

# CITY OF CONCORD

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*In the year of our Lord two thousand and twenty-two*

**AN ORDINANCE** amending the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code

**The City of Concord ordains as follows:**

**SECTION I:** Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code, Article 27-1, Housing Maintenance and Occupancy Code, by amending Section 27-1-1, Housing Maintenance and Occupancy Standards, as follows:

27-1-1 - Housing Maintenance and Occupancy Standards.

The **2018** International Property Maintenance Code~~[/2009]~~ as amended by this Article is hereby adopted and together with this Article, shall be known as the Housing Maintenance and Occupancy Code of the City of Concord. The rental, maintenance and occupancy of all residential property shall, from the effective date of this Article, be conducted in accordance with its provisions.

**SECTION II:** Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code, Article 27-1, Housing Maintenance and Occupancy Code, by amending Section 27-1-2, Administration and Enforcement, as follows:

27-1-2 - Administration and Enforcement.

The administration and enforcement of this Article shall be the duty of the Code Administrator, who is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article. Such persons may be appointed and authorized by the [~~City Manager~~]**Code Administrator** as assistants and agents of the Code Administrator as may be necessary to carry out the provisions of this Article.

**SECTION III:** Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code, Article 27-1, Housing Maintenance and Occupancy Code, by amending Section 27-1-5, Amendments to the International Property Maintenance Code/2009, as follows:

27-1-5 - Amendments to the **2018** International Property Maintenance Code~~[/2009]~~.

The following amendments are hereby made to the **2018** International Property Maintenance Code[/~~2009~~] as adopted by Section 27-1:

~~[Section 101 General.]~~**SECTION 101 GENERAL**

*101.1 Title:* Delete in its entirety and replace with the following:

101.1 Title: These regulations shall be known as the Housing Maintenance and Occupancy Code of the City of Concord, hereinafter referred to as “this [C]code”.

~~[101.2 Scope: Delete from section 101.2 Scope, the words “and non-residential” and “all existing premises” and replace with the following:~~

~~The provision of this code shall apply to all existing residential structures and all existing residential premises...]~~

~~[Section 102 Applicability]~~**SECTION 102 APPLICABILITY**

~~[102.3 Application of other codes: Delete from section 102.3 Application of other codes, the words “International Zoning Code.” and replace with the following:~~

~~...Municipal Code of Ordinances, Chapter 28.]~~

*102.3 Application of other codes. Delete in its entirety and replace with the following:*

*102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with Chapter 26 – Building Regulations and Chapter 28 – Zoning Ordinance.*

*Add new sub-section 102.5.1 Licensed trades:*

*102.5.1 Licensed trades. All work performed on residential rental property must be performed by a State of New Hampshire licensed electrician, plumber, and gas fitter to the extent required by RSA 153 and RSA 319-C, and the Code of Ordinances.*

~~[Section 103 Department of Property Maintenance Inspection.]~~ **SECTION 103 DEPARTMENTS OF PROPERTY MAINTENANCE INSPECTION**

Delete Sections 103 in its entirety and **replace with:** [reserve for future use.]

*103.1 Administration and enforcement. The administration and enforcement of this Article shall be the duty of the Code Administrator, who is hereby authorized to take such action as may be reasonably necessary to enforce the provisions and purposes of this Article.*

*Delete Sections 103.2 and 103.3 in their entirety.*

*Rename Section 103.4 and 103.4.1 to Section 103.2 and 103.2.1.*

*Delete Section 103.5 in its entirety.*

~~[Section 106—Violations.]~~ **SECTION 106 VIOLATION**

*Delete Section 106—Violations in its entirety and replace with the following:*

106.1 Unlawful Acts: A person, firm or corporation shall not erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any structure or equipment regulated by this code or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

106.2 Violations: Whenever a violation of this Housing Maintenance and Occupancy Code occurs or is alleged to occur, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with and recorded by the Code Administrator. Upon being informed of a possible violation or upon personal initiative, the Code Administrator may make or cause to be made an investigation of the alleged violation. If the Code Administrator determines that there is a violation, the Code Administrator may issue an order to the person responsible for the violation as provided for in RSA 676:17-a, that the violator cease and desist or otherwise abate said violation, or may give notice as provided for in RSA 676:17-b, informing the person responsible that a violation exists and ordering that violator abate said violation within a reasonable time as determined by the Code Administrator. If after such notice and order such violation has not been abated within the time specified, the Code Administrator may institute injunction, abatement, or other appropriate action as provided for in RSA 676:15 to enjoin, abate or remove said violation, or may issue a citation as provided for in RSA 676:17-b with penalties as prescribed in Section 28-9-8d of the Zoning Ordinance, or both.

