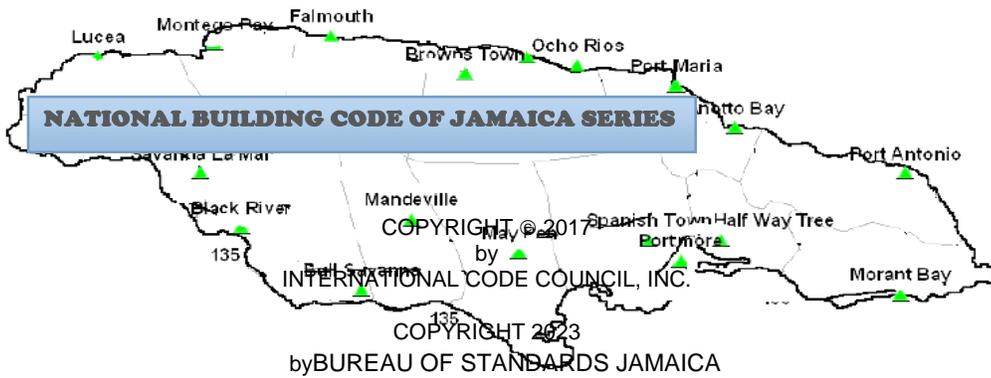




JPMC

Maintenance Code

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JAMAICA PROPERTY MAINTENANCE CODE

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PREFACE

Introduction

The *Jamaica Property Maintenance Code* (JPMC) establishes minimum requirements for the maintenance of existing buildings and structures through model code regulations that contain clear and specific property maintenance and property improvement provisions. This code emphasizes that the minimum conditions on which a building or structure was originally granted Occupancy Certification shall not be lowered by maintenance or repairs or alteration or replacement activity carried out during the life of the building or structure. To ensure that there is no lowering of the minimum specifications of the building codes used for the construction of the building or structure, the specifications in this code are replicas of the other codes. This 2020 edition can therefore be described as fully compatible with all of the *Jamaica Codes* published by the International Code Council[®] (ICC[®]) and the Jamaica Bureau of Standards, including the *Jamaica Building Code*, *Jamaica Energy Conservation Code*, *Jamaica Existing Building Code*, *Jamaica Fire Code*, *Jamaica Fuel Gas Code*, *Jamaica Mechanical Code*, *Jamaica Plumbing Code*, *Jamaica Private Sewage Disposal Code* and the *Jamaica Small Building/ Residential Code*.

This 2020 edition of the Jamaica Property Maintenance Code is the first amalgamated rendering of this code and combines all applicable clauses of the International Property Maintenance Code (IPMC), the Jamaica Application Document as well as clauses from the 2018 Building Act of Jamaica and its Regulations. Prior to this 2020 version of the Jamaica Property Maintenance Code, a code user had to consult four documents to get a full understanding of some code requirements. This made usage of the code unwieldy and discourageable to the plethora of building construction stakeholders needed to become code users. With the vastly improved user friendliness of the JPMC, further local customization of the IPMC provisions as well as the growth in scope of this code usage is expected to increase exponentially. This growth and development of the codes will save many lives, prevent many major and catastrophic property damage and lower risks to the insurers of property that may ultimately result in lower property insurance cost.

The JPMC is a set of regulations that form part of the Building Laws of Jamaica and so will be enforced by the Government of Jamaica through its Local Authorities (Municipal Corporations). Permits for conducting maintenance operations shall be procured from the Municipal

Corporations. Applications for such permit under this code shall state the code(s) from which the work specification will be drawn.

The I-Codes and their replacements, including this *Jamaica Property Maintenance Code*, are being used in a variety of ways in both the public and private sectors. Most building industry professionals are familiar with the J-Codes/I-Codes as the basis of building laws and regulations in Jamaica. However, the impact of the codes extends well beyond the regulatory arena, as they are being used in a variety of nonregulatory settings, including:

- Voluntary compliance programs such as those promoting sustainability, energy efficiency and disaster resistance.
- The insurance industry, to estimate and manage risk, and as a tool in underwriting and rate decisions.
- Certification and credentialing of individuals involved in the fields of building design, construction and safety.
- Certification of building and construction-related products.
- Facilities management.
- "Best practices" benchmarks for designers and builders, including those who are engaged in projects. • College, university and professional school textbooks and curricula.
- Reference works related to building design and construction.

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

Development

This 2020 edition of the code is based on the 2018 edition of the International Property Maintenance Code, with changes reflected in the 2003 through 2015 editions and further changes developed through the the 2003 and 2015 editions of the Jamaica Application Documents. From now onwards a new edition of the code is planned for promulgation every 6 years.

This code is intended to establish provisions that adequately protect public health, safety and welfare; that do not unnecessarily increase construction costs; that do not restrict the use of new materials, products or methods of construction; and that do not give preferential treatment to particular types or classes of materials, products or methods of construction except where such use of materials, products or methods of construction cannot result in a building or structure that can successfully resist the forces of the likely natural hazards to which they may be subjected.

Maintenance

The *Jamaica Property Maintenance Code* will be kept up to date through the review of proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The BSJ and ICC Code Development Process reflects principles of openness, transparency, balance, due process and consensus that are embodied in documents such as the OMB Circular A-119, which governs the U.S. federal government's use of private-sector standards. Both the ICC and BSJ code development process is open to anyone; there is no cost to participate, and people can participate without travel cost through their Internet availability of the document over a stipulated period for public comment. A broad cross section of interests are represented in both the BSJ and ICC Code Development Processes. The codes, which are updated periodically, include safeguards that allow for emergency action when required for health and safety reasons.

In order to ensure that organizations with a direct and material interest in the codes have a voice in the code development process, both the BSJ and ICC have developed partnerships with key industry segments that support the BSJ's and ICC's public safety mission. Some code development committee members were nominated by the following industry partners:

- Jamaica Institute of Architects (JIA)
- Jamaica Institution of Engineers (JIE)
- Construction Industry Council (CIC)
- The Ministry of Local Government and Community Development (MLGCD)
- Municipalities.

Both the BSJ's and ICC's code development committees {known as the Building Code Technical Review Committee (BCTRC) for the BSJ} evaluate and make recommendations regarding proposed changes to the codes or draft codes prepared by contracted consultants. The committees recommendations are then subject to public comment and approval by the BSJ's Standards Council and by council-wide votes in the ICC's case. The ICC's governmental members—public safety officials who have no financial or business interest in the outcome—cast the final votes on proposed changes. In the BSJ's case the Minister of Industry and Commerce gives final approval for the codes and their publication as national standards.

