

510-RICR-00-0-6

TITLE 510 – BUILDING CODE COMMISSION

CHAPTER 00 – N/A

SUBCHAPTER 00 – N/A

PART 6 – State Property Maintenance Code

6.1 Authority

The Building Code Standards Committee, in accordance with the rule making authority of R.I. Gen. Laws §§ 23-27.3(a) through (c) inclusive, has formally adopted and promulgated as the Rhode Island State Building Code, the provisions of the International Property Maintenance Code, 2012 edition, as published by the International Code Council, Inc. (I.C.C.), together with amendments thereto hereinafter set forth to the articles and sections of this code.

6.2 Incorporated Materials

- A. The provisions of R.I. Gen. Laws Chapter 23-27.3 establishing administration and enforcement are hereby incorporated by reference. § 6.3 of this Part (Chapter 1) immediately follows and is supplemental to the General Laws.
Editorial Note: Code users please note:

1. When purchasing or using the IPMC 2012 code, please take note of the particular printing edition. Errata to that printing edition is available on-line directly at no charge at <http://www.iccsafe.org/cs/codes/pages/errata.aspx> or call the office of the State Building Code Commissioner at 401-889-5487 for further information.
2. Printed copies of the administrative and enforcement provisions of R.I. Gen. Laws Chapter 23-27.3 are available at the Office of the State Building Code Commission or on-line at <http://webserver.rilin.state.ri.us/Statutes/TITLE23/23-27.3/INDEX.HTM>.
3. The International Property Maintenance Code, 2012 Edition, is protected by the copyright that has been issued to the ICC. As a result, the State Building Code is not available in complete form to the public in an electronic format. The International Property Maintenance Code 2012 edition that is referred to within is contained in a printed volume and is also in an electronic format that have been published by the ICC under an exclusive license.

4. The Office of the State Building Code Commissioner has purchased volumes of these codes and they shall be distributed to Rhode Island cities and towns during the month of June 2013 so that local officials will have access to the code prior to the implementation of these rules on July 1, 2013.
5. In order to assure public access to this code the Office of the State Building Code Commissioner shall provide a copy of this code to the Rhode Island State Library, which is located on the second floor of the State House. In addition, all codes may be viewed during business hours at the Department of Administration's Library which is located on the fourth floor of the William E. Powers Building, One Capitol Hill, Providence.

6.3 Chapter 1

101.1 Title.

Substitute State of Rhode Island at [Name of Jurisdiction]

Delete existing section 102.3 and substitute the following

[A] 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 Rhode Island State Building Codes SBC-1 ([Part 1 of this Subchapter](#)), Rhode Island One and Two Family Dwelling Code ([Part 2 of this Subchapter](#)), Rhode Island Plumbing Code ([Part 3 of this Subchapter](#)) SBC-3, Rhode Island Mechanical Code SBC-4 ([Part 4 of this Subchapter](#)), Rhode Island Electric Code SBC-5 ([Part 5 of this Subchapter](#)), Rhode Island Energy Conservation Code SBC-8 ([Part 8 of this Subchapter](#)), Rhode Island Fuel Gas Code SBC-19 ([Part 19 of this Subchapter](#)), Rhode Island Fire Code ([450-RICR-00-00-1 through 10](#)), and Nothing in this code shall be construed to cancel, modify or set aside any provision of the locally adopted Zoning Code. Additionally, corrective measures may be eligible for implementation through procedures allowed in The State of Rhode Island Rehabilitation Building and Fire Code for Existing Buildings and Structures SRC-1 ([Part 20 of this Subchapter](#)).

Delete Section 111 and Replace with the following

Add the following article 111.0

111.0 Appeal of Violations

111.1 Application for reconsideration.

111.1.1 Any person aggrieved by a notice of the enforcing officer issued in connection with any alleged violation of this chapter or of applicable rules and regulations issued pursuant to it, or by any order requiring repair or demolition pursuant to section 107 may apply to the enforcing officer for a reconsideration of the notice or order within ten (10) days after it has been issued.

111.1.2 The enforcing officer shall set a time and place for an informal conference on the matter within ten (10) days of the receipt of the application, and advise the applicant of the time and place in writing.

111.1.3 At the informal conference, the applicant is permitted to present his or her grounds for believing that the order should be revoked or modified to one or more representatives of the enforcing officer.

111.1.4 Within ten (10) days following the close of the informal conference, the enforcing officer shall advise the applicant whether or not he or she will modify or set aside the notice or order issued by the enforcing officer.

