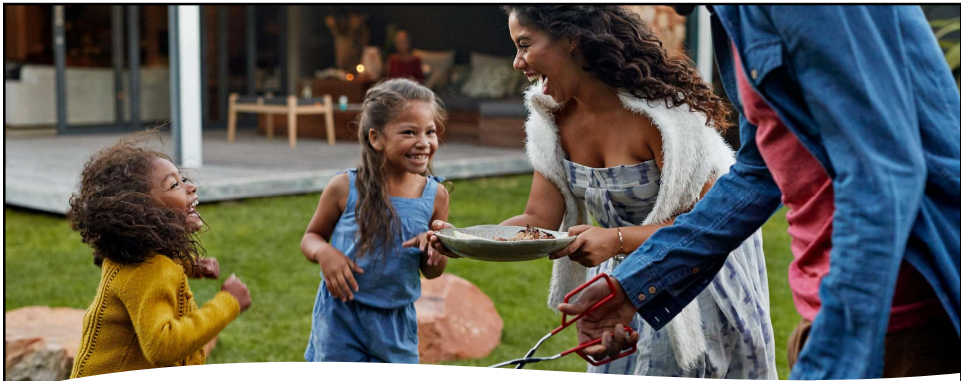




Marcus
KELLUM

- Managing partner in the firm, **Metric One Training & Consulting** based in Suwanee, GA.
- Worked with local governments, private business and professional organizations to train their regulatory and enforcement professionals (40K officers and inspectors in over 18 states)
- Three decades working with various cities and counties in New York, Georgia and Colorado in roles such as code division manager, chief of enforcement and department director.
- Master's degree in Management and Public Administration, Bachelor of Science degree in Criminal Justice, Certificate of Leadership from Notre Dame University.
- Certified Code Enforcement Administrator, Property Maintenance and Housing Inspector and Preferred Education Provider for the International Code Council.

678.873.5022
www.MetricOnline.org
Marcus@MetricOnline.org



Protecting Life Safety

- The Life Safety Code (LSC) is a set of standards governed and published by the National Fire Protection Association (NFPA) which establishes the minimum requirements for new and existing buildings to protect occupants from fire, smoke and toxic fumes
- Officials also protect the public’s health, safety and welfare, while ensuring every citizen the right to a clean, enjoyable neighborhood
- Regardless of whether they are living/staying in a hotel, living in an apartment, or in a single-family residence



Protect the “Quality of Life”

- Difficult to define –means different things to different people
- “your personal satisfaction (or dissatisfaction) with the cultural or intellectual conditions under which you live (as distinct from material comfort)”
- Overall wellbeing/enjoyment of life
- Broken Windows Theory

MANDATORY CODES

PERMISSIVE CODES

- International Building Code
- International Residential Code for One- and Two-Family Dwellings
- International Fire Code
- International Plumbing Code
- International Mechanical Code
- International Fuel Gas Code
- National Electrical Code
- International Energy Conservation Code
- International Swimming Pool and Spa Code



- Disaster Resilient Building Code IBC Appendix
- Disaster Resilient Building Code IRC Appendix
- International Property Maintenance Code
- International Existing Building Code
- National Green Building Standard



- For a local government to enforce one or more of the permissive codes, they must be adopted, either by ordinance or resolution, by the local jurisdiction.