The contents of this work are subject to change through the code development cycles and by any governmental entity that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the International Code Council or the Director of Standards at the BSJ.

While the J-Codes and I-Codes development procedures are thorough and comprehensive, the BSJ, ICC, its members and those participating in the development of the codes disclaim any liability resulting from the publication or use of the J-Codes or I-Codes, or from compliance or

noncompliance with their provisions. Neither the BSJ nor the ICC have the power or authority to police or enforce compliance with the contents of this code.

Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, proposed changes to this code are considered at the Building Code Technical Review Committee (BCTRC) which is tasked with the following responsibilities:

1. Consider the proposed changes to the code and decide whether they are technically sound and implementable in Jamaica without creating widespread disruption in the construction industry, the real estate market and the manufacturing industry.
2. The advantages of the proposed changes and do they represent real improvement on what exists.
3. Are the changes acceptable to the diverse stakeholders that committee members represents?
4. Are the proposed changes to be accepted as proposed or rejected or altered.
5. Are there other changes which should be considered beyond those presented by the Consultats.

In establishing the BCTRC the Standards Act requires that the broadest stakeholder's representation be built into this committee. The committee has been made large to facilitate the diverse codes and subject matter to be reviewed, ensure that meetings have the best chance of a quorum whenever they are called and the mandatory virtual meetings which the Covid Pandemic has imposed. The following are the persons who served on the BCTRC and the organization they represented:

1. Mr. Roosevelt Dacosta – Chief Code Consultant - Endacosta Limited.
2. Mrs. Lise Walter – Jamaica Institution of Engineers (JIE)
3. Mr. Peter Jervis - Jamaica Institution of Engineers (JIE)
4. Mr. David Allen - Code Consultant -Endacosta Limited
5. Mr. Percival Stewart - Jamaica Institution of Engineers (JIE)
6. Dr. Marva Blankson - Jamaica Institution of Engineers (JIE)
7. Mr. Oneil Josephs - Jamaica Institution of Engineers (JIE)
8. Mr. Alex Bernard - Jamaica Institution of Engineers (JIE)
9. Mr. Kevin Sinclair - Jamaica Institution of Engineers (JIE)
10. Mr. Noel Whyte - Jamaica Institution of Engineers (JIE)
11. Mr. Gary Walters - Jamaica Institution of Engineers (JIE)
12. Mr. Dwight Ricketts – Jamaica Institution of Engineers (JIE)
13. Mr. Howard Chin - Jamaica Institution of Engineers (JIE)
14. Mr. Karl Kaiser – Private Fire Consultant - Kaiser Fire Prevention
15. Mrs. Nilsia Johnson – Ministry of Health & Wellness -Environmental Health Unit
16. Mrs. Winsome Grant – Jamaica Fire Brigade
17. Mr. Sirmal Sangster – Jamaica Fire Brigade
18. Mr. Derval McKenzie – Jamaica Fire Brigade
19. Mr. Alfred Fennel – Jamaica Fire Brigade
20. Mr. Dwight Wilson – Ministry of Local Government & Community Development

21. Mr. Carl Drummond - Ministry of Local Government & Community Development
22. Mr. Eldon Livingston – Bureau of Standards Jamaica
23. Mr. Wilfred Francis – Bureau of Standards Jamaica
24. Mr. Romaine McLean – Bureau of Standards Jamaica
25. Mr. Richard Lawrence – Bureau of Standards Jamaica
26. Mr. Sheldon Grant - Office of Disaster Preparedness and Emergency Management
27. Mr. Noel da Costa – Code Consultant - Endacosta Limited.
28. Mr. David Chung – Code Consultants - Endacosta Limited.
29. Mrs. Yolanda Silvera – Academia - University of Technology, Jamaica
30. Mr. Chris Lue – Jamaica Institute of Architects
31. Mr. Lascelles Dixon -Consulting Architech – Lascelles Dixon Associates Limited
32. Dr. Paul Aiken – Academia – University of the West Indies
33. Mr. Africo Adams -Structural Engineering Consultant – SMADA Consultants Ltd
34. Mr. Mark Taylor – Consulting Architect – Taylor Architects Limited
35. Mr. Burchell Solomon – Government Electrical Inspectorate
36. Mr. Gary Walters – Construction Industry Council

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Now that the National Building Act is in place, and implementation of the code is mandatory future code development cycle may begin with a public hearing in which the experience of code users (designers, developers, contractors and code enforcement officials) will be aired, problems experienced and solutions offered. This will enrich the local input into the code and make it even more relevant and applicable to the Jamaica Building Industry.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2009 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or a table has been deleted.

Coordination of the Jamaica Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes and since the Jamaica codes are mainly adoptions of the ICC codes it follows that coordination of technical provisions is also one of the strengths of the Jamaica codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the Jamaica-Codes.

Italicized Terms

Words and terms defined in Chapter 2, Definitions, are italicized where they appear in code text and the Chapter 2 definition applies. Where such words and terms are not italicized, common-use definitions apply. The words and terms selected have code-specific definitions that the user should read carefully to facilitate better understanding of the code.

Adoption

The International Code Council (ICC) and the Bureau of Standards Jamaica (BSJ) maintain a copyright in all of its codes and standards. Maintaining copyright allows the ICC and BSJ to fund its mission through sales of books, in both print and electronic formats. The ICC and BSJ welcome adoption of its codes by jurisdictions that recognize and acknowledge the ICC's and BSJ's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC & BSJ.

EFFECTIVE USE OF THE JAMAICA PROPERTY MAINTENANCE CODE

The *Jamaica Property Maintenance Code* (JPMC) is a model code that regulates the minimum maintenance requirements for existing buildings. The intent of this code is to ensure that the code compliance level that led to the *code official* granting Occupancy Certification to the building or structure is preserved throughout its occupancy life irrespective of the repairs, replacements, alterations and additions that will in all probability take place.

The JPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, cooling, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The JPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.

