

ORDINANCE NO.
AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION),
CHAPTER 18.50 (PROPERTY MAINTENANCE CODE), ADOPTING THE 2021
INTERNATIONAL BUILDING CODE, AND ADOPTING APPROPRIATE LOCAL
AMENDMENTS, THE PENALTY BEING AS PROVIDED IN 18.02.111 OF THE EL PASO
CITY CODE

WHEREAS, the 2021 Edition of the International Building Codes has been published and adoption of the 2021 International Building Codes are now proposed; and

WHEREAS, the Building Official for the City of El Paso has reviewed and favorably recommends the adoption of the 2021 International Building Codes; together with the local amendments appropriate for the City of El Paso; and

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code) is hereby amended as follows:

Chapter 18.10 – PROPERTY MAINTENANCE CODE

18.50.010 Short title.

This chapter may be cited as the "Property Maintenance Code."

18.50.020 Adoption.

The book entitled "International Property Maintenance Code," ~~2015~~-2021 Edition, a copy of which authenticated by the city clerk is on file in the city clerk's office, is adopted as the Property Maintenance Code of the city, as fully as if copied at length in this chapter, but with the amendments set forth in this chapter and Chapter 18.02, the Building and Administrative Code of the City of El Paso.

18.50.025 Section 102.~~6~~-7 Applicability.

102.~~6~~7 Historic Buildings. Replaced:

The provisions of this code shall be mandatory for existing buildings or premises designated or determined to be of historic value by the Historic Preservation Office.

18.50.026 – Section 103 – Code Compliance Agency, amended

Section 103 – Code Compliance Agency, Replaced: Section 103 – Division of Property Maintenance & Zoning with Planning & Inspections Department.

18.50.027-Section 111.2-Closing of vacant structures.

_____ If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up within reasonable time specified so as not to be an attractive nuisance. Upon failure of the owner or owner’s authorized agent 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 by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

18.50.0287 – Section 111.2.1 – Authority to disconnect service utilities, amended.

International Property Maintenance Code, 2021 Edition, Section 111.2.1 Authority to disconnect service utilities, is hereby amended to read as follows:

111.2.1 Authority to disconnect service utilities. Authority to disconnect service utilities shall be identified in accordance with the requirements of Chapter 18.02.111.10 of the City Code.

18.50.030 Section 202 General Definitions, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 202 General Definitions is hereby amended to add the following definitions to read as follows:

BOARD. The Building and Standards Commission for the City of El Paso.

HISTORIC BUILDING.

–Item 4. A building, object, site or structure that is ~~forty five~~forty-five years or older and is determined by the Historic ~~Preservation-Landmark~~ Commission to be of historical, cultural, architectural or archaeological importance, and where demolition or destruction would constitute a loss to the quality and character of El Paso.

OFFICIAL. The building official or any duly authorized representative or designee of the city manager.

OVERLAY ZONING DISTRICT. A district established by ordinance to prescribe special regulations to be applied to a site in combination with the underlying or base district.

REASONABLE TIME. The term “reasonable time” shall have a meaning of 14 calendar days

STREET FRONTAGE. The length of the elevation or façade of a structure facing a public street or parking area, including main and any secondary public access to the structure. Structures on corner lots will be considered to have two street frontages.

URBAN NUISANCE. A premises or structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety and welfare.

STREET FACADE. The elevation of the structure facing or abutting a public street including the main public access or entry to the structure.

VACANT. The term "vacant" shall have the meaning as defined in Chapter 18.40 of this title.

VACANT PREMISES. A structure having vacant or unoccupied floors, suites, and/or tenant spaces

18.50.040 Section 301.1 Scope, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 301.1 Scope is hereby amended to read as follows:

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property and shall apply to both vacant and occupied structures and premises.

18.50.050 Section 302.2 Grading and drainage, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 302.2 Grading and Drainage, is hereby amended to read as follows:

302.2 Grading and drainage. All premises shall be graded and/or maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

18.50.055 – Section 302.3 – Sidewalks and Driveways, amended.