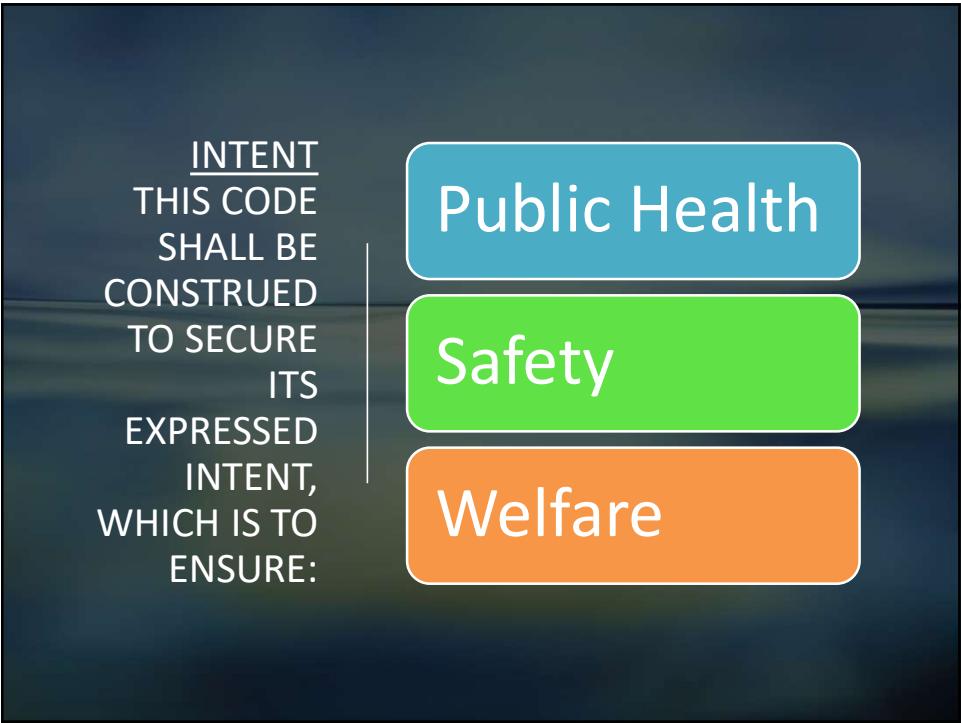
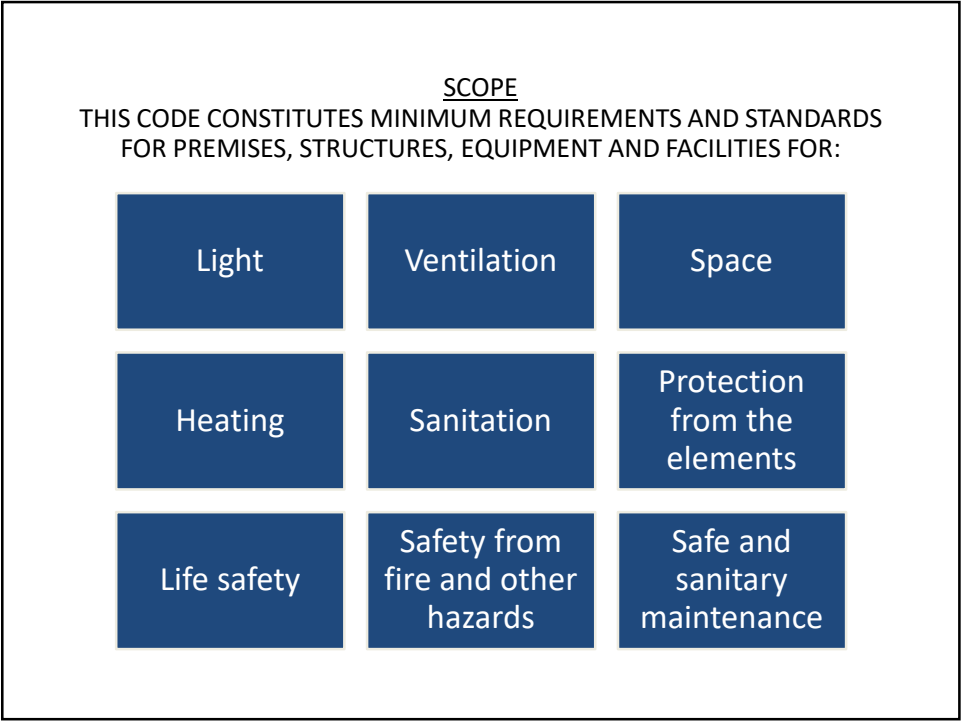
Strict Liability Offense

- Most crimes require prosecutors to establish *mens rea*, or a guilty mind, in order to prove a defendant is guilty of a crime.
- In contrast, strict liability crimes do not require the defendant to have a culpable mental state of mind when committing the crime to be guilty.
- Strict liability: As previously mentioned, these crimes don't require any intent, or often knowledge, on the part of the offender.



The next generations of municipal leaders have the responsibility of charting the course for our communities with a vision that includes code enforcement services as an equal partner in the effective management of the quality of life of a community.

-Marcus Kellum
(ICMA article 2013)



DUTIES AND POWERS OF THE CODE OFFICIAL

Render interpretations of this code

Make all required inspections

Has right of entry

Shall carry proper identification

Issue all necessary notices and orders

Keep official department records

CODE OFFICIAL AUTHORITY

The code official is hereby authorized and directed to:

- Enforce the provisions of this code
- Render interpretations of this code
- Adopt policies and procedures in order to clarify the application of its provisions
- Note: Such policies and provisions shall not have the effect of waiving requirements specifically provided for in this code.