Arrangement and Format of the 2020 JPMC

Before applying the requirements of the JPMC it is beneficial to understand its arrangement and format. The JPMC, like other codes published by ICC, is arranged and organized to follow sequential steps that generally occur during an inspection. The JPMC is divided into eight different parts:

Chapters	Subjects
1	Scope and Administration
2	Definitions
3	General Requirements
4	Light, Ventilation and Occupancy Limitations
5	Plumbing Facilities and Fixture Requirements
6	Mechanical and Electrical Requirements
7	Fire Safety Requirements
8	Referenced Standards

The following is a chapter-by-chapter synopsis of the scope and intent of the provisions of the *Jamaica Property Maintenance Code*:

Chapter 1 Scope and Administration. This chapter contains provisions for the application, enforcement and administration of subsequent requirements of the code. In addition to establishing the scope of the code, Chapter 1 identifies which buildings and structures come under its purview. Chapter 1 is largely concerned with maintaining “due process of law” in enforcing the property maintenance criteria contained in the body of the code. Only through careful observation of the administrative provisions can the building official reasonably expect to demonstrate that “equal protection under the law” has been provided.

Chapter 2 Definitions. All terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding of a term's definition is especially key to or necessary for understanding of a particular code provision, the term is shown in italics. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance is provided regarding tense, gender and plurality of defined terms as well as terms not defined in this code.

Chapter 3 General Requirements. Chapter 3, "General Requirements," is broad in scope. It includes a variety of requirements for the exterior property areas as well as the interior and exterior elements of the structure. This chapter provides requirements that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Chapter 3 provides specific criteria for regulating the installation and maintenance of specific building components; maintenance requirements for vacant structures and land; requirements regulating the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; vehicle storage regulations and establishes who is responsible for complying with the chapter's provisions. This chapter also contains the requirements for swimming pools, spas and hot tubs and the requirements for protective barriers and gates in these barriers. Chapter 3 establishes the responsible parties for exterminating insects and rodents, and maintaining sanitary conditions in all types of occupancies.

Chapter 4 Light, Ventilation and Occupancy Limitations. The purposes of Chapter 4 are to set forth these requirements in the code and to establish the minimum environment for occupiable and habitable buildings, by establishing the minimum criteria for light and ventilation and identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding. This chapter also provides for alternative arrangements of windows and other devices to comply with the requirements for light and ventilation and prohibits certain room arrangements and occupancy uses. This chapter also deals with the new issue of nuisance lighting since it affects the sleep and subsequent health of a large percentage of persons. The chapter outlines the sources that give rise to nuisance lighting and shows that they stem mainly from improper maintenance practices, insufficient consideration of the negative effect that new or upgraded exterior lights can have on the sleeping environment of neighbouring properties, specifies acceptable correction approaches and how correction should be carried out for just outcomes between the protagonists.

Chapter 5 Plumbing Facilities and Fixture Requirements. Chapter 5 establishes the minimum criteria for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal system and related plumbing fixtures.

Sanitary and clean conditions in occupied buildings are dependent upon certain basic plumbing principles, including providing potable water to a building, providing the basic fixtures to effectively utilize that water and properly removing waste from the building. Chapter 5 establishes the minimum criteria to verify that these principles are maintained throughout the life of a building.

Chapter 6 Mechanical and Electrical Requirements. The purpose of Chapter 6 is to establish minimum performance requirements for heating, cooling, electrical and mechanical facilities and to establish minimum standards for the continued safety of these facilities.

This chapter establishes minimum criteria for installation arising from repairs, replacements, alterations as well as additions and maintenance of the following: heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

Chapter 7 Fire Safety Requirements. The purpose of Chapter 7 is to address those fire hazards that arise as the result of a building's occupancy. It also provides minimum requirements for fire safety issues that are most likely to arise in older buildings.

This chapter contains requirements for means of egress in existing buildings, including path of travel, required egress width, means of egress doors and emergency escape openings.

Chapter 7 establishes the minimum requirements for fire safety facilities and fire protection systems, as these are essential fire safety systems.

Chapter 8 Referenced Standards. The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in the code. The standards are part of the code to the extent of the reference to the standard. Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the code official, contractor, designer and owner.

Chapter 8 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based upon the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.

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CHAPTER 1

SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Application (Sections 101 and 102) and Part 2—Administration and Enforcement (Sections 103 – 112). Section 101 identifies which buildings and structures come under its purview and references other I-Codes as applicable.

This code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the building official appointed by the authority having jurisdiction and also establish the rights and privileges of the property owner and building occupants.

PART 1 — SCOPE AND APPLICATION

SECTION 101 GENERAL

101.1 Title.

These Regulations shall be cited as the *Jamaica Property Maintenance Code, Regulations 2020*, hereinafter referred to as “this code.”

101.2 Scope.

The provisions of this code shall apply to:

- a) All existing buildings or structures in all the occupancy classifications.
- b) All existing *premises* (the land on which the buildings and structures in all the occupancy classifications sit as well as a vacant lot only).
- c) The responsibility of owners, an owner’s authorized agent, operators and occupants;
- d) The occupancy of existing structures and premises from an administration, enforcement and penalties perspective.

The provisions constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance. **101.3 Intent.** The intent of this code is to ensure that:

- a) Public health, safety and welfare are not adversely affected by the continued *occupancy* and maintenance of structures and *premises*.
- b) Existing structures and *premises* that do not comply with the provisions of this code shall be altered or repaired or demolished to provide the minimum level of health and safety required herein.

101.4 Severability.

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

102.1 General.

Where there is a conflict between a general requirement and a specific requirement of this code, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in any specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance.

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. An *owner*, owner's authorized agent, *operator* or *occupant* shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* authorized agent shall be responsible for the maintenance of buildings, structures and *premises*.

102.3 Application of other codes.

All repairs, additions, removals, replacements, demolitions or alterations to a structure, or changes of *building use*, shall be done in accordance with the procedures and provisions of the *Jamaica Building Code, Jamaica Existing Building Code, Jamaica Energy Conservation Code, Jamaica Fire Code, Jamaica Fuel Gas Code, Jamaica Mechanical Code, Jamaica Small Building/Residential Code, Jamaica Plumbing Code* and the Jamaica Electrical Code. Work to be done under these codes require a permit from the Local Authority or Municipality. The inspections required by this code to ensure that buildings and the properties on which they sit are maintained in a safe, healthy, energy efficient and aesthetically pleasing to the community requires no permit. These inspections shall be conducted to the standards and methods of the above listed codes.

