

ORDINANCE NO. 1011

An Ordinance Repealing the Rental and Owner-Occupied Housing Maintenance Codes, Creating a New Property Maintenance Code and Adopting, in Parts, the International Property Maintenance Code (IPMC) With Certain Modifications

The Maplewood City Council ordains as follows:

Section I. This section repeals the Rental Housing Maintenance Code, Secs. 12-96 to 12-141 and the Owner-Occupied Housing Maintenance Code, Secs. 12-142 to 12-181 and replaces them with a new Property Maintenance Code.

Article IV. - Property Maintenance Code

Section 12-96. - Purpose

The purpose of this article is to establish minimum safety and sanitation requirements for residential and non-residential structures and premises.

Section 12-97. - Adoption

Hereby adopted by reference is the International Property Maintenance Code (IPMC), 2018 edition, as published by the International Code Council, Inc., (ICC) for the establishment of minimum acceptable standards for the maintenance of existing buildings, structures, premises and facilities to protect health, safety and general welfare. Each and all of the standards, regulations and requirements, save and except such portions as are hereinafter deleted, amended or modified, as set about and specified in the IPMC, 2018 edition, are hereby adopted, referred to, incorporated and made a part hereof as if fully set out at length herein.

Section 12-98. - Applicability

The provisions of this ordinance 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.

Section 12-99. - Standards

The City Manager or his or her designee shall have the authority to develop policy standards concerning the management of the Property Maintenance Code. These standards shall not be contrary to this division.

Section 12-100. – General

The following provisions of the IPMC 2018 are modified as follows:

- (a) References to plumbing, mechanical, fire, and electrical codes shall be replaced by current Minnesota State-adopted plumbing, mechanical, fire, and electrical codes.
- (b) Scope and Administration (IPMC Chapter 100)

- (1) Section 101.1 (Title) shall be amended to read as follows:

These regulations shall be known as International Property Maintenance Code of Maplewood, Minnesota, hereinafter referred to as "this code."

- (2) Section 103.5 (Fees) shall be amended to read as follows:

The fees for activities and services performed by the department for carrying out its responsibilities under this code shall be outlined in the City's fee schedule.

- (3) Section 106 (Violations) shall be replaced with the following:

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with Maplewood City Code at Section 1-15 (General Penalties for Violations; Continuing Violations). The City may also handle violations of this ordinance through the administrative offenses procedures outlined in Section 1-17 (Administrative Offences).

- (4) Section 107 (Notices and Orders) shall be replaced with the following:

Whenever a code official determines that any building or premise fails to meet the requirements of this ordinance, the code official may issue a compliance order. Such compliance order shall state the violation(s) of the ordinance and order the owner to correct such violations. This compliance order shall:

- a. Be in writing.
- b. Describe the location and nature of the violation of this ordinance.
- c. Set the required corrective action and a date and time for the completion of the correction of such violation.
- d. Advise the owner of the appeal procedure.
- e. Be served upon the occupant as follows:
 1. Personal service; or
 2. Sent by mail to the property address; or
 3. Posted on or about the property conspicuously.
- f. Be served upon the owner as follows:
 1. Personal service; or

2. Sent by mail to the address indicated by county property records for owner.

- (5) Section 111 (Means of Appeal) shall be replaced with the following:

The Community Development Director shall hear and decide all appeals from a property owner for any alleged erroneous decisions of the code official or an issuance of a compliance order relating to the enforcement of this ordinance. Appeals must be filed with the Community Development Director within five (5) business days of the compliance order. The Community Development Director will submit their decision and resolution to the appeal to the owner within ten (10) business days.

- (6) Section 112.4 (Failure to Comply) shall be amended to read as follows:

Any person who shall continue work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as outlined in the City's fee schedule.

- (c) Definitions (IPMC Chapter 200).

Section 202 (Definitions) as it relates to the definition of "*Inoperable motor vehicle*" and "*Rubbish*" shall be repealed.

- (d) General Requirements (IPMC Chapter 300).

- (1) Section 302.4 (Weeds) shall be replaced with the following:

The yard shall be free from noxious weeds and nonnative turf grass that as required by Maplewood City Code at Section 18-31(8). Nonnative turf grass shall not exceed eight (8) inches in height. Yards and landscaping shall be maintained and all damaged or dead plants required by the city must be replaced. If a yard is landscaped with tall native grasses, a five (5) foot manicured buffer of mowed grass or other shorter plants will be required around the perimeter of the yard that is adjacent other properties with manicured lawns.

- (2) Section 302.8 (Motor Vehicle) shall be replaced with Maplewood Code of Ordinances, Chapter 18, Article II, Division 2 (Abandoned Motor Vehicles).

- (3) Section 303 (Swimming Pools, Spas and Hot Tubs) shall be replaced with Maplewood Code of Ordinances, Chapter 14, Article XII (Swimming Pools).

- (4) Section 304.3 (Premises Identification) shall be replaced with Maplewood Code of Ordinances, Chapter 32, Article VII, Sections 32-281 (Display Required) and Section 32-282 (Dimensions, Specifications, and Materials to be Used).

- (5) Section 304.14 (Insect Screens) shall be amended to read as follows:

During the period of January 1 to December 31 every door, window, and 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 minimum of 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

- (6) Section 308 (Rubbish and Garbage) shall be replaced with Maplewood Code of Ordinances, Chapter 30 (Solid Waste Management).

(e) Light, Ventilation and Occupancy Limitations (IPMC Chapter 400)

- (1) Section 404.7 (Food Preparation) shall be amended to read as follows:

Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

Per Section 14-318 (State Health Rules Adopted) of the Maplewood Code of Ordinances and Minnesota Administrative Rules, Section 4626.1425 (Private Homes and Living Quarters; Use Prohibition), a private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters must not be used for conducting food establishment operations.

(f) Mechanical and Electrical Requirements (IPMC Chapter 600)

- (1) Section 602.3 (Heat Supply) shall be amended to read as follows:

Every owner or operator or any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to June 1 to maintain a minimum temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms.

- (2) Section 602.4 (Occupied Work Space) shall be amended to read as follows:

Indoor occupiable work spaces shall be supplied with heat during the period of September 1 to June 1 to maintain a minimum temperature of 65 degrees F (18 degrees C) during the period the spaces are occupied.

Article V. Reserved.

Section 2. This ordinance shall be effective following its adoption and publication.

Approved by the City Council of the City of Maplewood on June 8, 2020.



Marylee Abrams, Mayor

Attest:



Andrea Sindt, City Clerk