INSPECTIONS

The code official shall:

- Make all of the required inspections
- Accept reports of inspection by approved agencies or individuals
- Reports shall be in writing and certified by a responsible officer of such approved agency or individual
- The code official is authorized to engage such expert opinion as deemed necessary

RIGHT OF ENTRY

The code official is authorized to enter:

Structures and premises at reasonable times to inspect

If entry is refused, the code official shall have recourse as provided by law to secure entry.

IDENTIFICATION

- The code official shall:
- Carry proper identification when inspecting structures or premises in the performance of duties under this code.



UNSAFE STRUCTURES AND EQUIPMENT

- Unsafe structures
- Unsafe equipment
- Structures unfit for human occupancy
- Unlawful structure
- Dangerous structure or premises
- Closing of vacant structures
- Notice
- Placarding and placard removal
- Prohibited occupancy
- Abatement methods
- Record

UNSAFE STRUCTURES

- When a structure is found by the code official to be unsafe, such structure shall be condemned.
- An unsafe structure is one that is found to be dangerous to:
 - ✓ Life
 - ✓ Health
 - ✓ Property
 - ✓ Safety of the public or the occupants



UNSAFE STRUCTURES

An unsafe structure is unsafe by not providing minimum safeguards to protect or warn occupants:

- In the event of fire
- Contains unsafe equipment
- Damaged
- Decayed
- Dilapidated
- Structurally unsafe
- Of such faulty construction or unstable foundation, that partial or complete collapse is possible.

UNSAFE EQUIPMENT

- Unsafe equipment includes:
- Any boiler
 - Heating equipment
 - Elevator
 - Moving stairway
 - Electrical wiring or device
 - Flammable liquid containers
 - Equipment on the premises or within the structure in such disrepair or condition that is a hazard to life, health, property or safety of the public or occupants.



UNFIT FOR HUMAN OCCUPANCY

- A structure is unfit for human occupancy when the code official finds the structure is:
- Unsafe
 - Unlawful
 - In disrepair or lacks maintenance
 - Insanitary
 - Vermin or rat infested
 - Contains filth and contamination



UNFIT FOR HUMAN OCCUPANCY

- The structure lacks:
 - ventilation
 - illumination
 - sanitary facilities
 - heating facilities
 - other required essential equipment
- Or because the location of the structure constitutes a hazard to occupants or public

UNLAWFUL STRUCTURE

An unlawful structure is one found:

- To be occupied by more persons than permitted
- Erected, altered or occupied contrary to law.





**DANGEROUS
STRUCTURE
OR PREMISES**

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

- 1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code.
- 2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe.

**DANGEROUS STRUCTURE OR
PREMISES**

- 3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- 4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place.



DANGEROUS
STRUCTURE
OR PREMISES

7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.



DANGEROUS
STRUCTURE
OR PREMISES

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

DANGEROUS STRUCTURE OR PREMISES

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.



CLOSING OF VACANT STRUCTURES

The code official is authorized to post a placard of condemnation on the premises and order the structure closed up when:

- Structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, 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 private persons.
- The cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien.



NOTICE

Whenever the code official has
condemned
a structure or equipment:

- Notice shall be posted in
conspicuous place in or about the
structure affected by such notice
- Notice shall be served on the
owner or the person or persons
responsible for the structure or
equipment



ABATEMENT METHODS

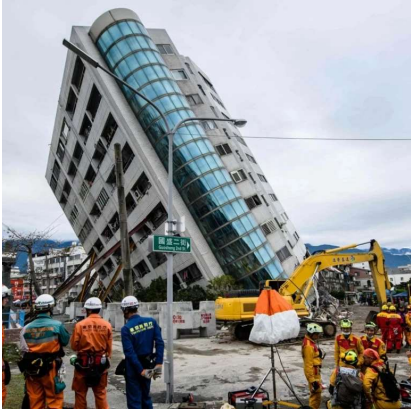
The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.



IMMINENT DANGER

The code official is authorized and empowered to order and require the occupants to vacate the premises when in the opinion of the code official:

- There is imminent danger of failure or collapse of a building or structure which endangers life
- When any structure or part of a structure has fallen, and life is endangered by the occupation of the structure
- When there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment



TEMPORARY SAFEGUARDS

The code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe:

- When in the opinion of the code official there is imminent danger due to an unsafe condition
- Whether or not the legal procedure has been instituted
- And shall cause such other actions to be taken as the code official deems necessary to meet such emergency

EMERGENCY REPAIRS

- The code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.



