

## CHAPTER 31

### INTERNATIONAL PROPERTY MAINTENANCE CODE

Note: Chapter 31 of the Revised Ordinances of 1965 was repealed by Ord. No. 1310 (1969) and Ord. No. 1333 (1969). Both ordinances enacted provisions to adopt by reference the Volume of the Uniform Building Code regarding housing standards. The 1969 ordinances are superseded by the provisions of Ord. No. 1400 (1971), enacting new Chapter 31.

#### Article

31-01 Adoption of International Property Maintenance Code, §§ 31-0101 to 31-0102

#### ARTICLE 31-01

##### ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE

#### Section

31-0101 Adoption of International Property Maintenance Code by Reference

31-0102 Amendment to International Property Maintenance Code

31-0101. Adoption of International Property Maintenance Code by Reference.--There is hereby adopted by reference by the board of city commissioners, for the purpose of prescribing regulations governing standards, relative to housing in the city of Fargo, that certain code known as the International Property Maintenance Code recommended and compiled by the International Conference of Building Officials, being particularly the 2003 Edition thereof, of which code not less than three copies of been filed and are now on file in the office of the city auditor, and the same is hereby adopted and incorporated as fully as if set out in length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the city.

Source: 1400 (1971), 1419 (1972), 1573 (1974), 1799 (1977), 1967 (1980), 2084 (1983), 2256 (1986), 2869 (1998), 4099 (2000), 4099 (2001), 4404 (2004).

31-0102. Amendment to International Property Maintenance Code.—The International Property Maintenance Code as adopted in § 31-0101 is hereby changed and amended as follows:

Section 101.1 is hereby amended to read as follows:

“These regulations shall be known as the Property Maintenance Code of the City of Fargo, hereinafter referred to as ‘this code’.”

Section 101.3, last sentence, is hereby amended to read as follows:

“Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with all applicable ordinances in the City of Fargo.”

The last sentence of Section 102.3 is hereby deleted.

SECTION 103.5 -- Re-Inspection Administrative Fees—Administrative Enforcement Fees--Assessment of Administrative Fees against Property. The administrative re-inspection fees incurred by the city of Fargo building official, or his designee, in the course of conducting inspections pursuant to the Property Maintenance Code shall be assessed in accordance with the provisions of this section and in accordance with the fee schedule approved by resolution of the board of city commissioners of the city of Fargo.

- A. When the building official, or his designee, conducts inspections of a building or structure within the scope of this code, re-inspection fees may be assessed against the record owner. In the event three or more inspections (an inspection and two or more re-inspections) are necessary for such property for the purpose of verifying and determining whether code violations have or have not been cured or corrected and it is determined that such code violations have not been cured or corrected, the building official shall be authorized to assess re-inspection fees against the record owner.
- B. When the building official, or his designee, has made a finding that violations of this code exist as to buildings or structures within the scope of this code, and when, after the record owner has been notified of such violation, such violations have not been cured or corrected before the property has undergone its third inspection for the same violation(s), then, upon written notice to the record owner, a monthly enforcement fee may be assessed against the record owner.
- C. Any such re-inspection fees or enforcement fees may be assessed against the property which contains the violation(s). Said fees shall be assessed against the property concerned by the building official and the assessment filed in the office of the city auditor. In August of each year, after due notice, the board of city commissioners shall review all such assessments, and hear all complaints against the same, and approve the same as finally adjusted; and such special assessments shall then be certified to by the county auditor and placed upon the tax roll for that year and be collected as other taxes.

The first sentence of Section 111.2 is hereby amended to read as follows:

“The board of appeals shall consist of a minimum of five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction.”

The first sentence of Section 111.2.1 is hereby amended to read as follows:

“The Board of City Commissioners shall appoint one or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member.”

Section 111.6 is hereby amended to read as follows:

“The board shall modify or reverse the decision of the code official only by a concurring vote of four appointed board members.”

Section 201.3 is hereby amended to add the following sentences:

“Throughout this code, wherever reference is made to the International Plumbing Code, it shall be to mean the North Dakota State Plumbing Code. Throughout this code, wherever reference is made to the ICC Electrical Code, it shall be taken to mean the National Electrical Code together with the North Dakota State Wiring Standards.”

The definition of “housekeeping unit” in Section 202 is hereby deleted.

The phrase “housekeeping unit” in Section 301.2 is hereby deleted.

The phrase “housekeeping unit” in Section 305.1 is hereby deleted.

The phrase “housekeeping unit” in Section 503.2 is hereby deleted.

The exception to Section 602.2 is hereby deleted.

Section 602.3 is hereby amended to read as follows:

“Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

The last sentence of exception 1 to Section 602.3 is hereby deleted.

Exception 2 to Section 602.3 is hereby deleted.

The exception to Section 603.2 is hereby deleted.

Section 704.3 is hereby amended to read in full as follows:

“In Group R occupancies and in dwellings not regulated as Group R occupancies, single or multiple station smoke alarms shall be installed and receive their power in accordance with the *International Residential Code* and *International Building Code*.”

The exception to Section 704.3 is hereby deleted.

Section 704.4 is hereby amended to read in full as follows:

“When more than one smoke alarm is required to be installed by this Code within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated

as Group R occupancies, the smoke alarms shall be interconnected and installed as required by the *International Residential Code* and *International Building Code*”

The exceptions to Section 704.4 are hereby deleted.

Source: 1965 Rev. Ord. 31-0101.1, 1419 (1972), 4099 (2000), 4187 (2001), 4206 (2002), 4404 (2004), 4429 (2004), 4467 (2005).