102.3.1 Application of this and other codes to minor maintenance works.

Minor maintenance repairs, additions, removals, replacements, demolitions, or alterations listed in Table 102.3.1 shall be allowed without a permit for residential buildings only provided that all of the following conditions are met:

- a) Minor work qualifying for no permit shall not negatively impact the building structural system or the building's safety, health and energy efficiency or the community aesthetics aspects of the building.

- b) The minor maintenance work to be pursued shall not include more than 8 items from Table 102.3.1. Note that repainting of 8 rooms does not require a permit but repainting 9 or more rooms does require a permit. Also repainting 4 rooms, replacing 4 door locks and the carpet in 1 room requires a permit since this is 9 items.

- c) Traceable advice or information was procured from the Fire Brigade on the safety of doors, locks, grilles and any other building items with a potential safety issue intended to be installed.

Table 102.3.1
Work Allowed Under the Jamaica Property Maintenance Code that may not Require a Permit

ITEM No.	SECTION OF BUILDING OR PREMISES	ALLOWABLE MAINTENANCE WORK
1.	Land around buildings of all occupancy types	Replanting of lawn grass, cutting of lawns, installing fire break for lawn, planting and tending of gardens and decorative trees, trimming of flowers and decorative trees, resurfacing of drive-way, installing or repairing boundary fences no higher than 1,220 mm (4' – 0").
2.	Land between public thoroughfare and frontage boundary fence where allowed by the Local Authority.	Replanting of lawn grass, cutting of lawns, planting and tending flowers and decorative trees, trimming of flowers and decorative trees, placement or replacement of covered garbage container.
3.	Doors in all occupancies	Replacement of doors, door locks, door perimeter strips, repolishing of surface, inside building painting or repainting Consultation with the Fire Brigade shall be (Doors and locks)
4.	Windows in all occupancies	Replacement of window locking or opening position holding mechanisms or broken panes of glass (Consultation with Fire Brigade)
5.	Floors	Retiling, recarpeting, stripping of tiles, correction of tiling faults or damage (limit to room)
6.	Roofs	Repainting or replacing water proofing or resealing of joints or cracks.
7.	Ceilings	Correction of ceiling water damage, repainting or revarnishing
8.	Balconies and Verandas	Repainting of handrails, walls and ceiling in originally Local Authority approved colours, changing of light fixtures and bulbs, changing or repairing of floor tiles.
9.	Basements	Internal repainting of grills, walls and ceiling in the colours of choice, changing of light fixtures and bulbs, changing or repairing of floor tiles, repairs or replacement of grills, doors, locks, broken window glazing and ceilings as allowed above, applicable electrical, plumbing, sewage and mechanical work as permitted below.
10.	Kitchens	Internal repainting of grills, walls and ceiling in the colours of choice, wall tiling or retiling, changing of light fixtures and bulbs, changing or repairing of floor tiles, repairs or replacement of grills, doors, locks, broken window glazing and ceilings as allowed above, repairing or changing of counters and/or tops applicable electrical, plumbing, sewage and mechanical work as permitted below.
11.	Living rooms	Internal repainting of grills, walls and ceiling in the colours of choice or changing of light fixtures and bulbs or changing or repairing of floor tiles or carpet or repairs or replacement of grills or doors, locks, broken window glazing or door glazing or ceilings as allowed above or repairing or changing of counters and/or tops or applicable electrical or plumbing or sewage or mechanical work as permitted below.
12.	Dining rooms	Internal repainting of grills, walls and ceiling in the colours of choice or changing of light fixtures and bulbs or changing or repairing of floor tiles or repairs or replacement of grills or doors, locks, broken window glazing or door glazing or ceilings as allowed above or applicable electrical or mechanical work as permitted below.
13.	Bedrooms	Internal repainting of grills, walls and ceiling in the colours of choice or changing of light fixtures and bulbs or changing or repairing of floor tiles or carpet or repairs or replacement of grills or doors, locks, broken window glazing or door glazing or ceilings as allowed above or applicable electrical or mechanical work as permitted below.
	Laundry rooms	Internal repainting of grills, walls and ceiling in the colours of choice or

		changing of light fixtures and bulbs or changing or repairing of floor or wall tiles or repairs or replacement of grills or replacement of doors, locks, broken window glazing or door glazing or ceilings as allowed above or applicable electrical or mechanical work as permitted below.
	Foyers and Passages	Internal repainting of grills, walls and ceiling in the colours of choice or changing of light fixtures and bulbs or changing or repairing of floor tiles or repairs or replacement of grills or doors, locks, broken window glazing or door glazing or ceilings as allowed above.
16.	Carports	Changing of light fixtures and bulbs or changing or repairing of floor tiles or repairs or replacement of grills or doors, locks.
17.	Offices in all occupancies	Changing of a light fixture or bulbs or changing or repairing up to 15 floor tiles or repairs or replacement of a security grill or replacement of a door or replacement of a lock or installation of up to 3,050 mm (10' – 0") of low office partitioning 1,375 mm (4' – 6") high or changing up to 10 m ² (120 ft ²) of carpet or applicable electrical, plumbing, sewage and mechanical work as permitted below.
18.	Electrical system	Replacement of a refrigerator or a freezer or an electric stove or an oven or up to 6 light fixtures or bulbs or up to 4 switches and plugs including covers or a ground rod or a sub-circuit breaker where there is no change in amperage or voltage over the originally approved installation or replacement of up to 6 external flood lights and bulbs.
19.	Plumbing system	Replacement of a faucet or a showerhead or a lavatory or a toilet or a toilet tank or a toilet seat or both the water inlet and outlet valves in a toilet tank or a toilet tank cover or replacing washers or seals or tread tape in leaking pipes or faucets or replacing an electric water heater having the original volumetric size and electrical power consumption or less, cleaning of grease traps, clearing of drain pipe or plumbing fixture blockage.
20.	Sewage disposal system	Repair of a simple sewage pipeline leak or emptying of a septic tank by a Local Authority approved sewage emptying and disposal Contractor or clearing of a sewage pipe blockage or resealing of manholes or resealing of toilets at floor level.
21.	Mechanical system	Replacement of a gas stove or a gas oven or a stove exhaust hood or a gas water heater by manufacture's approved servicemen; cleaning or replacement of air conditioner filters, minor repair or replacement of air conditioning duct insulation or servicing of room air conditioning unit including top-up of refrigerant gas or repairing a room air conditioner refrigerant leak and re-gassing it by Local Authority approved servicemen, replacement of temperature control unit, replacement of ducted or non-ducted exhaust fans.