106.3 Penalties: Any person or corporation, whether as principal, agent, occupant, employee, or otherwise who violates any provisions of this Housing Maintenance and Occupancy Code shall pay a civil penalty for each offense in accordance with the penalties as prescribed in Section 28-9-8d of the Zoning Ordinance.

106.4 Abatement: The imposition of the penalties herein prescribed shall not preclude the City Solicitor from instituting an appropriate action or proceeding to prevent an unlawful use or to restrain, correct or abate a violation, or to prevent

the occupancy of a building or structure or a portion thereof, of any premises, or to prevent an illegal act or use in or about any premises.

~~[Section 107—Notices and Orders.]~~ **SECTION 107 NOTICES AND ORDERS**

*107.1 Notice to ~~[P]~~person ~~[R]~~responsible:* Delete the words “Sections 107.2 and 107.3” and replace with “Section 106.2.”

*107.2 Form:* Delete subsection 107.2 in its entirety and replace with the following:

107.2 Disregard of ~~[N]~~notice. Any person who has been issued a notice of noncompliance and who refuses or neglects to comply with the requirements of the order to abate the noncomplying condition, shall be guilty of a separate offense for failure to comply with the order, and shall be subject to the penalties and abatement procedures of Sections 106.3 and 106.4.

*107.3 Method of ~~[S]~~service:* Delete subsection 107.3 **Method of service** in its entirety **and reserve for future use.**

*107.5 Penalties:* Delete section 107.5 Penalties in its entirety and reserve for future use.

~~[Section 108—Unsafe Structures and Equipment.]~~ **SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT**

*108.1 General:* **Replace “condemned” with “posted as Uninhabitable or Condemned.”** ~~[In the first sentence of section 108.1 after “such structure shall be” add the following words:]~~

~~[“posted as “Uninhabitable” or “Condemned”.]~~

*108.3. Notice:* In the first sentence of section 108.3, after “in accordance with” delete the reference to section 107.3 and substitute the following section:

Section 106.2, Notice of Violation posted as “Uninhabitable” or “Condemned”.  
and

Delete the last sentence in Section 108.3 Notice.

*108.4 Placarding:* Add the words “or Uninhabitable” after the word “Condemned”.

*108.4.1 Placard removal:* **Replace “condemnation” with “condemnation or designated uninhabitable.”** ~~[In the first sentence after the words: “Any occupied structure condemned....” add the following words:~~

~~“or designated uninhabitable”]~~

108.5 *Prohibited occupancy*: In the first sentence after the words: “Any occupied structure condemned...” add the following words:

“or designated uninhabitable”

## **SECTION 110 DEMOLITION**

**110.1 General**: replace “building official” with “Code Administrator”.

## ~~[Section 111—Means of Appeal.]~~ **SECTION 111 MEANS OF APPEAL**

Delete entire section and replace with the following:

**111.1 Means of appeal**. Appeals from any decision of the Code Administrator made under the provisions of this code shall be to the Board of Appeal established by Article 26-4 of CHAPTER 26 – BUILDING REGULATIONS.

~~[111.1 Means of appeal. Appeals from any decision of the Code Administrator made under the provisions of this code shall be to the Board of Appeals established by Article 26-4 of the Building Code and shall be governed by the provisions of that article and RSA 673, 674 and 677].~~

## ~~[Section 112—Stop Work Order.]~~ **SECTION 112 STOP WORK ORDER**

**112.4 Failure to Comply**: Delete “...of not less than ~~[[Amount]~~AMOUNT] dollars or more than ~~[[Amount]~~AMOUNT] dollars.” and replace with:

“...pursuant to RSA 676:17 and Section 106.3 of this code.”

