

Concise Explanatory Statement

Rhode Island Government Register

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Rhode Island Department of Business Regulation

DIVISION: Building Code Commission

RULE IDENTIFIER: 510-RICR-00-00-6

REGULATION TITLE: Rhode Island Property Maintenance Code

RULEMAKING ACTION: Full Rulemaking
Amendment

COMMENT PERIOD: June 27, 2025-July 27, 2025

A. Statement of Purpose of the Amendments

The Building Code Standards Committee (BCSC) has proposed amendments to the Rhode Island Property Maintenance Code. The current version of the Property Maintenance Code adopted the International Code Council's (ICC) International Property Maintenance Code (IPMC) 2018 edition. Currently, these amendments reflect the BCSC's proposed adoption of the 2021 edition of the IPMC. The state specific amendments to the IPMC 2021 model code are for consistency with the other building code regulations in RICR Title 510 and the Fire Safety Codes in RICR Title 450, compliance with RI statutes, and ensure that the model codes align with the needs of this state.

Additionally, all building code regulations being amended in this cycle have been edited for clarity and internal consistency of formatting and style, and to be easily read with the other building code regulations and the model codes that these regulations adopt. Formatting changes include: listing every model code chapter and stating whether each chapter is adopted, adopted with changes or deleted; leading the all changes with the model code section number for quick reference; and focusing on model code numbering to simplify citation and avoid confusion.

Chapter 1 contains the administrative provisions of IPMC 2021, which are amended for consistency with R.I. Gen. Laws Chapter 23-27.3 and other RI building codes within Title 510 and the Rhode Island Fire Safety Codes in RICR Title 450. The RI code references section was amended consistent with the other regulations. Section 108 "Board of Appeals" was deleted because those provisions are covered by state statutes. The prior RI specific amendments to Sections 111 and 112.4 were removed because the content of those sections in IMPC 2021 is different and they are no longer necessary. No change to status quo.

Chapter 2 of IPMC 2021 is adopted with no changes. The prior RI amendment to section 201.3 was deleted because it is repetitive of the same RI amendment in Chapter 1, § 102.8. The additional definitions were deleted because they were redundant of existing definitions in Chapter 1. No change to status quo.

Chapter 3 of IPMC 2021 is adopted with changes. The RI specific amendments to 303.2.1 and 304.14 were retained and clarified, noting that the RI exception regarding insect screens is no longer necessary because it is included in IMPC 2021's requirements. The RI specific amendments adding sections 305.3.1 through 305.3.5 relating to lead paint requirements in interior surfaces were deleted because those requirements are contained in state laws enforced by RIDOH. Therefore, they are not needed in this regulation. No change to status quo.

Chapters 4 and 5 of IPMC 2021 are adopted with no changes. No change to status quo.

Chapter 6 of IPMC 2021 is adopted with changes. The only RI specific amendments to IPMC 2018 being retained are the ones in sections 602.3 and 602.4 where each jurisdiction inserts specific dates for heating and cooling requirements. The amendments to IPMC 2018 which added sections 605.5 & 605.6 and amended IPMC 2018 sections 606.1 and 606.2 regarding elevators have been deleted because elevators are regulated by DLT and therefore additional RI specific provisions are not required in this code. No change to status quo.

Chapter 7 of IPMC 2021 is adopted with no changes. All of the prior RI specific amendments to IPMC 2018 are deleted. The old amendments to 702.1, 702.2, 704 are not necessary as they contain the same requirements as the model code. Moreover, chapter 7 contains fire safety requirements that are regulated by the Fire Safety Code. No change to status quo.

Chapter 8 of IPMC 2021 is adopted with no changes. This is the "Referenced Standards" chapter. The prior RI specific amendments are deleted as they were redundant with the "referenced standards" amendments to chapter 1. No change to status quo.

Appendix A regarding "Boarding Standards" for windows and doors is adopted. Appendix A was previously incorporated in this code and should have been retained, but it was erroneously deleted in the last amendments. This regulation restores the Appendix. No change to status quo. Appendix B regarding "Board of Appeals" is deleted because that content is covered by state statutes. No change to status quo.

B. Summary of the Regulatory Analysis

This regulation contains building code requirements for the continued use and maintenance of building elements, structures and systems for existing residential and nonresidential structures. All 39 municipalities, DLT licensed professionals, builders and construction industry, design professionals, homeowners, property owners, and business owners.

These amendments move the Property Maintenance Code from IPMC 2018 to IPMC 2021. As part of the adoption of IPMC 2021 the BCSC has deleted some of the prior RI specific amendments that are no longer necessary; and

simplified and standardized the formatting for a more user-friendly document that is easily read alongside IPMC 2021.

C. Summary of Comments Not Resulting in Regulatory Language Changes

Below is a summary of other public comments received that did not result in changes to the text of the Regulation and a brief description of the Department's reasons for not making any such changes after due consideration.

1. *510-RICR-00-00-6* – Commentary was received suggesting the adoption without amendment of the most up-to-date version of the model codes.

The proposed amendments to the State Building Codes reflect a conscientious effort to ensure that the Rhode Island State Building Code is updated in accordance with national standards while taking into consideration that the model code may not capture the circumstances that exist for building in Rhode Island. Therefore, certain amendments to the model codes have been made.

Accordingly, the Department declines to make a change in response to this comment.

2. *510-RICR-00-00-6* – Commentary was received recommending that the Department adopt the 2024 Codes instead of the 2021 Codes.

In general, it is not advisable to skip code cycles (notwithstanding the unique circumstances of Part 8 adopting the 2024 IECC). The complexity of comparing the model codes from year to year is already a challenge that would be substantially more difficult if the state were to skip the 2021 codes all together. Incremental change is easier to implement and better for industry overall.

The Committee voted on amendments necessary to adopt the 2021 codes and that was what was proposed. It will move forward to finalize these codes. It will start the process to review the 2024 ICC codes and consider if any state-specific amendments may be necessary. However, at this time, the Committee declines to make a change in response to this comment. Furthermore, pursuant to R.I.G.L. § 24-35-6.1, “[a]n agency may not file a rule that differs from the rule proposed in the notice of proposed rulemaking unless the final rule is consistent with, and a logical outgrowth of, the rule proposed in the notice.” The amendments and adoption noticed for the State Building Code reflect the 2021 Codes and, therefore, the 2024 Codes cannot be substituted for the rules as originally proposed.

Accordingly, the Department declines to make a change in response to this comment.