102.4 Existing remedies.

The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure that is dangerous, unsafe and insanitary.

102.5 Workmanship.

Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

102.6 Historic buildings.

The provisions of this code shall not be mandatory for existing buildings or structures

designated as historic buildings where such buildings or structures are judged by the *building official* to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

102.7.1 Conflicts.

Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.8 Requirements not covered by code.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *building official*.

102.9 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.10 Other laws.

The provisions of the Building Act and this code are additions to, and not in derogation of, or in substitution of the provisions of the following Acts which may have some similar provisions to the Building Act and this code:

- (a) the Architects Registration Act;
- (b) the Beach Control Act;
- (c) the Endangered Species (Protection, Conservation and Regulation of Trade) Act;
- (d) the Fire Brigade Act;
- (e) the Housing Act;
- (f) the Jamaica National Heritage Trust Act;
- (g) the Land Surveyors Act;
- (h) the Local Improvements Act;
- (i) the Local Improvements (Community Amenities) Act;
- (j) the National Housing Trust Act;
- (k) the National Solid Waste Management Act;
- (l) the Natural Resources Conservation Authority Act;
- (m) the Professional Engineer Registration Act;
- (n) the Standards Act;
- (o) the Town and Country Planning Act;
- (p) the Urban Development Corporation Act; or
- (q) the Wildlife Protection Act.

PART 2 — ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF BUILDING SAFETY/LOCAL AUTHORITY

103.1 Creation of enforcement agency.

The Government of Jamaica by duty prescription has made the Local Authority (now known as Municipal Corporation) responsible for enforcement of this Code and thereby Property Maintenance Inspection. The Municipal Corporation for each parish and City is designated as the Local Authority for the respective area in which the Municipal Corporation or City Municipality has jurisdiction. The Building Act authorizes each Local Authority (formerly Parish Councils, Corporation and Municipality) to establish a Department of Building Safety to enforce the Building Laws. The Chief Executive Officer is responsible for administering the affairs of the Local Authority and the Chief Engineering Officer is responsible for operations of the department of building safety. The Local Authority appoints officers for the performance of its functions and designates officers of the Authority to undertake specified functions in respect of its administration and enforcement of building matters. These appointed officers together with the Chief Engineer are known as *building officials*.

103.2 Appointment.

The position of Chief Engineer or chief *building official* for a Local Authority shall be classified and approved by the Ministry with responsibility for the Public Service after reviewing and accepting the Municipality's submitted documentation embodying justification for the post, detailed job description and proposed salary scale. The approved position shall be advertised for applicants. Suitable applicants shall be short listed, interviewed and a selection made and approved by the appointing authority of the jurisdiction.

103.3 Deputies.

In accordance with the prescribed procedures for the appointment of department officers and with the prior written approval of the Ministry responsible for the Public Service, the Local Authority shall have the authority to pursue the appointment of deputies and make acting appointments. This includes the appointment of technical officers and inspectors needed to enforce this code. Such employees shall have powers as delegated by the Chief Engineer and while carrying out such delegated duties their work shall be regarded as that of the *building official*.

103.4 Liability.

The *building official*, member of the Appeals Tribunal or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or the Jamaica Building Act or its regulations, , shall not be civilly or criminally rendered liable personally.

103.4.1 Legal defense.

Any suit or criminal complaint instituted against an officer or employee of the Local Authority because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The *building official* or any

subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

103.5 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be those published in the Building Regulations and approved by the Ministry of Local Government and Community Development and the Local Authority. **These fees are subject to periodic review and revision as needed..**

SECTION 104 DUTIES AND POWERS OF THE BUILDING OFFICIAL

General.

The *building officials* shall perform the functions of the Local Authority which includes inspection and enforcing provisions of this code. *Building officials* shall render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. The interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. The policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. The functions of each Local Authority in relation to the 2018 Building, its Regulations and all the building codes is to –

- (a) Administer and enforce the Building Laws of Jamaica, within its area of jurisdiction;
- (b) Accept and consider applications for building permits and make determinations on them, subject to any specified term or condition ;
- (c) Ensure that all building work within its area of jurisdiction is carried out in accordance with the Building Laws of Jamaica;
- (d) Keep and maintain full, accurate and up-to-date records and make the information available to the public, subject to such guidelines as may be established in the building codes;
- (e) Issue compliance certificates for stages of construction and certificates of occupancy in respect of building **codes requirements** and building work **inspections**;
- (f) Prescribe fees for services provided by or on behalf of the Local Authority;
- (g) Ensure that designs submitted in respect of building applications are in compliance with the Building Laws of Jamaica and that the design and supervisory aspects of building work are undertaken and executed by duly qualified persons;
- (h) Engage persons under contract as it deems necessary for the proper performance of its functions in accordance with applicable laws and guidelines; and
- (i) Perform such other functions **such as existing buildings inspections** as are necessary or expedient or in connection with, the proper performance of building **systems**, usage, operation **and** its functions under the Building Laws of Jamaica **to ensure occupants safety, health and wellbeing.**

104.2 Inspections.

The *building official* shall make all of the required inspections emanating from Sections 102.3, 104, 110, 111, 114, 115, 116 and as needed elsewhere in this code. The *building official* shall have the authority to accept reports of inspections done by *approved* agencies or individuals. Reports of such inspections done by the *building official*, *approved* agencies and individuals shall be in writing and be certified by a responsible officer of the Department of Building Safety

for internally generated reports and a responsible officer for such *approved* agency or by the responsible individual for externally generated reports. The *building official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

104.3 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a *structure* or on a *premises* a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, unhealthy, dangerous or hazardous, the *building official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or *premises* is occupied the *code official* shall present credentials to the occupant and request entry. If such structure or *premises* is unoccupied, the *building official* shall first make a reasonable effort to locate the *owner*, owner's authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

104.4 Identification.

The *building official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

104.5 Notices, orders and other enforcement instruments.

The *building official* shall issue all necessary certificates, notices or orders and other authorizations, approvals or make determination to ensure compliance with this code.

104.6 Department records.

The *building official* shall keep official records of all inspections made, certificates, notices, orders and other authorizations and approvals issued; determinations made; fees collected, and reports of inspections generated. The records shall be retained in the official records for the period required for retention of public records.