## ~~[Section 202—General Definitions]~~ **SECTION 202 GENERAL DEFINITIONS**

~~[Section 202, General Definitions: Strike]~~ **Replace** the following definitions as follows [of “Code Officer” and “Condemn” and add the following]:

~~[Code Official]~~ **CODE OFFICIAL**: Throughout this entire code, all references to the Code Official shall mean the Code Administrator.

~~[Condemnation]~~ **CONDEMN**: To adjudge unfit for use or service.

**INFESTATION**: The presence, within or contiguous to, a structure, or premises of insects, rats, rodents, vermin or other pests

Section 202, General Definitions: Add the following definitions:

**COOKING APPLIANCE**: A stove containing an oven and cooking surface, or a stove top cooking surface and wall over.

***MULTI-FAMILY DWELLING: A building containing three (3) or more dwelling units.***

~~[Public Nuisance]~~***PUBLIC NUISANCE:*** Public nuisance includes, but is not limited to, the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law; or
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises that has unsanitary sewerage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation; or
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of ~~[weeds]~~***vegetation***; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

~~[Rental Unit]~~***RENTAL UNIT:*** Any residential unit in a building or single-family dwelling which provides permanent or transient living facilities for one or more persons, which is occupied by tenants on a rental basis. Rental units include, but are not limited to: hotels, motels, dormitories, apartments, duplex units, rooms rented out of the home of another and single-family dwellings, so long as they are rented.

***RESIDENTIAL OCCUPANCIES: Residential occupancies consist of building or structures, in whole or in part, used for sleeping purposes, and include but are not limited to: Apartment Houses, Boarding Houses, Hotels, Motels, Rooming Houses, Permanent and Temporary Shelters, and Single Family Houses.***

**SMOKE ALARM:** *Smoke alarms are self-contained, stand-alone, single or interconnected smoke-sensing devices typically found in homes and apartments. They detect smoke and then alarm locally.*

**SMOKE DETECTOR:** *Smoke detectors are smoke-sensing devices that are not stand-alone. They operate as part of a distributed fire detection system, typically found in common areas of apartment buildings and commercial premises. Smoke detectors must be connected to a fire indicator panel to operate and are sometimes monitored by a Central Station or outside agency.*

**TEMPORARY:** *Serving or effective for a short-lived time only; NOT permanent.*

**TWO-FAMILY DWELLING UNIT:** *A detached building, or a pair of attached dwelling units, designed or intended for residential use for exclusive occupancy by two (2) families.*

~~[Uninhabitable]~~ **UNINHABITABLE:** *Not fit for human habitation pursuant to any appropriate section in this code or in the opinion of the code official.*

~~[Section 302—Exterior Property Areas.]~~ **SECTION 302 EXTERIOR  
PROPERTY AREAS**

**302.4 Weeds:** *Replace “[JURISDICTION TO INSERT HEIGHT IN INCHES]” with “ten (10) inches”.*

**302.8 Motor Vehicles:** *Delete this section in its entirety and replace with the following:*

302.8 Motor vehicles. Except as provided for in article 28-7-16 Parking and Storage of Unregistered Vehicles, of the Zoning Ordinance, no unregistered or uninspected motor vehicle shall be parked, kept or stored on any premises and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled.

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 designed and approved for such purposes.

*Add new Section 302.10 Public [N]uisance as follows:*

*302.10 Public nuisance.*

A person, firm or corporation shall not be in ~~[violation]~~**conflict** with any of the provisions as listed under *public nuisance* in this code.

~~[Section 303—Swimming Pools, Spas and Hot Tubs.]~~**SECTION 303  
SWIMMING POOLS, SPAS AND HOT TUBS**

303.2 *Enclosures*: Add the following ~~[words]~~**sentence after** ~~[at the end of]~~the first sentence:

“~~All~~**and** openings in *the* fence or barrier shall not allow passage of a four (4) inch diameter (102 mm) sphere.”

