

**DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2008
DCMR 12G PROPERTY MAINTENANCE CODE SUPPLEMENT**

CHAPTER 1G ADMINISTRATION AND ENFORCEMENT

Delete Chapter 1 of the International Property Maintenance Code and add new Chapter 1G to read as follows:

SECTION PM-101G GENERAL

PM-101.1 Title. The *D.C. Property Maintenance Code* (2008), hereinafter referred to as the “*Property Maintenance Code*,” shall consist of the *International Property Maintenance Code* (2006), as amended by the *D.C. Property Maintenance Code Supplement* (2008) (DCMR 12G).

PM-101.2 Scope. The scope of the *Property Maintenance Code* shall be as defined in Section 101.4.5.2 of 12A DCMR.

PM-101.3 Intent. The intent of the *Property Maintenance Code* shall be as defined in Section 101.4.5.3 of 12A DCMR.

PM-101.4 Severability. The provisions of Sections 102.5, Partial Invalidity, and 102.5.1, Segregation of Invalid Provisions, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

SECTION PM-102G APPLICABILITY

PM-102.1 General. The provisions of the *Property Maintenance Code* shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101 of the *Property Maintenance Code*. Where, in a specific case, different sections of the *Property Maintenance Code* specify different requirements, the most restrictive shall govern.

PM-102.2 Maintenance. Equipment, systems, devices and safeguards required by the *Property Maintenance Code* or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of the *Property Maintenance Code* are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises.

PM-102.3 Application of Other Codes. Repairs, additions, demolition, razing or alterations to a structure, or changes of use or occupancy, shall be done in accordance with the provisions of

the *Construction Codes*. Nothing in the *Property Maintenance Code* shall be construed to cancel, modify or set aside any provision of the *Construction Codes* or the *Zoning Regulations*, Title 11 DCMR.

PM-102.4 Existing Remedies. The provisions in the *Property Maintenance Code* shall not be construed to abolish or impair existing remedies of the District of Columbia or its officers or agencies relating to the condemnation, removal or demolition of any structure which is dangerous, unsafe and/or insanitary, the abatement of nuisance property or the maintenance of vacant buildings.

PM-102.4.1 Code Precedence. The provisions in the *Property Maintenance Code* shall not be construed to abolish or impair existing remedies or penalties for violations of the *Housing Code* (14 DCMR), provided, if a conflict arises between the *Housing Code* and the minimum conditions, standards and responsibilities set forth in Chapters 3, 4, 5, 6, and 7 of the *Property Maintenance Code*, the *Property Maintenance Code* shall take precedence.

PM-102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of the *Property Maintenance Code* shall be executed and installed in a workmanlike manner, installed in accordance with the manufacturer's installation instructions, and use materials of a quality and kind suitable for the purpose for which used, and of a kind normally used in the applicable trade.

PM-102.6 Historic Buildings. The provisions of the *Property Maintenance Code* shall not be mandatory for historic buildings or structures meeting the requirements of Chapter 10 of the *Existing Building Code*, when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

PM-102.7 Referenced Codes and Standards. The provisions of Section 102.4, Referenced Standards, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-102.8 Matters Not Covered by the Code. The provisions of Section 102.1.3, Matters Not Provided For, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

SECTION PM-103G DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

PM-103.1 Department of Consumer and Regulatory Affairs. The provisions of Section 103, Department of Consumer and Regulatory Affairs, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

SECTION PM-104G DUTIES AND POWERS OF THE CODE OFFICIAL

PM-104.1 General. The code official shall enforce the provisions of the *Property Maintenance Code*.

PM-104.2 Rule-making Authority. The provisions of Section 104.1.1, Legal Authority, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

PM-104.4 Right of Entry. The code official is authorized to enter a structure or premise at all reasonable times to inspect and for the purpose of enforcing the *Property Maintenance Code*, subject to constitutional restrictions on unreasonable searches and seizures, and subject to the provisions of this Section. If entry is refused or not obtained, the code official is authorized to obtain an administrative search warrant or to pursue any other recourse as provided by law.

