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## City Council Regular Meeting

**DEPARTMENT:** Development Services

**FROM:** Lisa Duello, Assistant Director – Development Services

**MEETING:** October 2, 2023

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**SUBJECT:**

Consider approval of an ordinance amending Article VIII “International Property Maintenance Code” of Chapter 10 “Buildings and Building Regulations” of the City of Burleson Code of Ordinances by adopting the 2021 Edition of the of the International Property Maintenance Code and providing for modifications of the code to incorporate local amendments. (Final Reading)  
(Staff Presenter: Lisa Duello, Assistant Director - Development Services )

**SUMMARY:**

*The First Reading of this item was approved by a unanimous vote at the September 18, 2023 City Council meeting.*

Staff is recommending updating the 2015 version of the International Property Maintenance Code (IPMC) to the most current 2021 version. The 2015 edition of the IPMC was adopted by the City in 2017. Staff has compared the 2015 IPMC to the 2021 edition and believes that there are minor differences between the two and it would be advantageous to adopt the 2021 version of the IPMC.

An overview of the proposed update version of the IPMC was presented at the Developer’s Roundtable meeting on August 17, 2023. Staff also emailed the presentation and proposed changes to all multi-family complexes in the city and major rental owners. No objections to proposed changes have been made thus far.

The IPMC is part of the I-Codes which are published by the International Code Council. The I-Codes are revised through the governmental consensus process and published in a three-year code cycle. With the continued increase in population and overall growth of the City, it is imperative the mature housing stock is maintained. Adoption of the 2021 IPMC will keep the city current with industry standards, recent studies and new technologies and materials.

The IPMC is a model code that regulates the continued use and minimum maintenance of plumbing, mechanical, electrical and fire protection systems in existing residential and non-residential structures. This code does not require involuntary upgrading to existing structures. For example, a residential contacted staff and thought this code would require the stairs in his older home to be upgraded to meet the current code. This is not true. This code requires homeowners to maintain their existing conditions. The majority of the IPMC violations that staff addresses is outside weather proofing of a structure and water damage.

The key components of 2021 IPMC version are the following:

- New Definition – Emergency Escape and Rescue Opening – An operable exterior window, door, or other similar device that provide for a means of escape and access for rescue in the event of an emergency.
- Section 602 – Heating Facilities – The installation of one or more portable space heaters shall not be used to achieve compliance with this section for requirement of maintaining room temperature at 68 Fahrenheit.
- Must provide a means for an Appeal.

The recommended local amendments include deletion of certain section of the 2021 IPMC that are already addressed comprehensively in the City of Burleson’s Code Ordinances.

- *Section 108 Boards of Appeals* is recommended for deletion because Chapter 10, Division 3 of the Code of Ordinance already allows for an Appeals process through the Building Code and Standards Board.
- *Section 111 Unsafe Structures and Equipment and Section 113 Demolition* are recommended for deletion because Chapter 10, Article XIII- Dangerous and Substandard Buildings of the Code of Ordinance already addresses unsafe structures and demolition thoroughly.
- *Section 202 Inoperable Vehicle Definition* is recommended for deletion as the meaning conflicts with Chapter 34 of the Code of Ordinances. .

2021 IPMC	Chapter 34 Code of Ordinance
<i>Inoperable Motor Vehicle definition</i>	<i>Inoperable vehicle definition</i>
<i>A vehicle that cannot be driven upon the public street for reasons including but not limited to being <u>unlicensed</u>, wrecked, abandoned, in a state of disrepair, or incapable if being moved under its own power.</i>	<i>Incapable of being propelled on its own power due to dismantling, disrepair, or some other cause.</i>

- *Section 302.8 Motor Vehicles* is recommended for deletion as this section conflicts with Chapter 34 of the Code Ordinances with the exception of painting a vehicle in paint booth.

2021 IPMC	Chapter 34 Code of Ordinance
<i>Section 302.8 Motor Vehicle</i>	<i>Section34-31 Specific nuisances</i>
<i>Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked,</i>	<i>(15) The parking, storing or standing of inoperable vehicle.</i>

<p><i>kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicle is prohibited unless conducted inside an approved spray booth.</i></p> <p><i>Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area design and approved for such services.</i></p>	<p><i>Exception:</i></p> <p><i>a. Each single – family or tow- family residence may park, store, or stand not more than one inoperable vehicle provided the vehicle is screened from view in all directions by a permanent screening fence of masonry and/or wood of redwood, cedar, or other wood material that is approved for outdoor application, not less than six feet in height.</i></p> <p><i>b. Each single- family or two-family resident is permitted to park, store or stand the one inoperable vehicle reference in subsection (a) in public view while the vehicle is awaiting repair or in the process of being repaired for a period not to exceed 15 days.</i></p>
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- *Section 303 Swimming Pools, Spas and Hot Tubs is recommended for deletion because this already is addressed in Chapter 10, Article XI - Swimming Pools of the Code of Ordinances.*

**OPTIONS:**

- 1) Approve as presented
- 2) Approve with changes
- 3) Deny

**RECOMMENDATION:**

Approve the ordinance as presented

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

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**FISCAL IMPACT:**

N/A

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