~~[Section 304—Exterior Structure.]~~**SECTION 304 EXTERIOR STRUCTURES**

**304.3 Premises identification.** *After the last sentence add: “In all buildings with more than one dwelling unit, every dwelling unit address shall be clearly identified with alphanumeric characters at the main entrance door to the dwelling unit.”*

304.14 *Insect Screens*: ~~[Delete entire section and replace with the following]:~~

~~[During the period from May 1 to September 30, every door, window or other outside opening utilized or required for ventilation purposes, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per square inch, 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.]~~ **In the first sentence, replace “[DATE] to [DATE]” with “May 1st to September 30th”.**

~~[Section 305—Interior Structures.]~~**SECTION 305 INTERIOR STRUCTURES**

305.1 *General*: In the third sentence, delete the following words:

“... **or** two or more non-residential occupancies”

305.1.1 *Unsafe Conditions*: At the end of the first sentence add the following:

“...including, but not limited to:”

~~[Section 306—Component Serviceability.]~~**SECTION 306 COMPONENT SERVICEABILITY**

306.1.1 *Unsafe [€]conditions*: Delete the entire section.

307.1 *General*: Delete the entire section and replace with the following:



307.1 General. Handrails and guardrails *shall be installed where the Code Official determines that either, or both, are necessary for general safety.* [~~in residential occupancies shall comply with the minimum standards established by the appropriate section of the most recently adopted version of NFPA 101 Life Safety Code.~~]

~~[Section 308—Rubbish and Garbage.]~~ **SECTION 308 RUBBISH AND GARBAGE**

*308.1 Accumulation of [R]rubbish or [G]garbage:* Delete the entire section and replace with the following:

308.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage, including, but not limited to: furniture, mattresses, tires, electronics, appliances, glass, metal, construction debris or garbage. Enforcement of any rubbish or garbage violations will be pursuant to *Sections* [~~Articles~~] 13-1-1 and 13-1-3 of the City of Concord Code of Ordinances, General Public Health Regulations.

*308.2.1 Rubbish [S]storage [F]facilities:* Delete the entire section and replace with the following:

308.2.1 Rubbish storage facilities. The owner of any [~~dwelling~~]**building** containing three (3) or more dwelling units shall supply facilities or containers for the safe and sanitary storage and disposal of rubbish and garbage and shall properly place the containers for or shall otherwise arrange for the collection and removal of these items from the site within a periodic time frame to prevent any unsanitary conditions. In the case of one and two-family dwellings, the occupant shall furnish and place such facilities and containers.

*308.3.1 Garbage [F]facilities:* Delete this section in its entirety and reserve for future use.

~~[Section 309—Pest Elimination.]~~ **SECTION 309 PEST ELIMINATION**

*Delete Section 309—Pest Elimination in its entirety and replace with the following:*

*309.1 Infestation:* [~~Delete the second sentence in Section 309.1 and replace with the following second sentence]~~ **All structures shall be kept free from**

**[“insect and rodent infestation.** All structures in which insects or rodents are found shall be promptly exterminated by individuals *and*/or companies licensed by the State of New Hampshire Division of Pesticide Control.

*After extermination, proper precautions shall be taken to prevent re-infestation.*<sup>[“]</sup>

**309.2 Landlords and tenants shall comply with the requirements of RSA 540-A:3 relative to the infestation of insects, including bed bugs, or rodents in a leased premises.**

~~[309.2 Owner: Delete entire section and replace with the following:~~

~~309.2 Owner. The owner or the owner's agent of any structure shall be responsible for extermination within the structure prior to renting or leading the structure.]~~

~~[309.3 Single Occupant: Delete entire section and replace with the following:~~

~~309.3 Single occupant. The occupant of a one family dwelling structure shall be responsible for extermination on the premises.]~~

**309.3 Single occupancy: The occupant of a one-family dwelling shall be responsible for extermination on the premises.**

**309.4 Multiple occupancy: The owner of a structure containing two (2) or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If the infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and the owner shall be responsible for the extermination.**

**309.5 Occupant: The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.**

**Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.**

~~[Section 402—Light:~~

~~402.2 Common Halls and Stairways: Delete the last sentence in this section.]~~

~~[Section 404—Occupancy Limitations:]~~**SECTION 404 OCCUPANCY LIMITATIONS**

**404.1 Privacy: Add the following subsections:**

404.1.1 Sleeping room privacy. Walls should be solid, with openings such as door and windows which can be closed, so as to afford privacy for the occupants.

