration to the *code official* that the unit of equipment has met all of the inspections and testing required by the *Construction Codes* and referenced standards.

**606.8 Unsafe equipment.** When, in the opinion of the *code official*, an elevator or conveying system or its components are unsafe or unlawful, the *code official* is authorized and empowered to place the unit out of service, and to prohibit the operation of the equipment until the unsafe or unlawful condition is corrected. The *code official* shall post on the unsafe equipment a placard or notice bearing the words “Unsafe to Use” and may also attach a lead seal to prevent the equipment from being operated.

**606.8.1 Notification of unsafe or unlawful condition.** When an *approved* Third Party Inspection Agency inspector observes or identifies unsafe or unlawful condition(s) causing an elevator to be removed from service, the inspector shall notify the *code official* immediately. The inspector is authorized to place on the unit adjudged to be unsafe or unlawful an “Unsafe to Use” placard. The *code official* must be notified

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



immediately of the Third Party Inspector's action, pursuant to the notification procedures established by the *code official*.

**606.8.2. Placard removal.** The *code official* shall remove the "Unsafe to Use" notice whenever the defect or defects upon which the closure action was based have been eliminated. Any person who defaces or removes an "Unsafe to Use" notice or lead seal without the approval of the *code official*, or operates the placarded equipment, shall be subject to the penalties provided by this code. An *approved* Third Party Inspector is permitted to remove an "Unsafe to Use Notice" issued by that inspector, after abatement of the unsafe or unlawful condition and appropriate reinspection of the conveyance.

**Exception:** Placarded equipment may be operated only as necessary to effectuate repairs.

**606.8.3 Abatement methods.** The *owner* of the equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, replacement or other *approved* corrective action.

*Insert new Section 608 in the Property Maintenance Code to read to as follows:*

## **608 AIR CONDITIONING**

**608.1 General.** The *owner* or *operator* of a *housing business*, who provides air conditioning as a service either through individual air conditioning units or a central air conditioning system, shall maintain such unit or system in safe and good working condition so that it is capable of providing an inside temperature, in the rooms it is intended to serve, equal to the greater of: (a) 78 °F (26 °C); or (b) at least 15 °F (9 °C) less than the outside temperature during the period of June 15 to September 15.

**608.2 Inspection of air conditioning equipment by qualified persons.** The *owner* of a *structure* containing two or more units served by air conditioning equipment shall cause the air conditioning equipment to be inspected by a *qualified person* annually. A copy of current inspection and service reports shall be available for public inspection on site in the office of the building *operator*.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.



## CHAPTER 7 FIRE SAFETY REQUIREMENTS

- 701 General
- 702 Means of Egress
- 704 Fire Protection Systems

### 701 GENERAL

*Insert new Section 701.3 in the Property Maintenance Code to read as follows:*

**701.3 Hazardous and combustible materials.** Combustible, flammable, explosive or other hazardous materials, such as paint, 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 Code*.

### 702 MEANS OF EGRESS

*Strike Section 702.4 of the International Property Maintenance Code in its entirety and insert new Section 702.4 in the Property Maintenance Code in its place to read as follows:*

**702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and shall conform with the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates 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 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 escape and rescue opening. It shall be the duty of the *owner* to keep fire escapes, stairways, and other egress facilities in a good state of repair, painted and free from obstruction.

*Insert new Sections 702.5, 702.6 and 702.7 to the Property Maintenance Code to read to as follows:*

**702.5 Arrangements.** Exits from *dwelling units, rooming units and sleeping units*, including guestrooms and dormitory units, shall not lead through other such units, or through *toilet rooms* or *bathrooms*.

**702.6 Exit signs.** All means of egress shall be indicated with approved “Exit” signs where required by the *Building Code*. All “Exit” signs shall be maintained visible, and all illuminated “Exit” signs shall be illuminated at all times that the building is occupied.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

**702.7 Stair identification.** The interior and exterior of all stairway doors shall be provided with signage as required by Section 1022.9 of the *Building Code*.

## **704 FIRE PROTECTION SYSTEMS**

### **704.1. General.**

*Insert new subsection 704.1.2 in the Property Maintenance Code to read as follows:*

**704.1.2 Fire extinguishers.** All portable fire extinguishers required by a prior or current *Building Code* or *Fire Code* shall be visible, readily accessible and maintained in an efficient and safe operating condition. Extinguishers shall be of an *approved* type. Fire extinguishers shall be maintained in accordance with NFPA 10 as referenced in the *Fire Code*.