International Property Maintenance Code, 2021 Edition, Section 302.3 Sidewalks and Driveways, is hereby amended to read as follows:

302.3 Sidewalks and Driveways shall be in accordance with the requirements of Chapter 13.04.050 & 13.12.220 of the City Code for maintenance of sidewalks and driveways

18.50.060 Section 302.4 Weeds, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 302.4 Weeds, is hereby amended to read as follows:

302.4 Weeds, Trash, Rubbish and other Matter. All premises and exterior property shall be maintained free from weeds or plant growth in accordance with Chapter 9.04 of the City Code.

18.50.065 - Section 302.8 Motor vehicles, amended.

International Property Maintenance Code, 2021 Edition, Section 302.8 Motor vehicles, is hereby amended to read as follows:

302.8 Motor Vehicles shall be in accordance with the requirements of Chapter 9.08 of the City Code.

18.50.070 Section 304.3 Premises identification, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 304.3 Premises Identification, is hereby amended to read as follows:

304.3 Premises Identified. Premises shall be identified in accordance with the requirements of Chapter 18.08 or 18.10 of the City Code.

18.50.080 Section 304.14 Insect screens, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 304.14 Insect screens, is hereby amended to read as follows:

304.14 Insect Screens. Every door, window and other 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 not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

18.50.081 - Section 308.1 Accumulation of rubbish or garbage, amended.

International Property Maintenance Code, 2021 Edition, Section 308.1 Accumulation of rubbish or garbage, is hereby amended to read as follows:

308.1 Accumulation of rubbish or garbage shall be in accordance with the requirements of Chapter 9.04 of the City Code.

18.50.082 - Section 308.2 Disposal of rubbish, amended.

International Property Maintenance Code, 2021 Edition, Section 308.2 Disposal of rubbish, is hereby amended to read as follows:

308.2 Disposal of rubbish shall be in accordance with the requirements of Chapter 9.04 of the City Code

18.50.083 - Section 308.2.1 Rubbish storage facilities, amended.

International Property Maintenance Code, 2021 Edition, Section 308.2.1 Rubbish storage facilities, is hereby amended to read as follows:

308.2.1 Rubbish storage facilities shall be in accordance with the requirements of Chapter 9.04 of the City Code.

18.50.084 - Section 308.2.2 Refrigerators, amended.

International Property Maintenance Code, 2021 Edition, Section 308.2.2 Refrigerators, is hereby amended to read as follows:

308.2.2 Refrigerators shall be in accordance with the requirements of Chapter 10.24.030 of the City Code.

18.50.085 - Section 308.3 Disposal of garbage, amended.

International Property Maintenance Code, 2021 Edition, Section 308.3 Disposal of garbage, is hereby amended to read as follows:

308.3 Disposal of garbage shall be in accordance with the requirements of Chapter 9.04 of the City Code.

18.50.086 - Section 308.3.1 Garbage facilities, amended.

International Property Maintenance Code, 2021 Edition, Section 308.3.1 Garbage facilities, is hereby amended to read as follows:

308.3.1 Garbage facilities shall be in accordance with the requirements of Chapter 9.04 of the City Code

18.50.087 - Section 308.3.2 Containers, amended.

International Property Maintenance Code, 2021 Edition, Section 308.3.2 Containers, is hereby amended to read as follows:

308.3.2 Containers shall be in accordance with the requirements of Chapter 9.04 of the City Code.

18.50.090 Section 310 Additional requirements for vacant structures/premises, added.

International Property Maintenance Code, ~~2009-2021~~ Edition, Section 310 Additional requirements for vacant structures/premises, is hereby added to read as follows:

Section 310 Additional requirements for vacant structures/premises.

310.1 Street façade/frontage windows and doors. On the street façade/frontage, the exterior surface of any window shall not be covered by any substance or adhesive material sprayed, painted or otherwise applied to the windows. All street façade/frontage windows and doors having cracked, broken or missing glass or glazing material shall be repaired and

replaced with glass and glazing material in a manner compatible with the original design of the structure.

Exceptions: The required glazing of street frontage windows and doors may be substituted with artistic panels under the following conditions.