404.1.2 Rooming unit privacy. In rooming houses, hotels and motels, access doors to rooming units shall have approved operating locking devices to insure privacy.

~~[404.4 Bedroom and Living Room Requirements: Delete this section and replace with the following:~~

~~404.4 Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Sections 404.1.1 through 404.4.6.~~

~~404.4.1 Room Area: Delete this section in its entirety and add the following new section:~~

~~404.4.1 Room area. Every living room shall contain at least 120 square feet (11.2m<sup>2</sup>) and every bedroom shall contain 70 square feet of floor area for a single occupant.]~~

Add the following as a new section:

~~[Section 405—Dwelling Unit.~~

~~405.1 Dwelling unit. Nothing in this code section shall prohibit a dwelling unit from meeting the following requirements:~~

- ~~1. The unit shall be provided with a kitchen sink, cooking appliance (a microwave is not considered a cooking appliance per section 403.3) and a clear working space of not less than 30 inches. Light and ventilation conforming to this code shall be provided.~~

~~Exception: If the tenant of a dwelling unit wishes to provide their own cooking appliance or refrigeration, or both, the owner of the structure shall not be responsible for repairs of the appliance or refrigeration unit.~~

- ~~2. Refrigeration capable of sustaining at least 40 degrees in a suitable size for the number of occupants in the unit.~~

- ~~3. A bathroom containing a water closet, lavatory and tub or shower.]~~

## **SECTION 405 DWELLING UNITS**

**405.1 Dwelling unit. Nothing in this code section shall prohibit a dwelling unit from meeting the requirements in sections 405.1.1 through 405.1.3.**

**405.1.1 Kitchen and cooking appliance. All dwelling units shall be provided with a kitchen sink, cooking appliance (a microwave oven is not considered a cooking appliance per section 403.3) with all components in a safe working condition, and a clear working counter space of not less than thirty (30) linear inches. Light and ventilation conforming to this code shall be provided.**

**Exception: If the tenant of a dwelling unit wishes to provide their own cooking appliance, the owner of the structure shall not be responsible for the maintenance or repairs of the cooking appliance.**

**405.1.2 Refrigeration: All dwelling units shall be provided with refrigeration capable of sustaining forty (40) degrees Fahrenheit or less (without freezing fresh food) with a suitable volume for the number of occupants in the unit.**

**Exception: If the tenant of a dwelling unit wishes to provide their own refrigeration equipment, the owner of the structure shall not be responsible for the maintenance or repairs of the refrigeration equipment.**

**405.1.3 Bathroom: All dwelling units shall be provided with a bathroom containing a water closet, lavatory, and a tub or shower.**

~~[Section 502—Required Facilities.~~

~~Delete the following sections:~~

~~502.4 Employees' facilities.~~

~~502.4.1 Drinking facilities.~~

~~502.5 Public toilet facilities.~~

~~Section 503—Toilet Rooms.~~

~~Delete the following section:~~

~~503.3 Location of employee toilet facilities.]~~

~~[Section 505—Water System.]~~**SECTION 505 WATER SYSTEM**

~~[505.2 Contamination: Delete the following from the section:~~

~~“Shampoo basin faucets...”]~~

505.4 ~~Water~~ [H]heating [F]facilities: Delete the first sentence and replace with the following:

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110[;] *degrees Fahrenheit* (43[;] *degrees Celsius*) and not more than 120[;] *degrees Fahrenheit* (49[;] *degrees Celsius*). ~~[Where bathtub temperature control valves are properly installed, a maximum water temperature of 130;deg;F is permitted.]~~

## **SECTION 506 SANITARY DRAINAGE SYSTEM**

506.3 *Grease Interceptors*: Delete in its entirety

## ~~[Section 602—Heating Facilities.]~~ **SECTION 602 HEATING FACILITIES**

602.3 *Heat* [S]supply: Insert the following dates:

“...shall supply heat during the period from September 15th to May 15th...”

