



Code Outreach Program – Property Maintenance of One- and Two-Family Homes, Part I

This edition of the Code Outreach Program is intended to provide guidance on the requirements for maintaining one and two family homes in a clean, safe, and sanitary condition as required by the adopted [2015 International Property Maintenance Code](#) (IPMC) and [2015 International Fire Code](#) (IFC), both of which are amended by the [2017 Uniform Code Supplement](#) (the Supplement). This is a two-part edition, wherein Part I focuses on pointing out some common code sections of the 2015 IPMC that address property maintenance; Part II will address the 2015 IFC. This is not intended to be a full review of the requirements of either code book.

Executive Law § 378 (2) requires the Uniform Code to include “*standards for the condition, occupancy, maintenance, conservation, rehabilitation and renewal of certain existing buildings, structures and premises.*” [19 NYCRR Part 1203](#) was adopted pursuant to Executive Law § 381 to provide the minimum standards for which to administer and enforce the Uniform Code. Neither the Executive Law nor the regulation requires regular, periodic inspections of owner-occupied one and two-family dwellings. However, Executive Law § 381 does not limit the inspection of these structures to be conducted when it is, “*at the invitation of the owner or where conditions on the premises threaten or present a hazard to public health, safety, or welfare.*” and the regulation permits the local government to set inspection requirements above those of the minimum standard.

Part 1203 and Chapter 1 of the 2017 Uniform Code Supplement address related topics such as unsafe structures and equipment; bona fide complaints; due process; and imminent danger. It is important to note: enforcement procedures should be provided by local law and a review those laws and/or consulting with the local municipal attorney may be necessary.

Further information relating to due process and unsafe structures can be found in our Technical Bulletin “[TB-3007-FCNYS Due Process Issues - Unsafe Structures](#)”

2015 IPMC Scope

Section 101.2.7 of the Supplement provides the scope and purpose of the 2015 IPMC, which states “*The provisions of the 2015 IPMC shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner’s authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.*”

Section 301 of the 2015 IPMC governs, “*the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.*” Section 301.3 indicates that the minimum conditions also apply to vacant structures and land so that they do not “*cause a blighting problem or adversely affect the public health or safety.*”

Exterior Property Areas

Section 302 governs exterior property and premises. “*Exterior property*”, as defined Chapter 2, is: “*The open space on the premises and on adjoining property under the control of owners or operators of such premises.*” The section addresses topics such as: sanitation, grading and drainage, sidewalks and driveways, weeds, rodent harborage, exhaust vents, accessory structures, and motor vehicles that are parked, kept, or stored on any premises.

Rubbish and Garbage

The accumulation of rubbish and garbage is addressed in Section 308, it requires that “*Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.*”

The difference between rubbish and garbage can be derived through their definitions, see Chapter 2 of the 2015 IPMC. Rubbish and Garbage each have their own maintenance parameters. Section 308.2 focuses on rubbish and 308.3 focuses on garbage.

Pest Elimination

Pest infestation and elimination is addressed in Section 309. Section 309.1 states, “*Structures shall be kept free from insect and rodent infestation.*” The definition of “*Infestation*” can be found in Chapter 2, it is: “*The presence, within or contiguous to, a structure or premises of insects, rodents, vermin or other pests.*”

The parties responsible for the control and elimination of pests can be found in Sections 309.2 through 309.4. Pest elimination, as defined in Chapter 2, is: “*The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.*”

Means of Egress

The “*minimum conditions and standards for fire safety relating to structures and exterior premises*” are found in Chapter 7. Pursuant to Section 702.1, “*A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.*” This includes maintaining a path from within the home as well as the surrounding premises to the public way.

Please look for our Part II of this edition of the Code Outreach Program at the beginning of next month.

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If you have questions pertaining to the Code Outreach Program, email us at COP.codes@dos.ny.gov

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