COSTS OF EMERGENCY REPAIRS

- Costs incurred in the performance of emergency work shall be paid by the jurisdiction.
- The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.





DEMOLITION

- The code official shall order the owner of any structure to demolish and remove such structure which in the code official's judgment:
- Is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure.

DEMOLITION

- Failure to comply:
- Code official shall cause the structure to be demolished and removed
 - Cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

RESPONSIBILITY

Responsibility:

The owner of the premises shall maintain the structures and exterior property.

Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.



DEFINITIONS

- Code Official
- Condemn
- Garbage
- Habitable Space
- Imminent Danger
- Inoperable Motor Vehicle
- Occupant
- Owner
- Rubbish
- Tenant



DEFINITIONS
(continued)

- Code Official: The official who is charged with the administration and enforcement of this code, or any duly authorized representative.
- Condemn: To adjudge unfit for occupancy.
- Garbage: The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

DEFINITIONS
(continued)

- Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.



DEFINITIONS
(continued)

- Habitable Space: Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
- Imminent Danger: A condition which could cause serious or life-threatening injury or death at any time.

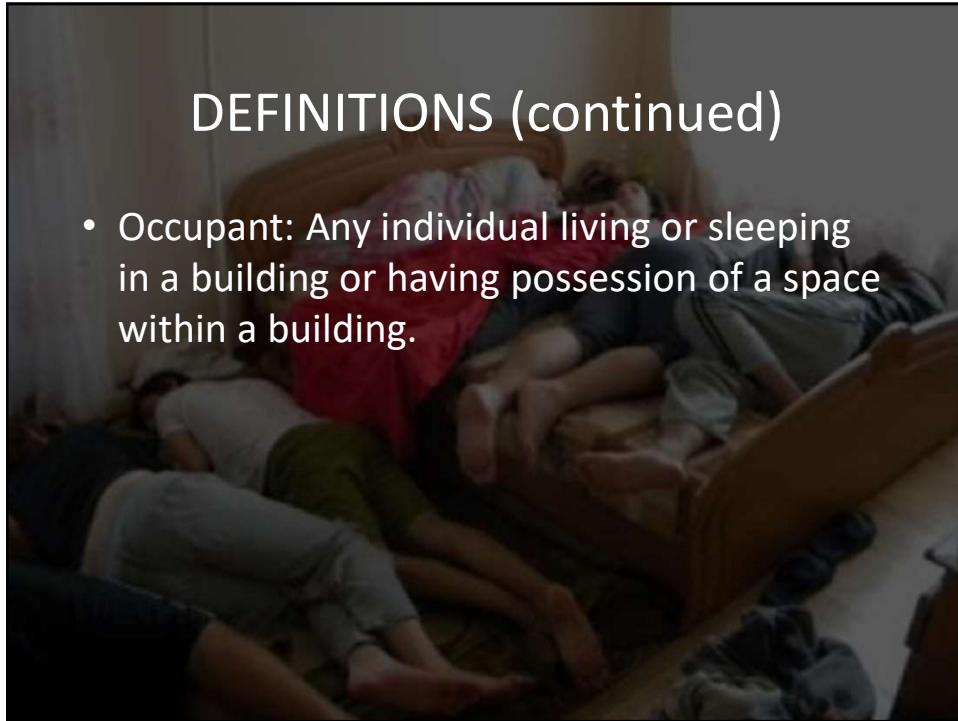


DEFINITIONS
(continued)

- Inoperable Motor Vehicle: A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