111.2 Hearings.

111.2.1 Any person aggrieved by a notice of the enforcing officer issued in connection with any alleged violation of the provisions of this chapter or of any applicable rules and regulations pursuant to it, or by any order requiring repair or demolition pursuant to section 107, may file with the housing board of review a petition stating that person's reasons for contesting the notice or order.

111.2.2 The petition shall be filed within ten (10) days after the notice or order is served on the petitioner in the manner prescribed by 107.3.

111.2.3 Upon receipt of a valid petition, the housing board of review shall either grant or deny the hearing requested, and advise the petitioner of its decision, in writing, within ten (10) days of the day on which his or her petition was received.

111.2.4 Hearing Notice

When the housing board of review determines to hold a hearing, it shall serve the petitioner with notice of its decision in the manner provided for service of notice in 107.3. The notice shall be served within ten (10) days of the receipt of the petition.

111.2.5 Hearing Procedure

At the hearing, the petitioner shall be given an opportunity to show cause why the notice or order should be modified or withdrawn, or why the period of time permitted for compliance should be extended.

111.2.6 Board Actions

The housing board of review has the power to affirm, modify, or revoke the notice or order, and may grant an extension of time, for the performance of any act required, of not more than three (3) additional months where the housing board of review finds that there is practical difficulty or undue hardship connected with the performance of any act required by the provisions of this chapter or by applicable rules and regulations issued pursuant to it; or that strict adherence to these provisions would be arbitrary in the case at hand; that extension would not provide an appropriate remedy in the case at hand; and that a variance is in harmony with the general purpose of this chapter to secure the public health, safety, and welfare.

111.3 Emergencies

111.3.1 Whenever, in the judgment of the enforcing officer, an emergency exists which requires immediate action to protect the public health, safety, or welfare, notice of violation may be issued, directing the owner, occupant, operator, or agent to take action that is appropriate to correct or abate the emergency.

111.3.2 The owner, occupant, operator, or agent may petition for a code enforcement hearing, but the hearing shall in no case stay the abatement of correction of the emergency.

111.3.3 Every owner of a dwelling or multiple dwelling unit is responsible for maintaining all surfaces covered by lead-based substances in an appropriate manner as to insure no unsafe conditions exist.

111.3.4 It is unlawful for any owner, operator, or agent to evict occupants from a dwelling or dwelling unit without just cause during conferences, hearings, appeals, or when served with a notice of violation.

111.3.5 To expedite correction or abatement of emergency violations the following time intervals hold:

111.3.5.1 A notice of violation provides a time period not to exceed ten (10) days for the correction of any violation. The person served with the notice of violation has a time period not to exceed five (5) days to petition for an informal hearing with the local code enforcement agency, which will be held within five (5) days.

111.3.5.2 Second notice of violation. A second notice of violation provides a time period not to exceed five (5) days for the correction of any violation.

111.4 Court proceedings.

111.4.1 The district court, upon due proceedings instituted in the name of any of the several cities or towns, has power to proceed according to equity:

111.4.1.1

To restrain, prevent, enjoin, abate, or correct a violation; or

111.4.1.2

To order the repair, vacation, or demolition of any dwelling existing in violation of the provisions of this chapter or to otherwise compel compliance with all of the provisions of this chapter or corporate unit ordinances adopted pursuant to the authority of this chapter.

111.4.1.3

When, under the provisions of this chapter or of any ordinance passed pursuant to the authority of this chapter, any work is done or material furnished by any enforcing officer or by his or her order at the expense of the owner or other persons interested, the value of the work and material may be recovered in an action brought against the owner or other interested person or persons, and if any work or materials been done or furnished at the cost of the corporate unit, the enforcing officer shall cause the action to be

brought in the name of the corporate unit. Upon the entry of any case or proceeding brought under the provisions of this chapter, the court shall, at the request of either party, advance the case so that it may be heard and determined with as little delay as possible.

111.4.2

The court shall extend priority to the scheduling of emergency cases.

111.5

Filing fees; judicial review. All proceedings instituted in the names of the several cities and towns are exempt from the payment of the district court filing fees. Any person or persons jointly or severally aggrieved by the final judgment, decision, or order of the district court may seek review by the supreme court in accordance with R.I. Gen. Laws § 8-8-3.2(b).

In Section 112.4 Failure to Comply enter the following in [AMOUNT]; [AMOUNT]

OR

Delete section 112.4 and substitute the following

[A] 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in accordance with the municipally established violation fee schedule

6.4 Chapter 2 Definitions

Delete existing section 201.2 and substitute the following

201.2 Interchangeability.

Meaning of certain words. Wherever the words "dwelling", "dwelling unit", "rooming house", "rooming unit", "premises", and "structure" are used in this chapter they shall be construed as though they were followed by the words "or any part thereof". Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine, and the feminine the masculine.