**SECTION 105
APPROVAL**

105.1 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* authorized agent, provided that the *building official* shall first find that special individual reason that makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to

prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *building official* shall respond in writing, stating the reasons why the alternative was not *approved*.

105.3 Required testing.

Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method of construction does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests to be made as evidence of compliance without expense to the jurisdiction.

105.3.1 Test methods.

Test methods shall be as specified in this code or by the Bureau of Standards Jamaica or by other BSJ recognized test standards. In the absence of recognized and accepted test methods, the Bureau of Standards Jamaica or any of its recognized testing bodies shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records

105.3.2 Test reports.

Reports of tests shall be retained by the *building official* for the period required for retention of public records.

105.4 Used material and equipment.

Materials that are reused shall comply with the requirements of this code for new materials. Materials, equipment and devices shall not be reused unless such items are in good repair or have been reconditioned and tested and are *approved* by the *Bureau of Standards Jamaica* or a *BSJ recognized body*.

105.5 Approved materials and equipment.

Only materials, equipment and devices *approved* by the Bureau of Standards Jamaica (BSJ) or a BSJ recognized body shall be allowed by the *building official* in construction and installation in accordance with such approval.

105.6 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

SECTION 106 VIOLATIONS

106.1 Unlawful acts.

It shall be unlawful for a person, firm or corporation to alter, repair, replace, remove, demolish, relocate and reoccupy any building, structure or equipment regulated by this code without first

obtaining the required permit or certification and ensuring that none of these actions are in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation.

The *Local Authority* may serve a notice of violation or order on the person responsible for alteration or repair or replacement or removal or demolition or relocation work larger than the very minor of Table 102.3 or re-occupancy of a building or structure or equipment in violation of the provisions of this code, or in violation of a *building official* directive or certificate or other authorization issued under the provisions of this or another code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. in accordance with Section 107.

106.3 Prosecution of violation.

If the notice of violation is not complied with promptly, the *building official is authorized to* institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the building or structure in violation of the provisions of this code or of the order or direction made pursuant to this code.

106.4 Violation penalties.

Any person who contravenes a provision of this code, or fails to comply with any of the requirements of this code or who alters, repairs, replaces, removes, demolishes, relocates or reoccupies any building, structure or equipment in violation of this code or violates the directive of the *building official*, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

106.5 Abatement of violation.

The imposition of the penalties prescribed in this code shall not preclude the institution of appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

**SECTION 107
STOP NOTICES AND STOP WORK ORDERS**

107.1 Authority for Notice to person responsible.

Where the *building official* has reasonable grounds to suspect that any building work regulated by the Building laws is unauthorized or being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop notice requiring the responsible party to immediately cease the building work. Building work is unauthorized if it is being carried out in breach of a term or condition subject to which a building permit was issued or is being carried out without the issue of a building permit in respect of the building work. Where a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code.

107.2 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. The stop order

remains in effect until the building work required to be completed to comply with a related enforcement notice is certified by the Local Authority as being completed. However, if an enforcement notice is not served before the end of fourteen days after service of the stop notice, the stop notice shall expire.

5. 106.3.

107.3 Method of service.

Not applicable..

107.4 Unauthorized tampering.

Not applicable.

107.5 Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.6 Transfer of ownership.

Not applicable.

107.7 Unlawful continuance.

Any person who shall continue any work after having been served with a stop notice order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law

**SECTION 108
UNSAFE/DANGEROUS STRUCTURES AND EQUIPMENT**

108.1 General conditions for dangerous and unsafe structures.

When a building, wall or separate structure and anything affixed to or projecting from these building, wall or separate structure, or equipment is found by the Chief Engineering Officer to be unsafe, or when a structure is being used in a manner that constitutes a danger to persons or property; or constitute a nuisance to the community or is found to be unfit for human *occupancy*, or is found to be unlawfully and improperly occupied, such structure shall be deemed unsafe and dangerous pursuant to the provisions of this code. A vacant structure that is not secured against entry shall be deemed unsafe.

108.1.1 Definition of unsafe structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Definition of unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

108.1.3 Definition of a structure unfit for human occupancy.

A structure is unfit for human *occupancy* whenever the *building official* finds that such

structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

108.1.4 Definition of an unlawful structure.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises.

For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law to

such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *building official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *building official* to be a threat to life or health.
11. Any portion of a building remains on a premises after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

108.2 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 *building official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up 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 *building 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.

108.2.1 Authority to disconnect service utilities.

The *building official* may authorize the disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards specified in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *building official* shall notify the serving utility and, whenever possible, the *owner* or *owner's* authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, *owner's* authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice.

If an unsafe or dangerous condition is found, the *building official* shall serve on the *owner*, *owner's* authorized agent or the person or persons responsible for the structure or equipment a written notice that describes the condition deemed unsafe or dangerous and specifies the required repairs or improvements to be made to abate the unsafe or dangerous condition, or that requires the unsafe structure to be demolished within a stipulated time. The term "owner", in relation to a dangerous structure, means an owner who at the time when a notice is given is the owner of the land on which the dangerous structure is situated. The notice shall require the person notified to declare immediately to the building official acceptance or rejection of the

terms of the order. If the notice pertains to equipment, it shall be placed on the condemned equipment list. The notice shall be in the form prescribed in Section 107.2.

108.3.1 Method of serving a notice.

The notice shall be deemed properly served if a copy is:

- (a) Delivered to the owner personally;
- (b) Sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or
- (c) Delivered in any other manner as prescribed by the Building laws.

If the certified or registered letter is returned showing that the letter was not delivered, a copy of the notice shall be posted in a conspicuous place in or about the structure affected by the notice. Service of the notice in the foregoing manner on the owner's agent or on the person responsible for the structure shall constitute service of notice on the owner.

108.4 Placard and notice on site.

Upon failure of the *owner*, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the *building official* may post on the *premises* or on defective equipment a placard bearing the word "Condemned" even if the notice has been posted at the site. Where a placard is placed on site it shall contain a statement of the penalties provided for occupying the unsafe/ dangerous *premises*, operating the unsafe/ dangerous equipment or removing the placard.

108.4.1 Placard and notice removal.

If a notice and/or condemnation placard are/is erected at the condemned building or equipment site the *building official* shall remove them/it whenever the defect or defects upon which the notice and/or condemnation placard were based have been eliminated. Any person who defaces or removes a notice and/or the condemnation placard without the approval of the *building official* shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy.