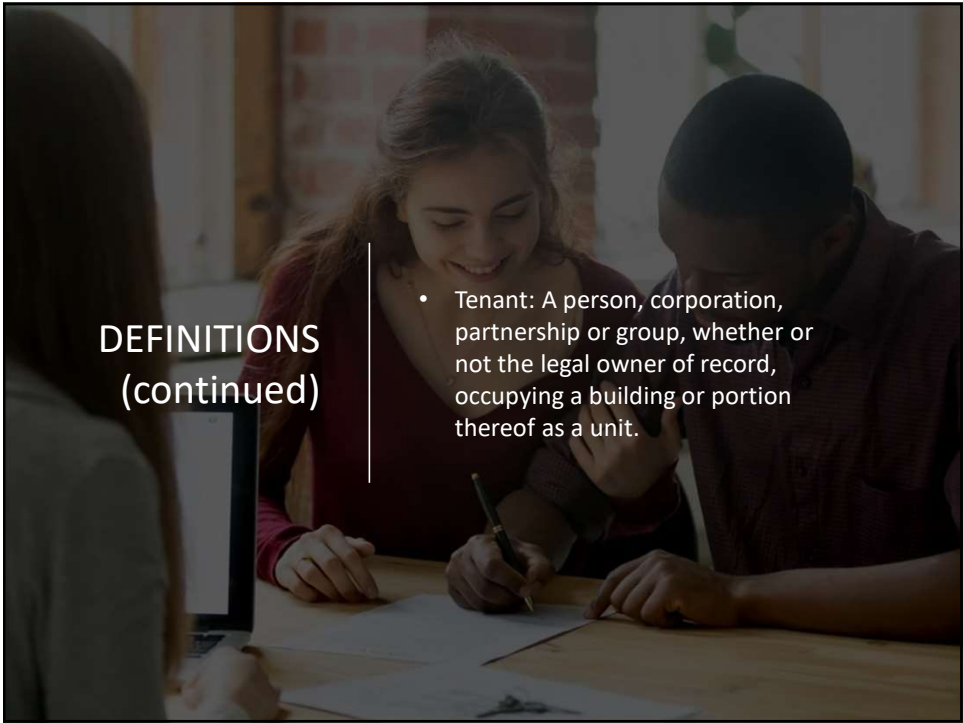
DEFINITIONS (continued)

- Occupant: Any individual living or sleeping in a building or having possession of a space within a building.




DEFINITIONS (continued)

- Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.



**DEFINITIONS
(continued)**

- Tenant: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.



**GENERAL
REQUIREMENTS**

Vacant structures and land:
All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition so as not to cause a blighting problem or adversely affect the public health and safety.

EXTERIOR PROPERTY AREAS

- Sidewalks and Driveways
 - All sidewalks, walkways, stairs, driveways, parking spaces and similar areas:
 - *Kept in a proper state of repair
 - *Maintained free from hazardous conditions
- Weeds
 - All premises and exterior property shall be maintained:
 - *Free from weeds or plant growth in excess of 10 inches
 - *All noxious weeds are prohibited
 - *Weeds are defined as: all grasses, annual plants and vegetation, other than trees or shrubs.
 - Cultivated flowers and gardens are not included.

EXTERIOR PROPERTY AREAS

- Accessory Structures
 - All accessory structures shall be maintained structurally sound and in good repair.
 - *Detached garages
 - *Fences
 - *Walls



EXTERIOR PROPERTY AREAS

- Defacement of property
 - No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on public or private property by placing thereon any marking, carving, or graffiti.
 - It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.



SWIMMING POOLS, SPAS AND HOT TUBS

- Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

EXTERIOR STRUCTURE

- Protective treatment
 - All exterior surfaces shall be protected from the elements and decay
 - *Painting
 - *Other protective covering or treatment
- Premises identification
 - Buildings shall have approved address numbers placed in a position to be seen from the street or road fronting the property.
 - *Must contrast with their background
 - *Arabic numerals or alphabet letters
 - *Minimum 4" high w/ min. stroke width ½"



EXTERIOR STRUCTURE

- Structural members
 - Free from deterioration
 - Capable of safely supporting the imposed dead and live loads.
- Foundation walls
 - Maintained plumb
 - Free from open cracks and breaks
 - Kept in such condition so as to prevent the entry of rodents and other pests.