PM-104.4.1 Right of Entry – Housing Business License Property. The code official, both prior to the issuance of a housing business license and during the license period, may, at all reasonable hours, enter and inspect the premises occupied or to be occupied by a housing business except as provided in Section 104.4.2

PM-104.4.2 Right of Entry of Housing Business License Property with Tenant. If it appears that any portion of a premises is under the exclusive control of a tenant, or if the operator of a housing business so claims, the code official shall not enter that portion of the premises without first having obtained permission from the tenant or the tenant's agent, except as provided in Section PM-104.4.3.

PM-104.4.3 Tenant Refusal to Permit Inspection. If a tenant of a housing business does not give permission to inspect that portion of the premises under the tenant's exclusive control, the code official shall not enter that portion of the premises unless the code official has:

1. A valid administrative warrant permitting the inspection pursuant to D.C. Official Code § 11-941 or D.C. Superior Court Civil Rule 204; or
2. A reasonable basis to believe that exigent circumstances require immediate entry into that portion of the premises in order to prevent any imminent danger to the public health or welfare.

The refusal of any tenant to permit such an inspection shall not result in the revocation or suspension of the housing business license; nor shall such refusal result in the assessment of penalties against the operator of a housing business, provided however, that when the code official presents a valid administrative search warrant that permits inspection of premises under a tenant's exclusive control, the tenant of a housing business who refuses to give permission to inspect that portion of the premises shall be in violation of the *Property Maintenance Code*.

PM-104.4.4 Refusal to Permit Inspection. If the owner or operator of a housing business, or agent of such owner or operator, refuses to permit the code official to inspect the premises occupied or to be occupied by a housing business, such refusal shall be cause for withholding the issuance of a license for those premises until the inspection is permitted and/ or cause for the revocation of any existing license.

PM-104.4.4.1 As a condition of receiving a housing business license under DC Code §47-2828 (2001), the owner or operator of a housing business must agree to:

- 1 allow access to the Department for any inspection required under the *Construction Codes*; and
- 2 notify any affected tenant whose unit requires inspection.

PM-104.5 Identification. The provisions of Section 104.5, Credentials, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-104.6 Notices and Orders. The code official shall issue all necessary notices or orders to ensure compliance with the *Property Maintenance Code*.

PM-104.7 Department Records. The provisions of Section 104.7, Department Records, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-104.8 Coordination of Inspections. Whenever in the enforcement of the *Property Maintenance Code* or another code or ordinance, the responsibility of more than one code official of the District is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION PM-105G APPROVAL

PM-105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of the *Property Maintenance Code*, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of the *Property Maintenance Code* impractical and the modification is in compliance with the intent and purpose of the *Property Maintenance Code* and that such modification does not lessen health, life and fire safety requirements or violate District law or regulations. The details of action granting modifications shall be recorded and entered in the department files.

PM-105.2 Alternative Materials, Methods and Equipment. The provisions of Section 104.11,

Alternative Materials, Equipment, Methods of Construction and Design, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-105.3 Required Testing.

PM-105.3.1 Test Methods. Test methods shall be as specified in the *Property Maintenance Code* or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

PM-105.3.2 Testing Agency. All tests shall be performed by an approved agency.

PM-105.3.3 Test Reports. The provisions of Section 104.7, Department Records, of 12A DCMR, regarding retention of test reports, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-105.4 Material and Equipment Reuse. The provisions of Section 104.9.1, Used Materials, Equipment and Devices, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-105.5 Permits for Repairs and Improvements. Any repair or improvement which may be required by a notice issued under the authority of the *Property Maintenance Code* for which a permit is required to be issued shall not be made until a permit has been issued by the District.

PM-105.5.1 Issuance of Permit. The permit shall not be conditioned on the making of any repair or improvement, except as required under the *Property Maintenance Code* or in order to comply with a notice issued under the authority of the *Property Maintenance Code*.

PM-105.5.2 Compliance with Applicable Laws. All work under a permit shall be done in accordance with all applicable laws and regulations. The provisions of Section 102.4.1, Conflicts, of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

SECTION PM-106G VIOLATIONS

PM-106.1 Unlawful Acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the *Property Maintenance Code*.