Under “*Exceptions: No. 1*”, delete the first sentence in its entirety and replace with the following first sentence:

1. When the winter outdoor temperature is below -3[;] *degrees Fahrenheit* for Concord, NH, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

602.4 *Occupiable Work Spaces*: Delete in its entirety and replace with the following:

***602.4 Portable space heaters. The use of portable space heaters is not permissible as a source of primary heat. Portable space heaters may be temporarily utilized in emergencies where the primary heating system is inoperable due to mechanical failure or lack of primary fuel. Portable space heaters must be equipped with an emergency shut-off should the unit tip over. Portable space heaters must be directly plugged into a receptacle (no extension cords) capable of supplying the required power***

*in a safe manner. A three (3) foot clearance must be maintained around portable space heaters.*

~~[602.4 Room temperature measurement. The required room temperatures shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.]~~

~~602.5 Room Temperature Measurement: Delete in its entirety.]~~

~~[Section 604—Electrical Facilities.]~~**SECTION 604 ELECTRICAL FACILITIES**

604.2 Service: Add exception as follows:

Exception: An existing service may be maintained provided it is not deemed hazardous under section 604.3.

Delete the following sections entirely:

604.3.1 Abatement of electrical hazards associated with water exposure.

604.3.1.1 Electrical equipment.

604.3.2 Abatement of electrical hazards associated with fire exposure.

**604.3.2.1 Electrical equipment.**

~~[Section 605—Electrical Equipment.]~~**SECTION 605 ELECTRICAL EQUIPMENT**

605.2 Receptacles: Delete this *sub*section in its entirety and replace with the following ~~[new section]~~:

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets and at least one grounded or GFCI duplex receptacle outlet. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom and kitchen shall contain at least one grounded or GFCI duplex receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. ***All receptacle outlets shall have the appropriate faceplate cover for the location.***

605.3 Luminaires: In the first sentence delete the words “public hall” and replace with “common hall.”

***Add the following sections:***

**605.5 Branch Circuits in buildings with more than one occupancy. Branch circuits in each dwelling unit shall supply only loads within that dwelling.**

**605.6 Common area branch circuits with more than one occupancy. Branch circuits installed for the purpose of lighting, central alarm, signal communications, or other purposes for public or common areas of a two-family dwelling, a multi-family dwelling, or a multi-occupancy building shall not be supplied from equipment that supplies an individual dwelling unit or tenant space.**

**605.7 Identification. Each circuit in an electrical panel is required to be identified as to what area of the building that circuit supplies power.**

**605.8 Occupancy. Each occupant shall have ready access to all overcurrent devices protecting the conductors supplying that occupancy.**

**Exception: Where electrical service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the service overcurrent devices and feeder overcurrent devices and feeder overcurrent devices supplying more than one occupancy shall be permitted to be accessible only to authorized management personnel in multiple-occupancy building and guest rooms/guest suites.**

**605.9 Unused openings. Unused openings for circuit breakers and switches shall be closed using identified closures or other approved means that provide protection substantially equivalent to the wall of the enclosure.**

~~[Section 606—Elevators, Escalators and Dumbwaiters.]~~ **SECTION 606  
ELEVATORS, ESCALATORS AND DUMBWAITERS**

**606.1 General:** Delete in its entirety and replace with:

606.1 General. Elevators, dumbwaiters and escalators shall be maintained and inspected per the regulations of the State of New Hampshire Department of Labor, Elevator Inspection Division.

~~[Section 702—Means of Egress]~~ **SECTION 702 MEANS OF EGRESS**

**702.1 General:** Delete ~~[the last sentence]~~ **this section** in its entirety and replace with the following:

**702.1 General.** Means of egress shall comply with **Chapter 26, Building Regulations** ~~[the most recently adopted version of NFPA 101 Life Safety Code]~~.