*Insert new Section 704.5 in the International Property Maintenance Code to read as follows:*

**704.5 Fire alarm systems.** Fire alarm systems shall be continuously maintained in accordance with applicable NFPA requirements or as otherwise directed by the *code official*.

**704.5.1 Manual fire alarm boxes.** All manual fire alarm boxes shall be operational and unobstructed.

**704.5.2 Fire alarm signage.** Where fire alarm systems are not monitored by a supervising station, an approved permanent sign shall be installed adjacent to each manual fire alarm box that reads: “**WHEN ALARM SOUNDS CALL FIRE DEPARTMENT**”.

**Exception:** When the manufacturer has permanently provided this information on the manual fire alarm box.

**704.5.3 Fire alarm notice.** In accordance with the requirements of the Fire Alarm Notice and Tenant Fire Safety Amendment Act of 2009, effective March 11, 2010 (D.C. Law 18-116; D.C. Official Code § 6-751.11 (2011 Repl.), the *owner* of a *building* containing four or more *dwelling units*, *rooming units* or *sleeping units* shall post in conspicuous places in the *common space* of the *building*, and distribute to each *tenant* or *unit owner*, a written notice that provides information about fire alarm systems in the *building*. The notice shall be on a form developed and published by the *code official* in English and in the languages required under section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933 (2007 Repl.).

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

*Insert new section 704.6 in the Property Maintenance Code to read as follows:*

**704.6 High rise buildings.** The *owner* of a *high-rise building* shall:

1. Prepare and maintain a fire safety and evacuation plan for the building; and
2. Conduct fire drills at least once every year.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

## CHAPTER 8 REFERENCED STANDARDS

*Strike the ASME referenced standard in Chapter 8 of the International Property Maintenance Code in its entirety and insert the following new ASME referenced standards in its place to read as follows:*

---

<b>ASME</b>	American Society of Mechanical Engineers Three Park Avenue New York, NY 10016-5990
-------------	--

---

Standard Reference Number	Title	Referenced in code section number
A17.1 /CSA B44- 2010	Safety Code for Elevators and Escalators	606.2.1, 606.2.4.1
A18.1-2008	Safety Standard for Platform Lifts and Stairway Chairlifts	606.2.2
A90.1-2009	Safety Standard for Manlifts	606.2.3
B20.1-2009	Safety Standard for Conveyors and Related Equipment	606.2.4

*Insert a new NFPA referenced standard in Chapter 8 of the Property Maintenance Code to read as follows:*

---

<b>NFPA</b>	National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169
-------------	---

---

Standard Reference Number	Title	Referenced in code section number
720-05	Standard for the Installation of Carbon Monoxide (CO) Warning Equipment in Dwelling Units	310

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.

*Insert a new UL referenced standard in Chapter 8 of the Property Maintenance Code to read as follows:*

<hr/>		
<b>UL</b>	Underwriters Laboratories, Inc. 333 Pfingsten Road Northbrook, IL 60062	
<hr/>		
<b>Standard Reference Number</b>	<b>Title</b>	<b>Referenced in code section number</b>
<hr/>		
2304-08	Single and Multiple-station Carbon Monoxide Alarms	310
<hr/>		

All persons desiring to comment on these proposed regulations should submit comments in writing to Helder Gil, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, SW, Room 5164, Washington, D.C. 20024, or via e-mail at [ConstructionCodes@dc.gov](mailto:ConstructionCodes@dc.gov), not later than 5 p.m. on Friday, January 25, 2013.

Comments should clearly specify which Subtitle, Chapter, and Section of the proposed District of Columbia Construction Codes they are related to.

Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.

Free copies of these proposed regulations are available on the DCRA website at <http://dcra.dc.gov> by going to the “About DCRA” tab, clicking on “News Room”, and then clicking on “Rulemaking”. Additionally, the DCRA website will list links to each of the ICC and NFPA 70 codes.

The *District of Columbia Property Maintenance Code* (2013), referred to as the “*Property Maintenance Code*,” consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019>.