PM-106.2 Notice of Violation. The code official shall serve a notice of violation or order in accordance with Section PM-107.

PM-106.3 Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section PM-107 shall be deemed guilty of a misdemeanor and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, in addition to any other remedies or penalties otherwise available to the code official in the

Property Maintenance Code or otherwise, the code official may institute the appropriate proceeding at law or in equity to prosecute, restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the *Property Maintenance Code* or of the order or direction made pursuant thereto.

PM-106.4 Violation Fines and Penalties. Any person, who shall violate a provision of the *Property Maintenance Code*, or fail to comply therewith, or with any of the requirements thereof, shall be subject to the penalties established hereafter and shall be subject to prosecution. In the event of any failure to comply with any provision of the *Property Maintenance Code* following service of a notice of violation or order in accordance with Section PM-107, each and every day such violation continues shall constitute a separate offense.

PM-106.4.1 Penalty. Any person who violates any of the provisions of the *Construction Codes* or orders issued under the authority of the *Construction Codes*, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$2000, or by imprisonment not exceeding 90 days, or both, for each such offense. Each day a violation continues shall be deemed a separate offense. Prosecutions pursuant to this section shall be brought in the name of the District of Columbia by the Attorney General for the District of Columbia.

PM-106.4.2 Additional Penalty. Civil fines, penalties, and fees may be imposed, in addition to other available remedies, for any infraction of the provisions of the *Construction Codes*, including the provisions of the *Property Maintenance Code*, pursuant to the *Civil Infractions Act*, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §2-1801 *et seq.*). Adjudication of any infraction shall be pursuant to the *Civil Infractions Act*.

PM-106.4.3 Culpability. Any person, including a tenant, who causes a violation of the *Property Maintenance Code*, is subject to the same penalties as those provided in PM-106.4.

PM-106.4.4 Separate Offenses. The penalties prescribed in Section PM-106.4 shall be applicable to each separate offense.

PM-106.4.5 Housing Business License. The violation of any of the provisions of the *Property Maintenance Code* may be grounds for denial, suspension or revocation of any housing business license or license endorsement under Chapter 28 of Title 47 of the D.C. Official Code and/or 14 DCMR.

PM-106.5 Abatement of Violation. Notwithstanding any other penalties or remedies set forth in Section PM-106.4, where any person violates a provision of the *Property Maintenance Code*, or fails to comply therewith, or with any of the requirements thereof, following notice as prescribed in Section PM-107G, the code official may cause such condition to be corrected. The costs of any corrective action, and all expenses incident thereto, shall be assessed as a tax against the property on which the violative condition existed, and such tax shall be carried on the regular

tax rolls of the District, and collected in the same manner as general taxes in the District are collected, Nothing herein shall be construed to abolish or impair existing remedies relating to abatement of nuisance property, including, but not limited to, Chapters 31 and 31A of Title 42 of the D.C. Official Code.

SECTION PM-107G NOTICES AND ORDERS

PM-107.1 Notice to Owner or to Person or Persons Responsible. Whenever the code official determines that there has been a violation of the *Property Maintenance Code* or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections PM-107.2 and PM-107.3. Notices for closure procedures pursuant to Section PM-108 shall also comply with Section PM-108.3.

PM-107.2 Form. Such notice prescribed in Section PM-107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include the name and address of the person or entity being cited,
3. Include a description of the real estate sufficient for identification.
4. Include a statement of the violation or violations and why the notice is being issued.
5. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of the *Property Maintenance Code*.
6. Inform the property owner of the right to appeal.
7. Include a statement of the right to file a lien in accordance with Section PM-106.5.