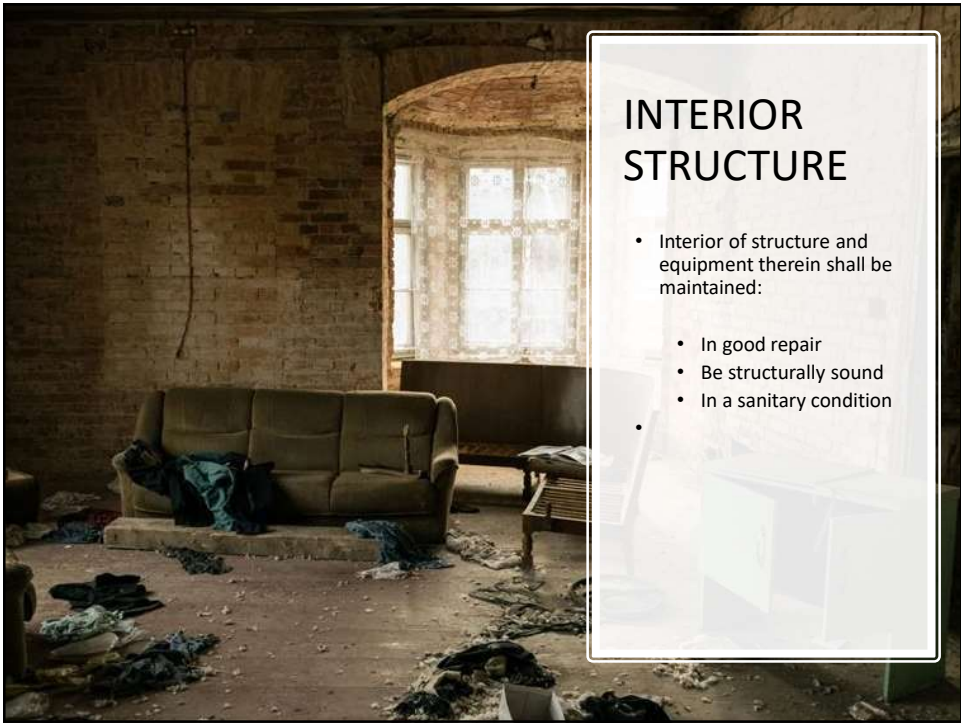
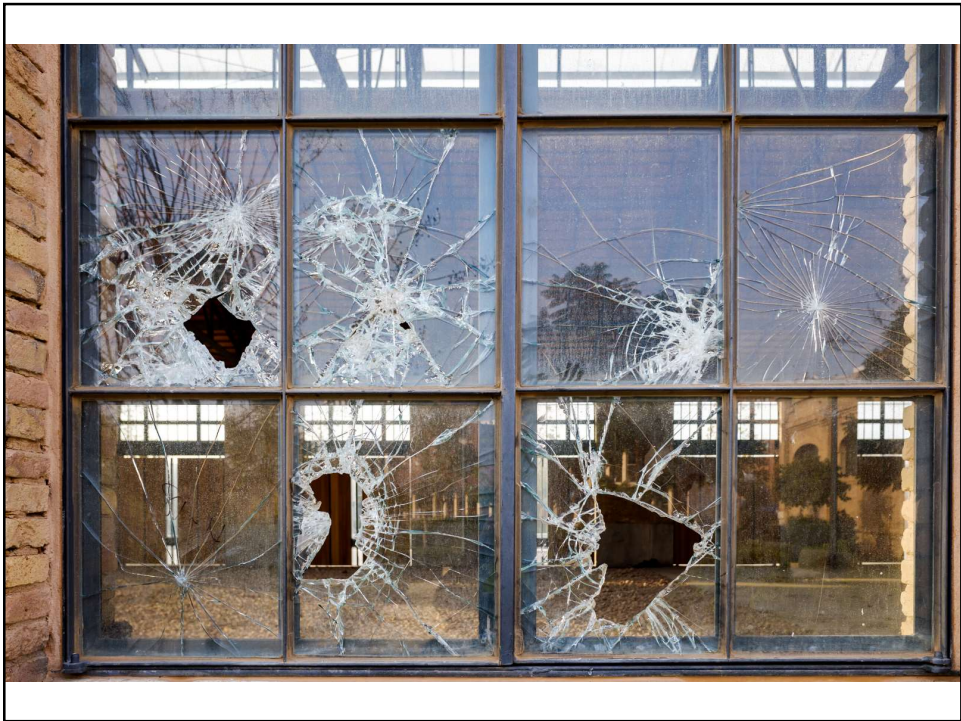
EXTERIOR STRUCTURE

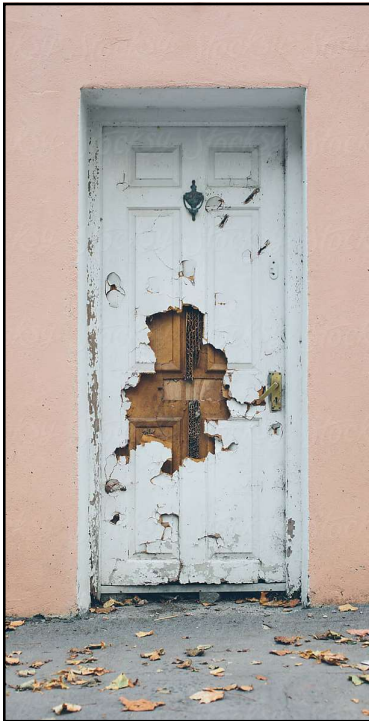
- Handrails and guards
 - Shall be firmly fastened
 - Capable of supporting imposed loads
 - Maintained in good condition
- Window, skylight, and door frames
 - Sound condition
 - Good repair
 - Weather tight