Delete existing section 201.3 and substitute the following

201.3 Terms defined in other codes

Where terms are not defined in this code and are defined in Rhode Island State Building Codes SBC-1 ([Part 1 of this Subchapter](#)), Rhode Island One and Two-Family Dwelling Code ([Part 2 of this Subchapter](#)), Rhode Island Plumbing Code SBC-3 ([Part 3 of this Subchapter](#)), Rhode Island Mechanical Code SBC-4 ([Part 4 of this Subchapter](#)), Rhode Island Electric Code SBC-5 ([Part 5 of this Subchapter](#)), Rhode Island Energy Conservation Code SBC-8 ([Part 8 of this Subchapter](#)), Rhode Island Fuel Gas Code SBC-19 ([Part 19 of this Subchapter](#)), Rhode Island Fire Code ([450-RICR-00-00-1 through 10](#)), or in the locally adopted Zoning Code, such terms shall have the meanings ascribed to them as stated in those codes.

Chapter 2 Definitions Section 202 Add the following definitions:

"Accessory Structure" means a detached structure which is not used or not intended to be used for living or sleeping by human occupants, and which is located on the same premises with a dwelling.

"Appropriate authority" means the official department, or agency, designated by a local community to administer and enforce these regulations pursuant to the provisions of this chapter.

Delete existing definition and substitute "Approved"

"Approved" means approved by the local or state authority having administrative authority.

Add the following definitions "Basement" means a portion of the building partly underground, but having less than half its clear height below the average grade of the adjoining ground.

"Board" means the board established or designated as the housing board of review.

"Cellar" means the portion of the building partly underground, having half or more than half its clear height below the average grade of the adjoining ground.

"Central heating system" means a single system supplying heat to one or more dwelling unit(s) or more than one rooming unit.

"Corporate unit" means a city or town, as the case may be, delegated with the powers to provide for the enforcement of this chapter.

"Enforcing officer" means the official charged with the administration and enforcement of this chapter, or the officials authorized representative.

"Guest" means any person who shares a dwelling unit in a nonpermanent status for not more than thirty days. (OR TRANSIENT)

"Household" means one or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. The term "household unit" is synonymous with the term "dwelling unit" for determining the number of units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:

1. A family, which may also include servants and employees living with the family; or
2. A person or group of unrelated persons living together. The maximum number may be set by local zoning ordinance, but this maximum shall not be less than three (3).

"Kitchen" means any room containing any or all of the following equipment, or area of a room within three feet (3') of that equipment: sink, and/or other device for dish washing, stove or other device for cooking, and refrigerator or other device for cool storage of food.

"Lead-based substances" means any paint, plaster, or other building material which contains lead at levels in excess of acceptable environmental lead levels established by Department of Health Regulations.

"Noxious" means harmful or injurious to health or physical well-being: noxious fumes.

"Nuisance" means a use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance, or inconvenience.

"Plumbing" means and includes all of the following supplied facilities and equipment: gas pipes, gas burning equipment, waste pipes, garbage disposal units, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, septic tank, or gas lines

"Potential hazardous material" means any toxic material, including building material containing heavy-metal compounds in concentrations dangerous to the public health as deemed by the department of health of this state.

"Privacy" means the ability of a person or persons to carry out an activity commenced without interruption or interference, either by sight or sound, by unwanted persons.

"Refuse" means all putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes, and dead animals.

"Safety" means the condition of being free from danger and hazards which may cause accidents or disease.

"Structure" means that which is built or constructed or a portion thereof; and used; unused; or intended to be used for residential, commercial, business, or industrial use or occupancy.

"Supplied" means paid for, furnished, provided by, or under the control of the owner or operator.

"Un-vented portable space heater" means a non-flue connected, self-contained, self-supporting, oil, gas, or solid-fueled heating appliance equipped with an integral reservoir designed to be carried from one room to another.

"Oil" means any liquid fuel with a flash point of greater than one hundred degrees (100°) Fahrenheit, including, but not limited to, kerosene.

6.5 Chapter 3 General Requirements

Add the following article:

303.2.1 Enclosures Public Pools

Enclosures at public pools licensed by the RI Department of Health definitions shall comply with barrier heights as prescribed by those regulations.

Add the following articles after:

305.3. Interior Surfaces

305.3.1

Potentially hazardous material on the interior surfaces of any dwelling unit, rooming house, rooming unit, or facility occupied by children is prohibited. The interior surfaces include, but are not limited to, window sills, window frames, doors, door frames, walls, ceilings, stair-rails and spindles, or other appurtenances.

