

ARTICLE 9
INTERNATIONAL PROPERTY MAINTENANCE CODE

SECTION 1. ADOPTION. The International Property Maintenance Code, 2012 Edition, published by International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. The following words and phrases shall have the following meanings:

- a) The term "Code Official" shall in all instances mean the Director of Planning, Development, and Codes, or his designated representative, of Johnson County, Kansas.
- b) The term "Board of Appeals" shall in all instances mean the Board of Code Review.
- c) The term "ordinance" shall mean and include the word "resolution."
- d) The term "city" shall mean and include the word "county."
- e) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.

SECTION 3. DELETIONS. The following provisions of the International Property Maintenance Code, as adopted, shall be deleted and not applicable under this Code:

- a) 103 Department of Property Maintenance Inspection
- b) 106.4 Violation Penalties.
- c) 107.4 Penalties.
- d) Section 111 Means of Appeal.
- e) 302.4 Weeds.
- f) 304.2 Protective Treatment
- g) 308 Rubbish and Garbage

SECTION 4. ADDITIONS.

- a) Section 101.5 of the 2012 International Property Maintenance Code is hereby amended as follows:
101.5 General. The Building Code Official, or, where appropriate, the Governing Body, is authorized, subject to any adopted policies or administrative rules or regulations, to take the following actions to bring the subject property into compliance with this Code or other resolutions of the County. Those actions include, without being limited to, abatement of the violation, vacation of the

premises until the violation is corrected, prohibition of occupancy of the premises until the violation is corrected, issuance of a Notice to Appear in Johnson County Codes Court, injunctive or other relief in the District Court of Johnson County, suspension or revocation of any licenses pertaining to the premises that remain in violation, and any other necessary or appropriate actions authorized by any applicable law, resolution, statute, rule or regulation. If no public necessity is found for the immediate demolition of the structure or premises, the Building Code Official or Governing Body may take such other action, including, without limitation, causing the property to be cleaned, cleared, vacated, secured or otherwise repaired or any other action deemed necessary to promote the public health, safety or general welfare. The provisions of Article 20 shall be made applicable to this section and pursuant to those provisions and any other applicable laws, statutes, resolutions, rules or regulations, the property owner may be charged for the costs incurred by the County in taking any actions to abate or correct such unlawful conditions, including administrative fees, and a lien may be placed on the property for any such unpaid costs and fees. The Director of Planning, Development, and Codes shall designate the department, division, employee or agency of the County to enforce this Code, and such designee shall, for the purposes of this Code, be known as the "Building Code Official." In this Code the term "Department of Property Maintenance Inspection" shall be used synonymously with the term "Building Code Official."

- b) The following section shall be added to the designated International Property Maintenance Code, as adopted:
Section 106.4 Violation penalties. Violation of any provision of this Code shall be a public offense, punishable as a Class I Infraction upon conviction as provided in Article 20 of this Code of Regulations. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided.

- c) The following section shall be added to the designated International Property Maintenance Code, as adopted:
108.1 Posting structures unfit for human occupancy. The Building Code Official shall cause any building or structure deemed unfit for human occupancy to be posted at each entrance thereto with a notice reading:

<p>SUBSTANDARD BUILDING DO NOT OCCUPY It is a public offense, a Class I Infraction, to occupy this building, or to remove or deface this notice. Building Code Official Johnson County, Kansas</p>
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SECTION 5. AMENDMENTS.

- a) Section 101.1 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
101.1 Title. These regulations shall be known as the Property Maintenance Code of Johnson County, Kansas, hereinafter referred to as “this Code.”
- b) Section 102.3 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
102.3 Application of other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the 2012 International Building Code, 2012 International Residential Code, 2012 International Plumbing Code, 2012 International Mechanical Code, 2012 International Fuel Gas Code, and the NFPA 70 National Electrical Code, 2011 Edition. Where the term ICC Electrical Code is used in other portions of this Code, the term shall be used synonymously with the term “NFPA 70 National Electrical Code, 2011 Edition.”
REFERENCED STANDARDS. Chapter 13 – Referenced Standards of the 2012 International Mechanical Code, shall be amended as follows:
NFPA 70-99 – National Electric Code, 2011 Edition
- c) Section 103.5 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be as indicated in the International Building Code.
- d) Section 105.4 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused until a written request to do so has been submitted to, and accepted by, the Building Code Official. All elements must be in good repair or have been reconditioned, tested, and placed in good and proper working condition.
- e) Section 111.1 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
111.1 Application for appeal. Any person directly affected by a decision of the Building Code Official or a notice or order issued under this Code shall have the right to appeal to the Board of Code Review, provided that the written application for appeal is filed within the time limits set forth in Article 12 of the Johnson County Code of Regulations, 2012 Edition. All rules and regulations of the Board of Code Review shall apply. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this Code do not fully apply.

- f) Section 303.14 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
303.14 Insect screens. During the period from March 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every swinging door shall have a self-closing device in good working condition.
- g) Section 602.3 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom, shall furnish heat to the occupants thereof, between October 1 to May 1, to maintain a temperature of not less than 65 degrees F (18 degrees C) in all habitable rooms, bathrooms, and toilet rooms.
Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
- h) Section 602.4 of the International Property Maintenance Code, as adopted, is hereby amended as follows:
602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 at a temperature of not less than 65 degrees F (18 degrees C) when occupied.
Exceptions:
1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.
- i) Section 604.2 of the International Property Maintenance Code, as adopted, is hereby amended 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 the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, and single-phase electrical service having a rating of not less than 100 amperes. Alternate service configurations may be approved by the Building Code Official.