PM-107.3 Method of Service. The code official shall effect service of a notice upon the property owner or person(s) responsible for the violation or violations by one of the following methods, any of which shall be deemed proper service:

1. Personal service on the property owner or persons responsible, or the agents thereof; or
2. Delivering the notice to the last known home or business address of the property owner or persons responsible as identified by the tax records, business license records, or corporate registration records, and leaving it with a person over the age of sixteen (16) years old residing or employed therein; or
3. Mailing the notice, via first class mail postage prepaid, to the last known home or business address of the property owner or persons responsible or the agents thereof as

identified by the tax records, business license records or corporate registration records; or

4. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice in a conspicuous place in or about the structure affected by such notice.

PM-107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section PM-106.4.

PM-107.5 Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure upon whom a notice of violation or order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another person or entity until the provisions of the notice or order have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or order issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice or order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice or order.

PM-107.6 Copy of Notices. After an inspection of a dwelling unit occupied by a tenant, the Director shall provide the tenant with a copy of any notice or order with respect to that unit issued to the owner pursuant to the *Property Maintenance Code*. This requirement will be satisfied by mailing a copy to the tenant by first-class mail, leaving a copy at the tenant's residence, or by any other reasonable method in the code official's discretion.

PM-107.6.1 Notification for Multiple Tenants. In any instance where a violation or violations of the *Property Maintenance Code* involve more than one tenant of a residential building or dwelling, including violations involving common space, the Director shall post a copy of any notice or order issued to the owner pursuant to Sections PM-107.2 and PM-107.3 for a reasonable time in one or more locations within the building or buildings in which the deficiency exists. The locations for posting the notification shall be reasonably selected to give notice to all tenants affected. Any tenant directly affected by the violation(s) shall, upon request to the code official, be sent a copy of the posted notification.

PM-107.6.2 Tampering with Notification. No person shall alter, modify, destroy or otherwise tamper with or mutilate a notification posted under Sections PM-107.6.1 through PM-107.6.2.

PM-107.6.3 Application of Other Notice Provisions. The code official shall not be subject to any other tenant notification provisions, except as set forth in Sections PM-107.6.1 through PM-107.6.3.

PM-107.7 Appeal and Hearing. Any person directly affected by a notice or order issued under this *Property Maintenance Code* shall have the right to appeal to the Office of Administrative

Hearings, pursuant to the Office of Administrative Hearings Act, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code §2-1831.01 *et seq.* and regulations promulgated thereunder. The appeal shall be filed within ten (10) days of the date of service of the notice or order. An appeal shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of this code are adequately satisfied by other means. Appeals of notices (other than Imminent Danger notices pursuant to Section PM-109 or notices of closure pursuant to Section PM-108) shall stay the enforcement of the notice until the appeal is heard by the Office of Administrative Hearings.

SECTION PM-108G UNSAFE STRUCTURES AND EQUIPMENT

PM-108.1 General. When equipment or a structure or equipment, in whole or in part, is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure may be closed by the code official pursuant to the provisions of the *Property Maintenance Code* and may be considered for condemnation with referral to the Board of Condemnation, pursuant to D.C. Code § 6-901 through §6-919.

PM-108.1.1 Unsafe Structures. An unsafe structure or anything attached to or connected with any building or other structure that is found to be unsafe or dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

PM-108.1.2 Unsafe Equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

PM-108.1.3 Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by the *Property Maintenance Code*, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

PM-108.1.4 Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under the *Property Maintenance Code*, or was erected, altered or occupied contrary to law.

PM-108.1.5 Unserviceable Equipment. Whenever the code official determines that the repair record on any boiler, air conditioning system, heating equipment, elevator, moving stairway or other equipment on the premises or within a structure reflects the need for

replacement of the equipment, the code official may declare the equipment “unserviceable” and order the replacement of the equipment.

PM-108.2 Closing of Vacant Structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official, after providing notice prescribed in PM-108.3, is authorized to post a closure placard on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

PM-108.3 Notice. Whenever the code official has closed a structure or discontinued the use of equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section PM-107.3 and An Act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, as amended, 78 Stat. 600, approved August 24, 1964 (D.C. Official Code § 6-801 to § 6-805). If the notice pertains to equipment, it shall also be placed on the equipment removed from service. The notice shall be in the form prescribed in Section PM-107.2.