1. The artistic panels and their installation are limited to the first floor, or must present an aesthetically unified façade/frontage design and must comply with the boarding standards represented in the International Property Maintenance Code Appendix A.
2. Artistic panels proposed as an alternate to the glazing requirements on a structure within an overlay district shall be subject to approval by the overlay district administrator.
3. Building owners desiring to install artistic panels on a structure in a historic district must first apply for and receive a certificate of appropriateness prior to installation.
4. Windows on all occupied floors shall be kept in sound condition, good repair and weather tight. All glazing materials shall be maintained free from cracks and holes. Artistic panels shall not be applied to windows or doors on occupied floors. All windows and doors shall be maintained and secured to prevent unauthorized entry.

310.3 Historic Buildings. Any restoration, rehabilitation, maintenance or demolition of a historic building and any building with a historic zoning overlay is subject to the requirements of this chapter and chapter 20.20 of this Code, and whichever being the more restrictive shall govern.

18.50.100 Section 501.1 Scope, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 501.1 Scope, is hereby amended to read as follows:

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided for both vacant and occupied structures and premises.

~~18.50.110 Section 503.4 Floor surface, amended.~~

~~International Property Maintenance Code, 2015 Edition, Section 503.4 Floor surface, is hereby amended to read as follows:~~

~~**503.4 Floor surface.** In other than owner-occupied dwelling units, every toilet room floor shall be constructed of a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.~~

~~(Ord. No. 18517, § 1, 5-31-2016)~~

18.50.120 Section 601.1 Scope, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 601.1 Scope, is hereby amended to read as follows:

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided for both vacant and occupied structures and premises.

18.50.121 - Section 602.2 Residential occupancies, amended.

International Property Maintenance Code, 2021 Edition, Section 602.2 Residential occupancies, is hereby amended to read as follows:

602.2 Residential occupancies shall be identified in accordance with the requirements of Chapter 18.10.060-Section R303.9 Required heating of the City Code.

18.50.122 - Section 602.3 Heat Supply, amended.

International Property Maintenance Code, 2021 Edition, Section 602.3 Heat Supply, is hereby amended to read as follows:

602.3 Heat Supply shall be in accordance with the requirements of Chapter 18.10.060 and 18.08.170 of the City Code.

18.50.123 - Section 602.4 Occupiable work spaces, amended.

International Property Maintenance Code, 2021 Edition, Section 602.4 Occupiable work spaces, is hereby amended to read as follows:

602.4 Occupiable work spaces shall be in accordance with the requirements of Chapter 18.08.170 of the City Code.

18.50.124 - Section 602.5 Room temperature measurement, amended.

International Property Maintenance Code, 2021 Edition, Section 602.5 Room temperature measurement, is hereby amended to read as follows:

602.5 Room temperature measurement shall be identified in accordance with the requirements of Chapter 18.10.060 and 18.08.170 of the City Code

18.50.130 Section 605.2 Receptacles, added.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 605.2 Receptacles, is hereby amended to read as follows:

605.2 Receptacles. Added.

-Every new countertop outlet within five feet of the flood rim of the kitchen sink shall be a ground fault circuit interrupter receptacle.

18.50.140 Section 605.3 Luminaires, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 605.3 Luminaires, is hereby amended to read as follows:

605.3 Lighting Fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room, furnace room, attached garage, and detached garage with electric power shall be provided with at least one wall switch controlled ceiling or wall type light fixture. Pool and spa luminaires over 15 volt shall have ground fault circuit interrupter protection.

18.50.150 Section 701.1 Scope, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Section 701.1 Scope, is hereby amended to read as follows:

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided, for both vacant and occupied structures and premises.

18.50.160 Appendix A, Boarding Standard, adopted.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Appendix A, Boarding Standard, is hereby adopted in its entirety.

18.50.170 Appendix A, Boarding Standard, Section A101.1 General, amended.

International Property Maintenance Code, ~~2015 Edition~~2021 Edition, Appendix A, Boarding Standard, Section A101.1 General, is hereby amended to read as follows:

A101.1 General. Except as otherwise required by this chapter, all windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

18.50.180 Conflicting ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this chapter are hereby repealed.

SECTION 2. That except as herein amended Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code) of the El Paso City Code shall remain in full force and effect.