Any occupied structure for which a notice and/or condemnation placard has been posted by the *building official* shall be vacated as ordered by the *building official*. Any person who shall occupy a notified and/or placarded *premises* or shall operate placarded equipment, and any *owner*, owner's authorized agent or person responsible for the *premises* who shall let anyone occupy a notified and/or placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Abatement methods or remedying unsafe/dangerous structures.

The *owner*, owner's authorized agent, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe/dangerous by the *building official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action in the time given. If the owner, owner's authorized agent, operator or occupant fail to carry out the abatement action in the time allowed, the Local Authority may enter the premises where the dangerous structure is situated and cause all or so much of the dangerous structure to be taken down, repaired, or otherwise stabilized in such manner as the Local Authority considers to be appropriate, and recover the expenses as a civil debt in the Parish Court of the parish in which the dangerous structure is or was situate. Where a structure has been certified as a dangerous structure by the Local Authority, a Judge of the Parish Court for the parish in which the structure is situate, if satisfied that the structure is dangerous, may, upon

an application by the Chief Engineering Officer or on his own motion, order that any occupant of the structure be removed from the structure forthwith by the police.

108.6.1 Restoration. Where the structure or equipment determined to be unsafe or dangerous by the *building official* is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such alterations, repairs, , replacements, relocations and change of occupancy shall comply with the requirements of the *Jamaica Existing Building Code*.

108.7 Record.

The *building official* shall cause a report to be filed on an unsafe/dangerous structure. The report shall state the *occupancy* of the structure and the nature of the unsafe/ dangerous condition.

**SECTION 109
EMERGENCY MEASURES**

109.1 Imminent danger and emergency.

When, in the opinion of a *Local Authority*, there is *imminent danger* of structural failure or collapse of a building or a structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Local Authority is authorized and empowered by Section 2 of the Building Act to promptly co-ordinate action or special regulation of persons or property to:

- a) Protect the health, safety or welfare of persons
- b) Prevent loss or damage to property
- c) Carry out emergency building work immediately before a notice of intention to carry out such building work can be given.

A Local Authority may issue an emergency order if in its opinion the condition of a building or building work that has been carried out, is being carried out or is proposed to be carried out or the land on which the building sits is hazardous or dangerous to building occupants or persons in the immediate vicinity of the building. The type of emergency shall determine the order issued by the Local Authority.

109.1.1 Emergency order to occupants of a building.

The Local Authority shall issue an emergency order to the occupants of a building if in its opinion the building is in imminent danger of collapse due to structural damage or failure, building disintegration, explosive sources, poisonous or noxious gases or fumes emanating from the building itself or from the community, serious internal or external fire threats. At the time of issuance of the emergency order the Local Authority shall instruct building occupants on the reason for the emergency order and the conditions to be satisfied for the safe return to the building. Emergency orders issued for any of the abovementioned reasons shall require the *occupants* to vacate the affected *premises* forthwith. In the case of the building's imminent collapse due to structural damage or failure, the *building official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for

any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

109.1.2 Emergency order to persons affected by active building work.

Where in the opinion of the Local Authority building work, such as pouring of a reinforced concrete slab for a building under construction that is over a public thoroughfare or which is abutting or directly over the sidewalk of a public thoroughfare, with the potential for inflicting fatal harm and property damage, the Local Authority may issue an emergency order that forces the building contractor to implement special measure to mitigate public harm and damage as well as temporarily restrict or prohibit pedestrians and traffic from using the affected area during the period of danger. The Local Authority may also issue emergency order to neighbouring building owners, owners' authorized agents, or occupants of buildings it considers to be exposed to danger if the slab collapses during the concrete pour. Such emergency order could require total, partial or temporary relocation of building occupants.

109.1.3 Emergency order to persons affected by proposed building work.

Where in the opinion of the Local Authority the special building work of lifting very heavy loads and its potential for overturning the on-building or ground supported crane doing the lifting, threaten the safety of occupants and property in neighbouring buildings, the Local Authority may issue an emergency order which will:

- a) Provide timely warning to the adjacent building occupants and instruct them vacate the buildings at stated date and time.
- b) Force the contractor to put in place special measures to mitigate harm to the persons and property of neighbouring buildings which could be negatively affected by an overturned crane.
- c) Compel the contractor to organize street and sidewalk closure with the National Works Agency or Local Authority for the required date, time and duration.

109.1.4 Emergency order issuance,

The emergency order shall be served on the owner or owner's authorized agent or contractor or occupant of the building or occupier of the land. An emergency order may require the owner or occupier of the land, and the builder carrying out building work on the land to evacuate the building or land, cease the carrying out of building work or carry out building work or other work necessary to make the land safe, including specifying steps to be taken for this purpose or prohibit the occupation or use of the building or land, or any part of the building or land, for a specified period. A person who is the subject of an emergency order issued may, apply to the court for an order to set aside or modify the emergency order. On hearing an application to set aside or modify an emergency order, the court may make such order as it considers appropriate.

109.1.5 Duration of emergency order.

An emergency order remains in force until it is set aside or modified; it expires, or it is cancelled by the Local Authority. A Local Authority may cancel an emergency order if the circumstances giving rise to the making of the order have changed; and shall give notice forthwith of the cancellation to the persons on whom it was

required to be served. Where an emergency order is not complied with; or the owner of the land is not known to the Local Authority or there is no builder carrying out building work on the land, the Local Authority may authorize the entry upon the land and taking of any necessary steps to remedy the problem specified in the order. The Local Authority may recover as a civil debt in the Parish Court for the parish in which the land is situate, notwithstanding any limitation as to the amount recoverable under the Judicature (Parish Court) Act from the person who is the owner of the land or the builder, any expenses reasonably incurred by the Local Authority in taking the remedial steps.

109.2 Temporary safeguards.

Notwithstanding other provisions of this code, whenever, in the opinion of the *building official*, there is *imminent danger* due to an unsafe condition, the *building official* shall order the necessary remedial work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *building official* deems necessary to meet such emergency.

109.3 Closing streets.

When necessary for public safety, the *building official* shall temporarily close structures and close, in the case of Municipality owned steets, or request the National Works Agency (NWA) to immediately close, sidewalks, streets, *public ways* and places adjacent to unsafe structures or potentially unsafe construction activities, and prohibit the same from being utilized.

