

# Property Maintenance Code

*Existing code pertaining to City Code of Ordinances, Code Enforcement and Blight Enforcement*

**ADOPTION:** Ordinance 221, adopted 3-3-97, adopted the IOCA Property Maintenance Code. Chapter 15 (15.03) of the City Code of Ordinance contains the reference to adoption of the BOCA Property Maintenance Code.

## **ADMINISTRATION: PM 101.3 – INTENT**

The intent of the code is “to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not meet these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.”

## **Administration: PM 105 - Duties and Power of Code Official**

City code officials have the right to enter (PM 105.3) a structure and premise to inspect and the code official, if denied entry, may pursue recourse as provided by law.

## **Administration: PM 107 – Notice and Orders**

Notice (PM 107.1) shall be given to the owner or person(s) responsible for the structure or premises. The notice shall subscribe to the form identified in PM 107.2 and be served (PM 107.3) personally, by certified or registered mail or posted on the structure in a visible place. Once served, a property may not lawfully be transferred to another owner without first complying with the order or without proper notification to the buyer of the code official’s order.

## **Administration: PM 108 – Unsafe Structures, Condemnation**

This section and subsections provides definitions of unsafe structures and equipment and establishes the procedures for condemnation.

## **Administration: PM 111 – Appeals**

This section and subsection details the process and procedures available property owners or the person(s) responsible for the structure or premises when they wish to challenge the order(s) of the code official.

**GENERAL REQUIREMENTS:** This section and subsections provide references for notice and orders and on which Bangor's blight prevention, correction and enforcement is based. See that document as well. IOCA includes the following.

## **General Requirements: PM 302 – Definitions**

Exterior Property – The open space on the premises and on adjoining property under control of owners or operators of such premises.

Extermination – The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination.

Garbage – The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Premises – A lot, plot or parcel of land including any structures thereon.

Public Nuisance –

1. the physical condition or occupancy of any premise regarded as a public nuisance at common law;
2. any physical condition or occupancy of any premise ... considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, and unsafe fences and structures;
3. any premises that has unsanitary sewerage or plumbing facilities;
4. any premises designated as unsafe for human habitation;
5. any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property;
6. any premises from which plumbing, heating or other facilities required by this code have been removed or disconnected, destroyed or rendered ineffective; or the required precautions against trespassers have not been provided;
7. any premise that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as to not provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

Rubbish – Combustible or noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust and other materials.

Yard – an open space on the same lot with a structure.

### **GENERAL REQUIREMENTS: PM 303 – EXTERIOR PROPERTY AREAS**

This section and its subsections provide detailed regulations targeted in Bangor Pride 2000.

#### **Exterior Property Area: PM 303.4 - Weeds**

The premise shall be free of weeds and plant materials over 10 inches in height with exceptions for shrubs, trees and cultivated flowers or gardens. Noxious weeds are prohibited at any height.

#### **Exterior Property Area: PM 303.5 – Rat Harborage**

All structures and exterior structures are to be kept free from rat infestation.

#### **Exterior Property Area: PM 303.7 – Accessory Structures**

All accessory structures, including detached garages, fences and walls, are to be maintained structurally sound and in good repair.

#### **Exterior Property Area: PM 303.8 – Motor Vehicles**

Except as provided for in other regulations, not more than one currently unregistered or uninspected motor vehicle shall be parked, kept, or stored on the premises, and no motor vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Vehicles being overhauled shall be done in a closed structure or similarly enclosed area designed and approved for such purposes.

## **GENERAL REQUIREMENTS – PM 304 – EXTERIOR STRUCTURE**

This section and its subsections provide detailed regulations for a number of areas targeted by Bangor 2000.

### **Exterior Structure: PM 304.1 – General**

The exterior structure shall be maintained in good repair, structurally sound and sanitary so as to not impose a threat to public health, safety or welfare.

### **Exterior Structure: PM 304.2 – Exterior Painting**

All wood and metal surfaces, including, but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

### **Exterior Structure: PM 304.6 – Exterior Walls**

All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

### **Exterior Structure: PM 304.7 – Roofs and Drainage**

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the 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 so as to create a public nuisance.

### **Exterior Structure: PM 304.8 – Decorative Features**

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

### **Exterior Structure: PM 304.10 – Stair and Walking Surfaces**

Every stair, ramp, balcony, porch, deck or other walking surface shall comply with the provisions of PM 702.9. (Regulations for handrails and guards.)

### **Exterior Structure: PM 304.11 – Stairways, Decks, Porches and Balconies**

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

### **Exterior Structure: PM 304.12 – Chimneys and Towers**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound and in good repair.

### **Exterior Structure: PM 304.14 – Windows and Door Frames**

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

### **Exterior Structure: PM 304.16 – Doors**

All exterior doors and hardware shall be maintained in good condition.