EXTERIOR STRUCTURE

- Glazing
 - Free from cracks and holes
- Openable Windows
 - Easily openable
 - Capable of being held in position by hardware





INTERIOR STRUCTURE

- Every interior door shall:
 - Fit reasonably well within its frame
 - Be capable of being opened and closed
 - Be properly and securely attached to jambs



RUBBISH AND GARBAGE

- Accumulation of rubbish and garbage
 - All exterior property and premises, and the interior of every structure, shall be free from any accumulation
- Disposal of rubbish
 - Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.
- Rubbish storage facilities
 - Owner shall supply approved covered containers
 - Owner responsible for removal of rubbish



**RUBBISH AND
GARBAGE**

- Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

**PEST
ELIMINATION**

Infestation

- Structures shall be kept free from infestation of
 - Insects
 - Rodents

Owner

- The owner shall be responsible for extermination within the structure prior to renting or leasing the structure.

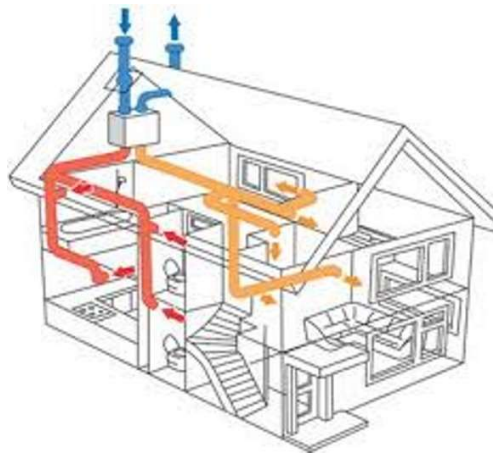
LIGHT

- Habitable Spaces
- Common halls and stairways
- Other spaces



VENTILATION

- Habitable spaces
- Bathrooms and toilet rooms
- Cooking facilities
- Process ventilation
- Clothes dryer exhaust



OCCUPANCY LIMITATIONS

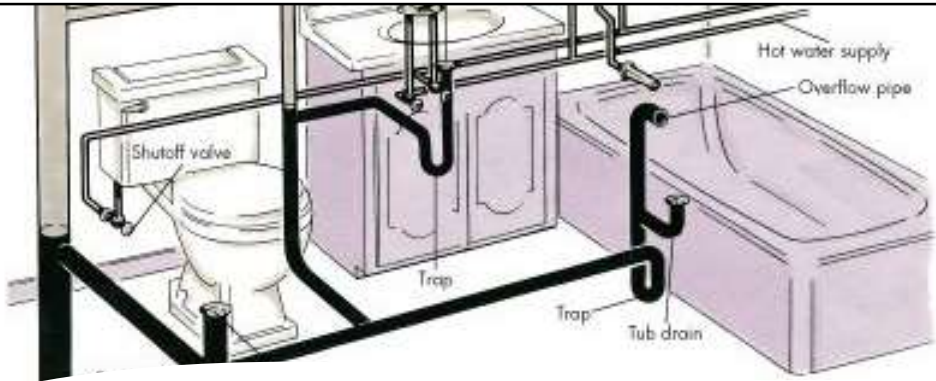
- Food preparation
 - All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner.



REQUIRED FACILITIES

- Public toilet facilities
 - Shall be maintained in a safe sanitary and working condition in accordance with the *International Plumbing Code*.
 - Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.






The diagram illustrates a typical bathroom plumbing layout. It includes a toilet with a 'Shutoff valve' on its supply line, a sink with a 'Trap' underneath, and a bathtub with an 'Overflow pipe', 'Trap', and 'Tub drain'. A 'Hot water supply' line is also shown entering the bathtub area. The pipes are shown in a cross-section view, highlighting the trap and drain connections.

