

Excerpts from the International Property Maintenance Code
Relevant to Lead Poisoning Prevention

and Proposed Changes SECTION 304

EXTERIOR STRUCTURE

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, ~~chalking, flaking, chipping and abraded~~ paint shall be repaired and surfaces repainted. ~~Deteriorated lead-based paint shall be repaired using lead-safe work practices as described in 304.2.1, and the underlying condition causing paint failure shall be repaired. On properties built before 1978, paint is presumed to be lead-based paint unless it has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards.~~ All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.2.1. Lead safe work practices. ~~The following methods shall not be used when removing, repairing, or disturbing painted surfaces that contain lead-based paint: open flame burning or torching; machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; abrasive blasting or sandblasting without HEPA local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 ft. of electrical outlets, or when treating defective paint spots totaling no more than 20 sq. ft. on exterior surfaces; and paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation. Occupants and their belongings shall be protected from exposure to paint debris and dust. The ground and plantings adjacent to the work area shall be covered with plastic sheeting or other impermeable material extending out from the edge of the structure a sufficient distance to collect falling paint debris. Doors, windows, vents, and other openings located on the same floor as the work area or below the work area shall be closed. Where other properties abut or are in close proximity to the work area, plastic sheeting or other impermeable material must be erected to ensure that dust and debris do not contaminate other buildings or migrate to adjacent property. Doors within the work area that must be used while the job is being performed must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area. After paint-disturbing activities have been completed, the plastic sheeting or other impermeable material shall be wet-cleaned or wiped and then removed. Then the walls, windowsills, and floors in the work area shall be washed with a wet mop or cloth and cleaned using a vacuum cleaner with an efficient filtration system, and washed again with a wet mop or cloth to ensure that no debris or dust is left behind.~~

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

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304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chalking, chipping, flaking or abraded paint shall be repaired, removed or covered. Deteriorated lead-based paint shall be repaired using lead-safe work practices as described in 305.3.1, and the underlying condition causing paint failure shall be repaired. In properties built before 1978, paint is presumed to be lead-based paint unless it has been determined lead-free by a lead-based paint inspection or risk assessment that has been conducted consistent with ASTM standards. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

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305.3.1. Lead safe work practices. The following methods shall not be used when removing, repairing, or disturbing painted surfaces that contain lead-based paint: open flame burning or torching; machine sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; abrasive blasting or sandblasting without HEPA local exhaust control; heat guns operating above 1100 degrees Fahrenheit or charring the paint; dry sanding or dry scraping, except dry scraping in conjunction with heat guns or within 1.0 ft. of electrical outlets, or when treating defective paint spots totaling no more than 2 sq. ft. in any one interior room or space; paint stripping using a solvent that contains methylene chloride without powered mechanical ventilation. Occupants and their belongings shall be protected from exposure to paint debris and dust. Doors, windows, ducts and floors in the work area shall be covered with plastic sheeting or other impermeable material to prevent the spread of lead contaminated dust and debris outside the work area. After paint-disturbing activities have been completed, the plastic sheeting or other impermeable material shall be wet-cleaned or wiped and then removed. Then the walls, windowsills, and floors in the work area shall be washed with a wet mop or cloth and cleaned using a vacuum cleaner with an efficient filtration system, and washed again with a wet mop or cloth to ensure that no debris or dust is left behind.

305.3.2 Clearance Testing. The code official may order clearance lead dust testing by an independent certified lead-based paint inspector or risk assessor or sampling technician if the requirements of 305.3.1 are not met during the repair of deteriorated lead-based paint. The testing shall be conducted according to ASTM standards and shall consist of a visual examination, collection of dust samples from four floors and four window sills, submission of the samples to an EPA-approved laboratory, and disclosure of the lab results to the owner and tenants. If the property fails clearance, it shall be re-cleaned until it passes a clearance test.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**From the 2003 Commentary* for the IPMC,
Background information on section 305.3 on interior surfaces**

Interior surface damage is frequently the result of tenant abuse or water damage. Water damage results from leaking roofs, plumbing fixtures and water pipes, and damaged or open windows and doors that permit rain to enter. The code official shall order the repair of any damaged interior surfaces, and require that the cause of the damage be corrected if possible. Interior surfaces that contain lead-based paint may present serious health hazards to occupants, especially children. Lead is a toxic heavy metal that enters the body by inhalation or ingestion of fine particulate. Lead affects many organs as well as the central nervous system, and is particularly toxic to young children because it retards brain and central nervous system development. HUD estimates that three-quarters of the dwellings built before 1980 contain some lead-based paint. Because the amount of lead in paint was gradually reduced during the 30 years prior to its prohibition in general application in 1978 (lead-based paint is currently produced for specialized industrial applications), dwellings built before 1950 are more likely to contain lead-based paint and paint with higher concentrations of lead. HUD surveys show that 90 percent of dwellings built before 1940, 80 percent of dwellings built between 1940 and 1959 and 62 percent of dwellings built between 1960 and 1979 contain lead-based paint. Lead-based paint is often found under newer layers of paint that is not lead based. Intact lead-based paint is not an immediate hazard because the predominant route of lead poisoning is through ingestion or inhalation of fine lead particulate found in contaminated dust. The risk of poisoning becomes significant when lead-based paint contaminates dust through peeling, chipping, flaking and abraded conditions identified in the code. Lead contamination may also be caused by lead-based paint that is disturbed during repair and remodeling activities such as scraping, sanding, drilling and cutting.

Lead hazard control is achieved by removing lead-contaminated dust and eliminating the source of contamination. The determination of the type of activities (abatement, interim controls or repair) needed to correct hazardous conditions depends on the extent of paint deterioration and the occupancy. More protective measures should be taken if children under six years of age are likely to occupy the building because they are more sensitive to lead contamination. All activities that disturb lead-based paint can generate significant lead hazards. Precautions should be initiated to protect workers, occupants and the environment. Precautions include selection of procedures that minimize the creation of dust [such as wet sanding, wet scraping, power tools with high efficiency particulate air (HEPA) filtered vacuum attachments and heat guns less than 1,100°F (593°C)]; containment of dust and debris; covering and securing horizontal surfaces, occupants' furniture and fixtures (if exterior work, the ground and plants) with polyethylene to prevent contamination; thorough cleaning with HEPA-filtered vacuum and detergent, and clearance testing to prove lead concentrations are below hazardous levels before occupancy.

Federal regulations recognize two levels of lead-specific hazard control measures—abatement and interim controls. Abatement is defined as measures designed to last more than 20 years, while less durable measures are considered interim controls. EPA regulations or state regulations approved by EPA require workers and supervisors to be trained and certified to undertake activities specifically intended to abate or control lead-based paint hazards. The same activities that are undertaken as specific lead abatement or interim controls (demolition, paint removal, door or window replacement, etc.) may be undertaken by non-certified workers and supervisors if they are a part of general repair and remodeling activities. More detailed information on lead hazard evaluation and control is available from state and local agencies, the National Lead Information Center (800-424-5323)

* The Commentary provides coverage of many issues likely to be dealt with when using the code *and* historical and technical background. Guidelines suggest the most effective method of application, and the consequences of not adhering to the code text. Readers should note that the Commentary is to be used in conjunction with the *International Property Maintenance Code* and not as a substitute for the code. The Commentary is advisory only; the code official alone possesses the authority and responsibility for interpreting

The 2006 International Property Maintenance Code and the Commentary for the IPMC can be purchased at www.iccsafe.org.

Background on the IPMC and Additional Excerpts of Interest

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The code is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction.

Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate. The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law.

101.2 Scope. The provisions of this code 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, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.