PM-108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises a closure placard reading as follows: “This Structure is Unsafe and Its Occupancy Has Been Prohibited by the Code Official” or post the defective equipment with a placard bearing the words “Removed from Service” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

PM-108.5 Prohibited Occupancy. Any occupied structure, closed and placarded by the code official, shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by the *Property Maintenance Code*.

PM-108.6 Removal of Placard. The code official shall remove the applicable placards whenever the defect or defects upon which the closure or removal from service actions were based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by the *Property Maintenance Code*.

SECTION PM-109G EMERGENCY MEASURES

PM-109.1 Imminent Danger. The provisions of Section 116.1 of 12A DCMR, Emergency

Measures, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-109.2 Temporary Safeguards. The provisions of Section 16.2 of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference..

PM-109.3 Closing Streets. The provisions of Section 16.3 of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-109.4 Emergency Repairs. The provisions of Section 16.4 of 12A DCMR, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-109.5 Costs of Emergency Repairs. The provisions of Section 16.5 of 12A DCMR shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

PM-109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition to the Office of Administrative Hearings, be afforded a hearing as described in Section PM-107.7.

CHAPTER 3G REQUIREMENTS

SECTION PM-302G EXTERIOR PROPERTY AREAS

Delete Section 302.4 of the International Property Maintenance Code in its entirety and add new Section PM-302.4 to read as follows:

PM-302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Add new Section PM-302.7.1 to the International Property Maintenance Code to read as follows:

PM-302.7.1 Storm water management facilities. Storm water management facilities constructed pursuant to D.C. Storm Water Management Regulations shall be inspected and maintained in good condition and repair, including all graded surfaces, conveyance, basins, drains, structures, vegetation and other protective devices for storm water management, using established guidelines and procedures and approved by the official charged with the administration and enforcement of the D.C. Storm Water Management Regulations, 21 DCMR §§526-535, and the requirements of Water Pollution Control Act of 1984, as amended., March 16, 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.01 *et seq.*)

SECTION PM-304G EXTERIOR STRUCTURE

Delete Section 304.14 of the International Property Maintenance Code in its entirety and add new Section PM-304.14 to read as follows:

PM-304.14 Insect screens. During the period from April 15 to October 15, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

CHAPTER 5G PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION PM-505G WATER SYSTEM

Add new Section PM-505.5 to the International Property Maintenance Code to read to as follows:

PM-505.5 Inspections of Water Heating Facilities. The owner of a multiple dwelling, containing two (2) or more units served by a domestic water heating facility common to more than one unit, shall cause the domestic water heating facility to be inspected by a qualified person between March 1 and September 1 of each year.

CHAPTER 6G MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION PM-602G HEATING FACILITIES

Delete Section 602.3 of the International Property Maintenance Code in its entirety and add new Section PM-602.3 to read as follows (maintain Exceptions to this Section):

PM-602.3 Heat supply. 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 during the period from October 15th to May 15th to maintain a temperature of not less the 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 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 degrees F (-1 degree C) a minimum temperature of 65 degrees F (18 degree C) shall be maintained.

Delete Section 602.4 of the International Property Maintenance Code in its entirety and add new Section PM-602.4 to read as follows (maintain Exceptions to this Section):

PM-602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 15th to May 15th to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Add new Sections PM-602.6 through PM-602.9 to the International Property Maintenance Code read to as follows:

PM-602.6 Inspection of Heating Facilities by Qualified Persons. The provisions of 14 DCMR §§501.6 through 501.12 are hereby incorporated by reference.

Delete Section 606 of the Property Maintenance Code in its entirety and add the following:

SECTION PM-606G ELEVATORS AND CONVEYING SYSTEMS

PM-606.1 General. Elevators and conveying systems, including, but not limited to escalators, dumbwaiters, wheelchair lifts, and moving walks, shall be maintained in compliance with ASME A17.1 Section 8.6, and shall be subjected to acceptance and maintenance tests and periodic inspections as required by the Property Maintenance Code and referenced standards. Inspections and tests shall be performed at not less than the periodical intervals listed in ASME A17.1, Appendix N. A certificate of inspection will be issued by the code official for each unit of equipment which has satisfactorily met all of the inspections and tests required herein.