~~[702.2 Aisles: Delete this section in its entirety and replace with the following:~~

~~702.2 Aisles. The required width of aisles shall comply with the most recently adopted version of NFPA 101 Life Safety Code.~~

~~702.3 Locked Doors: Delete this section in its entirety and replace with the following:~~

~~702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the most recently adopted version of NFPA 101 Life Safety Code.~~

~~702.4 Emergency Escape Openings: Delete this section in its entirety and replace with the following:~~

~~702.4 Emergency escape openings. Required emergency escape openings shall be provided and maintained in accordance with the most recently adopted version of NFPA 101 Life Safety Code.]~~

~~[Section 704—Fire Protection Systems.]~~ **SECTION 704 FIRE PROTECTION SYSTEMS**

Delete entire section and replace with the following:

***Fire Protection Systems shall comply with Chapter 26, Building Regulations. No person, tenant or occupant of a rental unit shall remove any battery from a carbon monoxide alarm or smoke detector, disconnect the primary power to a carbon monoxide alarm or smoke detector, or tamper with or otherwise render inoperable any carbon monoxide alarm or smoke detector.***

~~[704.1 General. 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 in accordance with the most recently adopted version of NFPA 101 Life Safety Code.~~

~~704.1.1 Automatic sprinkler systems. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with the most recently adopted version of NFPA 25.~~

~~704.2 Smoke alarms. The minimum standard pursuant to the City Housing Code, Article 27 of the Municipal Code of Ordinances and a July 1, 1999 amendment to the State of NH Smoke Detector Law Rules (RSA 153:10 a)~~



~~requires that existing battery powered smoke detectors located within multi-family (two or more dwelling units) housing, must be replaced with hard wired, electrically powered battery back-up smoke detectors, which incorporate a “false alarm silencing” feature. The electrically powered smoke detector(s) must be installed by a New Hampshire licensed master electrician. An electrical permit must be obtained prior to installation. This code standard applies to the installation of smoke detection where none were previously provided but are required.~~

~~704.2.1 Existing buildings. When retrofitting an existing building, at a minimum, detection must be provided in the basement and on every floor level of common halls and stairwells.~~

~~704.2.2 Common or public areas. Pursuant to NFPA 70 (NEC), Section 210.25, a branch circuit powered by the house electric service is required for the purpose of lighting, central alarm, signal, communications, or other needs for public or common areas of a two-family dwelling, a multifamily dwelling, or a multi-occupancy building. Such circuitry shall not be supplied from electrical service equipment that supplies an individual dwelling unit or tenant space.~~

~~704.2.3 Placement of smoke detectors. In existing buildings and when retrofitting, detectors shall be located in the vicinity of sleeping rooms and must be audible in all areas of the dwelling unit. In the case of a compartmentalized basement, each compartmentalized section must be provided with a separate smoke detector. To comply with audibility requirements, basement smoke detection must be interconnected to a detector within the dwelling unit served.~~

~~704.3 Tampering. Anyone tampering or interfering with the effectiveness of a smoke detector or strobe signal, shall be in violation of this code and subject to fines and penalties as described in Section 106.3 of this code.~~

~~Add the following new section:~~

#### ~~Section 705—Carbon Monoxide Detectors.~~

~~705.1 General. A carbon monoxide detector (CMD) must be installed in every rental unit.~~

~~705.2 Multi-unit. Each unit contained in a multi-unit dwelling shall be equipped with an automatic carbon monoxide device. There shall be an automatic carbon monoxide detection device on every floor level and in each common stairway and in each common hallway of a multi-unit (two or more dwelling units) dwelling.~~

~~705.3 Rental unit. Every rental unit as defined in Chapter 2, General Definitions in this code, shall be equipped with a least one automatic carbon monoxide detection device. Detection shall be provided on every floor level, in each stairway and in each hallway which is adjacent to a sleeping area. The provisions of this paragraph shall be in addition to any requirements under section 705.1.~~

~~705.4 Power source in existing buildings:~~

- ~~1. Plug in type, single station units powered by the buildings AC current with a battery as a secondary power source, or;~~
- ~~2. Single station hardwired units with a battery as a secondary power source, or;~~
- ~~3. Hardwired combination smoke/CMD unit with a battery as a secondary power source.~~

~~705.5 Responsibility. The owner of the rental unit shall be responsible for maintaining the automatic carbon monoxide detection device in working condition.~~

~~705.6 Tampering. A person tampering or interfering with the effectiveness of a carbon monoxide detector, shall be in violation of this code and subject to fines and penalties as described in Section 106.3 of this code.]~~

**SECTION IV:** This Ordinance shall take effect upon its passage.

Explanation:

Matter added to the current ordinance appears in *bold italics*.

Matter removed from the current ordinance appears in [brackets and ~~struck through~~].