

CHAPTER 31

INTERNATIONAL PROPERTY MAINTENANCE CODE

Note: Chapter 31 of the Revised Ordinances of 1965 was repealed by Ord. No. 1310 (1969) and Ord. No. 1333 (1969). Both ordinances enacted provisions to adopt by reference the Volume of the Uniform Building Code regarding housing standards. The 1969 ordinances are superseded by the provisions of Ord. No. 1400 (1971), enacting new Chapter 31.

Article

31-01 Adoption of International Property Maintenance Code, §§ 31-0101 to 31-0102

ARTICLE 31-01

ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE

Section

31-0101 Adoption of International Property Maintenance Code by Reference

31-0102 Amendment to International Property Maintenance Code

31-0101. Adoption of International Property Maintenance Code by Reference.-- There is hereby adopted by reference by the board of city commissioners, for the purpose of prescribing regulations governing standards, relative to housing in the city of Fargo, that certain code known as the International Property Maintenance Code recommended and compiled by the International Conference of Building Officials, being particularly the 2006 Edition thereof, a copy of which is on file in the office of the city auditor, and the same is hereby adopted and incorporated as fully as if set out in length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the city.

Source: 1400 (1971), 1419 (1972), 1573 (1974), 1799 (1977), 1967 (1980), 2084 (1983), 2256 (1986), 2869 (1998), 4099 (2000), 4099 (2001), 4404 (2004), 4602 (2007).

31.0102. Amendment to International Property Maintenance Code.--The International Property Maintenance Code as adopted in §31-0101 is hereby changed and amended as follows:

Section 101.1 is hereby amended to read as follows:

“These regulations shall be known as the Property Maintenance Code of the city of Fargo, hereinafter referred to as ‘this code’.”

Section 102.3 is hereby amended to read as follows:

“Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of all applicable ordinances adopted by the City of Fargo.”

Section 103.6 is added to read as follows:

Section 103.6 - Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule:

- A. Initial Inspection. - No charge
- B. First Re-inspection. - No charge
- C. Second Re-inspection. - As to the second re-inspection, a fee of \$100
- D. Third Re-inspection. - As to the third re-inspection, a fee of \$100
- E. Fourth and continuing Re-Inspections. - As to the fourth and any subsequent re-inspection, a fee of \$100

The first sentence of Section 111.2 is hereby amended to read as follows:

The board of appeals shall consist of a minimum of ~~three~~ five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. [Balance unchanged]

The first sentence of Section 111.2.1 is hereby amended to read as follows:

The Board of City Commissioners shall appoint one or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

Section 111.6 is hereby amended to read as follows:

The board shall modify or reverse the decision of the code official only by a concurring vote of four appointed board members.

Section 201.3 is hereby amended to add the following:

Throughout this code, wherever reference is made to the International Plumbing Code, it shall be taken to mean the North Dakota State Plumbing Code. Throughout this code, wherever reference is made to the ICC Electrical Code, it shall be taken to mean the National Electrical Code together with the North Dakota State Wiring Standards.

Section 304.14 is hereby amended to insert the dates April 1st and October 31st.

Section 404.4 is hereby amended to read as follows:

“404.4 Bedroom requirements. Every bedroom shall comply with the requirements of 404.4.1 through 404.4.5.”

Section 404.4.1 is hereby amended to read as follows:

404.4.1 Area for sleeping purposes. Every bedroom occupied by one or more persons shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50

square feet of floor area for each occupant thereof.

Section 404.5 is hereby amended to read as follows:

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**TABLE 404.5
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

Section 404.5.1 is hereby added and shall read as follows:

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

Section 404.5.2 is hereby added and shall read as follows:

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

The exception to Section 602.2 is hereby deleted.

Section 602.3 is hereby amended to read as follows:

“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 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

The last sentence of exception 1 to Section 602.3 is hereby deleted.

Exception 2 to Section 602.3 is hereby deleted.

The exception to Section 603.2 is hereby deleted.

Section 704.3 is hereby amended to read in full as follows:

In Group R occupancies and in dwellings not regulated as Group R occupancies, single or multiple station smoke alarms shall be installed and receive their power in accordance with the *International Residential Code* and *International Building Code*.”

The exception to Section 704.3 is hereby deleted.

Section 704.4 is hereby amended to read in full as follows:

“When more than one smoke alarm is required to be installed by this Code within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected and installed as required by the *International Residential Code* and *International Building Code*”

The exceptions to Section 704.4 are hereby deleted.

Source: 1965 Rev. Ord. 31-0101.1, 1419 (1972), 4099 (2000), 4187 (2001), 4206 (2002), 4404 (2004), 4429 (2004), 4467 (2005), 4602 (2007), 4696 (2009).