PLUMBING SYSTEMS AND FIXTURES

- All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which designed.
- Plumbing fixtures shall have adequate clearances for usage and cleaning.
- Where found that a plumbing system constitutes a hazard to the occupants or the structure the code official shall require defects to be corrected to eliminate hazard.

WATER SYSTEM

- Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public or approved private water system, and shall be supplied with hot or tempered and cold running water per the IPC.
- Contamination
 - Water supply shall be maintained free from contamination, and all water inlets located above flood-level rim.



The image shows a close-up of a white ceramic sink mounted on a wall. It has a chrome faucet with two handles. Below the sink, a chrome P-trap is visible, which is a U-shaped pipe designed to prevent sewer gases from entering the building. The background is a plain, light-colored wall.

SANITARY DRAINAGE SYSTEM

- Grease Interceptors
 - Grease interceptors and automatic grease removal devices shall be maintained in accordance with the manufacturer's installation instructions.
 - Be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by code official.

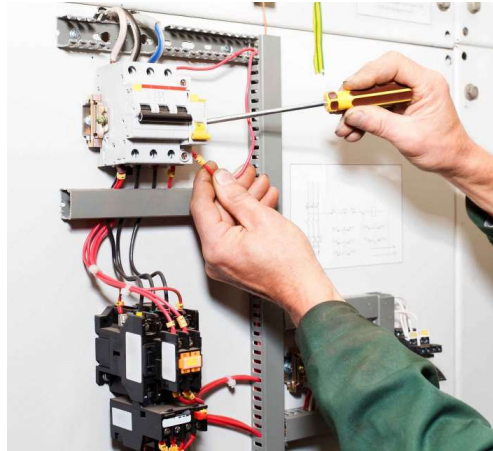
STORM DRAINAGE

Drainage of roofs, paved areas, yards, courts and other open areas on premises shall not be discharged in a manner that creates a public nuisance.



MECHANICAL AND ELECTRICAL REQUIREMENTS

- Heating Facilities
- Mechanical Equipment
- Electrical Facilities
- Electrical Equipment
- Elevators, Escalators and Dumbwaiters
- Duct Systems



HEATING FACILITIES

- Residential occupancies
 - Dwellings shall be provided with heating facilities capable of maintaining 68 degrees in all habitable rooms, bathrooms and toilet rooms.
 - Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.
 - Exception: In areas where the average monthly temperature is above 30 degrees F, a minimum of 65 degrees F shall be maintained.

HEATING FACILITIES

- Heat supply
 - Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units shall supply heat to maintain a temperature of not < 68 degrees in all habitable rooms, bathrooms, and toilet rooms.

Interior wall

Exterior wall

Proper location of measurement

Center of wall

2'

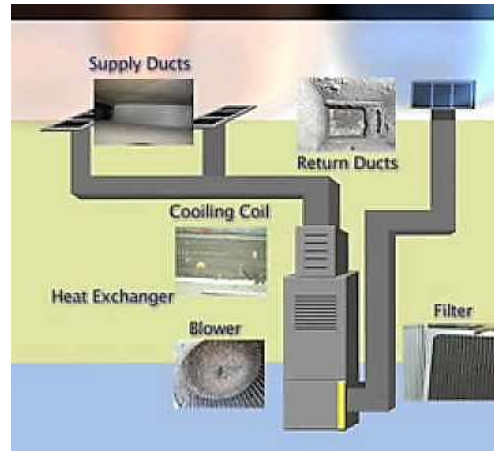
3'

HEATING FACILITIES

- Room temperature measurement
 - The required room temperatures shall be measured 3' above the floor near the center of the room and 2' inward from the center of each exterior wall.

DUCT SYSTEMS

- Duct Systems shall be maintained free of obstructions and capable of performing the required function.



FIRE SAFETY REQUIREMENTS

- Means of egress
- Fire-resistance ratings
- Fire protection systems





MEANS OF
EGRESS

- A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.
- Aisles
 - Required width of aisles in accordance with IFC
 - Shall be unobstructed



- All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times and in accordance with IFC.

FIRE PROTECTION SYSTEMS

FIRE PROTECTION SYSTEMS

- Smoke alarms
 - Single or multiple-station smoke alarms shall be maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:
 - On ceiling or wall outside each separate sleeping area in the immediate vicinity of bedrooms
 - In each room used for sleeping purposes
 - In each story within dwelling unit, not including attics and crawl spaces



MARCUS@METRICONLINE.ORG
678.873.5022

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and Professional Organizations*