PM-606.1.1 Periodic Tests and Periodic Inspections. Periodic tests and inspections shall be made by the code official, or by an approved third party agency, and shall be made at the expense and responsibility of the owner. Where such tests and inspections are not made by the code official, the approved agency shall submit a detailed report of the tests and inspections to the code official on approved forms not more than 30 days after completion of the tests and inspections.

PM-606.1.2 Content of Certificate. The certificate shall bear the name and signature of the person who made the periodic inspection and witnessed the periodic and maintenance tests, and shall designate the rated load and speed, and the date of the inspections and tests.

PM-606.1.3 Posting of Certificate. The most current certificate of inspection shall be on display at all times within the elevator or attached to the conveying system, or the certificate shall be available for public inspection in the office of the building operator.

PM-606.1.4 Certificate of Compliance for New, Relocated or Altered Equipment. New, relocated or altered elevators and conveying systems may not be operated unless a final or limited certificate of compliance has been obtained in accordance with Section 3007 of the *Building Code*.

PM-606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

PM-606.3 Maintenance, repair, alteration of existing elevators, and replacement of components or subsystems in existing elevators. Existing elevators shall comply with the *Existing Building Code*.

Add new Section PM-608G to the International Property Maintenance Code to read to as follows:

SECTION PM-608G AIR CONDITIONING

PM-608.1 General. The owner of a rental habitation, who provides air conditioning as a service either through individual air conditioning units or a central air conditioning system, shall maintain such unit or system in safe and good working condition so that it is capable of providing an inside temperature, in the rooms it is intended to serve, equal to the greater of (i) seventy-eight degrees Fahrenheit (78 degrees F), or (ii) at least fifteen degrees Fahrenheit (15 degrees F) less than the outside temperature.

SECTION PM-605G ELECTRICAL EQUIPMENT

Add new Section PM-605.4 to the International Property Maintenance Code to read as follows:

PM-605.4 Switchboards of 1000 Amperes or Larger. Preventative maintenance shall be performed on switchboards having a capacity of 1000 amperes or larger as required by Article 403.23 of the *Electrical Code*, as amended.

CHAPTER 7G FIRE SAFETY REQUIREMENTS

SECTION PM-702G MEANS OF EGRESS

Add new Sections PM-702.5 through PM-702.7 to the International Property Maintenance Code to read to as follows:

PM-702.5 Arrangements. Exits from dwelling units, rooming units, guestrooms and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

PM-702.6 Exit signs. All means of egress shall be indicated with approved “Exit” signs where required by the *Building Code*. All “Exit” signs shall be maintained visible and all illuminated “Exit” signs shall be illuminated at all times that the building is occupied.

PM-702.7 Stair identification. The interior and exterior of all stairway doors shall be provided with signage as required by Section 1020.1.6 of the *Building Code*.

SECTION PM-704G FIRE PROTECTION SYSTEMS

Add new Section PM-704.5 to the International Property Maintenance Code to read as follows:

PM-704.5 Fire alarm systems. Fire alarm systems shall be in proper operating condition at all times.

PM-704.5.1 Manual fire alarm boxes. All manual fire alarm boxes shall be operational and unobstructed.

Add new Section PM-705 to the International Property Maintenance Code to read as follows:

SECTION PM-705G GENERAL PRECAUTIONS AGAINST FIRE

PM-705.1 Hazardous and combustible materials. Combustible, flammable, explosive or other hazardous materials, such as paints, volatile oils and cleaning fluids, or combustible rubbish, such as wastepaper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the *Building Code* and the *Fire Code* listed in Chapter 1 of the *Building Code*.

PM-705.2 Fire extinguishers. All portable fire extinguishers when required by previous or present *Building* or *Fire Codes*, shall be visible, provided with ready access thereto, and maintained in an efficient and safe operating condition. Extinguishers shall be of an approved type. Fire extinguishers shall be maintained in accordance with NFPA 10 as referenced in the *Fire Code*.