305.3.2

Lead-based substances are prohibited whenever circumstances present a clear and significant health risk to the occupants of the property, as defined by regulations of the department of health.

305.3.3

In each instance where there is reason to believe that lead-based substances are present, the enforcing officer shall ascertain whether the lead hazard mitigation standard has been met or confirm whether suspect substances are lead-based by arranging for a lead mitigation inspection that conforms to housing resources commission regulations or arranging for a comprehensive environmental lead inspection which conforms to department of health regulations.

305.3.4

In all instances where either compliance with housing resources commission mitigation standards cannot be confirmed by the enforcement officer by review of certification for the same or where substances confirmed to be lead-based by an environmental lead inspection, and there exists a lead exposure hazard, the enforcing officer shall identify necessary lead hazard reductions that must be taken pursuant to either housing resources commission regulations or department of health regulations.

305.3.5

In all instances where lead-based substances are identified on a dwelling, a dwelling unit, or premises occupied by a child suffering from "lead poisoning", as defined in the Rhode Island Lead Poisoning Prevention Act, R.I. Gen. Laws §§ 23-24.6-1 through 26, the enforcing officer shall consider these instances under "emergencies", pursuant to 111.0

6.6 Chapter 4

Light Ventilation and Occupancy limitations

6.7 Chapter 5 Plumbing Facilities and Fixture Requirements

No Proposed amendments

6.8 Chapter 6 Mechanical and Electrical Requirements

Delete section 602.3 and substitute the following:

602.3 Heat supply.

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to May 1st to maintain a minimum temperature of 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 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.
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.

Delete section 602.4 and substitute the following:

602.4 Occupiable work spaces.

Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 1st to maintain a minimum temperature of 65°F (18°C) during the period the spaces are 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.

602.5 Room temperature measurement.

The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall

Add the following article:

605.5 Switches

Every habitable room and non-habitable room used for food preparation must have at least one floor or wall type electric convenience outlet for each sixty (60) square feet, or fraction thereof, of floor area, and in no case less than two (2) outlets.

Every water closet compartment, bathroom, and kitchen or kitchenette, laundry room, furnace room, and public hall must contain at least one supplied ceiling, or wall, electric light fixture. Convenient switches or equivalent devices for turning on one light in each room or passageway must be located so as to permit the area ahead to be lighted.

Section 606 Elevators, Escalators, and Dumbwaiters

Delete Elevators, Escalators, and Dumbwaiters in its entirety (606.1 and 606.2) and substitute the following:

606.1 Elevators, Escalators, and Dumbwaiters

Elevators, Escalators, and Dumbwaiters shall be installed, operated and maintained in conformance to the Rhode Island Elevator Code.

6.9 Chapter 7 Fire Safety Requirements

Section 704

Delete Section 704 Fire Protection Systems in its entirety and substitute the following:

704 Fire Protection Systems

[F] 704.1 General.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or combination thereof shall be maintained in an operable condition at all times in accordance with the State of Rhode Island Fire Code.

704.2 Carbon Monoxide Detection

All Carbon Monoxide Detection and Alarm Systems shall conform to the requirements of the State of Rhode Island Fire Code.

6.10 Chapter 8 Referenced Standards

Delete ICC Referenced Standards in chapter 8 and substitute the following

ICC	International Code Council 5203 Leesburg Pike, Suite 600 Falls Church, VA 22041	VERIFY ALL CROSS- REFERENCE ITEMS IN TABLE BELOW
Standard reference number	Title	Referenced in code section number
IBC-12	International Building Code®. = RI. Building Code RI SBC-1- 2013	201.3, 302.7.1, 401.3, 702.3, 702.4
IEBC-12	International Existing Building Code™ = Rhode Island State Rehabilitation Building and Fire Code For Existing Buildings and Structures. SRC-1 2013	101.3, 102.3, 201.3
IFC-12	International Fire Code®= RI State Fire Code.	201.3, 702.1, 702.2, 704.1, 704.2
IMC-12	International Mechanical Code®. = RI. Mechanical Code RISBC-4-2013	201.3
IPC-12	International Plumbing Code® = RI Plumbing Code RISBC-3- 2013	201.3, 505.1, 602.2, 602.3

IZC-12	International Zoning Code® = R.I. Gen. Laws §§ 45-24-27 through 72 "Rhode Island Zoning Enabling Act of 1991". And Local Municipal Zoning Codes so adopted	102.3, 201.3
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TITLE 510 - BUILDING CODE COMMISSION

CHAPTER 00 - N/A

SUBCHAPTER 00 - N/A

PART 6 - RISBC-6 RHODE ISLAND PROPERTY MAINTENANCE CODE

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