109.4 Emergency repairs.

For the purposes of this section, the *building official* shall employ the necessary labor and materials to perform the required emergency repair work as expeditiously as possible.

109.5 Costs of emergency repairs.

Costs incurred in the performance of emergency work shall be paid by the Local Authority in which the emergency work was done. The Local Authority may institute appropriate action against the *owner* of the *premises* or the owner's authorized agent where the unsafe/dangerous structure is or was located for the recovery of the costs.

109.6 Hearing.

Any person ordered to take emergency measures shall comply with the order forthwith. Any affected person shall thereafter, on appeal directed to the Building Appeal Tribunal, be afforded a hearing as described in this code.

SECTION 110 DEMOLITION

110.1 General.

The *building official* shall order the *owner* or owner's authorized agent of any *premises* upon which is located any structure, which in the *building official's* or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *building official* shall order the *owner* or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

110.2 Notices and orders.

Notices and orders shall comply with Section 107.

110.3 Failure to comply.

If the *owner* of a *premises* or owner's authorized agent fails to comply with a demolition order within the time prescribed, the *building official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

110.4 Salvage materials.

Where any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION 111 MEANS OF APPEAL/BUILDING APPEAL TRIBUNAL

111.1 Application for appeal.

Any person directly affected by a decision of the *Local Authority* shall have the right of appeal to the Appeal Tribunal in relation to the following matters:

- a) A determination that any type or scope of building work does not fall within Section 104.1(c) of this code;
- (b) The refusal of an application for a permit, licence, certificate, notice, order or other authorization under the National Building Code, or any other regulation made under the Building Act;
- (c) The suspension or revocation of a permit, licence, certificate, notice, order or other authorization under the National Building Code, or any other regulation made under this Act;

(d) A certificate of a Chief Engineering Officer as to the condition of a structure that is or appears to be likely to become a dangerous structure.
or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

111.2 Membership of board.

The Tribunal shall consist of a chairman and two other members. Responsible for Local Government. The Members of the Tribunal shall not be employees of the Local Authority and at least one member should have experience and training on matters pertaining to property maintenance and who are not employees of any Municipality. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

111.2.1 Alternate members.

The chief appointing authority shall appoint not less than two 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.

111.2.2 Chairman.

The board shall annually select one of its members to serve as chairman.

111.2.3 Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

111.2.4 Secretary.

The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

111.2.5 Compensation of members.

Compensation of members shall be determined by law.

111.3 Notice of meeting.

The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

111.4 Open hearing.

Hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

111.4.1 Procedure.

The board shall adopt and make available to the public through the secretary procedures

under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.5 Postponed hearing.

When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.6 Board decision.

The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.

111.6.1 Records and copies.

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the *building official*.

111.6.2 Administration.

The *building official* shall take immediate action in accordance with the decision of the board.

111.7 Court review.

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

111.8 Stays of enforcement.

Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

**SECTION 112
STOP WORK NOTICE**

112.1 Authority.

Whenever the *code official* has reasonable grounds to suspect that work regulated by this code is unauthorized or being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop notice requiring the responsible party to immediately cease the building work. Building work is unauthorized if it is being carried out in breach of a term or condition subject to which a building permit was issued or is being carried out without the issue of a building permit in respect of the building work.

112.2 Issuance.

A stop notice shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the person doing the work. Upon issuance of a stop notice, the cited work shall immediately cease. The stop notice shall state the reason for the notice, and the conditions under which the cited work is authorized to resume. The stop notice shall remain in effect until the building work required to be completed to comply with a related enforcement notice is certified by the Local Authority as being satisfactorily completed. However, if an enforcement notice is not served before the end of fourteen days after service of the stop notice, the stop notice shall expire.

112.3 Emergencies.

Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work. The written stop notice in this situation shall be served within 24 hours of stopping the work.

112.4 Failure to comply.

Any person who shall continue any work after having been served with a stop notice, except such work as that person is directed to perform to remove a violation or unsafe condition, shall commit an offence and shall be liable on conviction to the penalty specified in the First Schedule of the Building Act, 2018. In addition to the penalty in the First Schedule the court may endorse any order issued by the Local Authority to remedy the offence such as demolition of the works already done..

CHAPTER 2 DEFINITIONS

User note:

About this chapter: Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.

SECTION 201 GENERAL

201.1 Scope.

Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes.

Where terms are not defined in this code and are defined in the *Jamaica Building Code*, *Jamaica Existing Building Code*, *Jamaica Fire Code*, *Jamaica Fuel Gas Code*, *Jamaica Mechanical Code*, *Jamaica Plumbing Code*, *Jamaica Small Building/Residential Code*, or *Jamaica Electrical Code*, such terms shall have the meanings ascribed to them as stated in those codes.

201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts.

Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

ANCHORED. Secured in a manner that provides positive connection.

APPROVED. Acceptable to the *code official*.

BASEMENT. That portion of a building that is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

BUILDING OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

BUILDING SERVICES. The electricity, telecommunications, data, sewage and water utility services together with garbage disposal services.

CODE OFFICIAL. See the local and legally recognized term "BUILDING OFFICIAL"

CONDEMN. To adjudge unfit for *occupancy*.

CONDITIONED BUILDING, ROOM OR SPACE. A building, room or space that is artificially heated or cooled periodically or continuously to create a comfortable environment within the space regardless of external temperature.

COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS. The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

DEAD LOADS. The weight of all the materials used to construct the building plus that of its occupants, its furnishings and all other material stored in the building.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation within a multifamily or detached building.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above said lot or lots.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas* are not considered *habitable spaces*.

HISTORIC BUILDING. Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or locally designated historic district.

HOUSEKEEPING UNIT. A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating that does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition that could cause serious or life-threatening injury or death at any time.

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

INOPERABLE MOTOR VEHICLE. A vehicle that cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, *approved* agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-*labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

LET FOR OCCUPANCY or LET. To permit, provide or offer possession or occupancy of a dwelling, *dwelling unit, rooming unit, building, premise or structure* by a person who is or is not

the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

LIVE LOADS. Loads produced from how the building is used or occupied and does not include environmental loads such as wind, rain, earthquake, flood or dead load.

NEGLECT. The lack of proper maintenance for a building or *structure*.

NUISANCE LIGHTING. Nuisance Lighting is unwanted lighting from a neighbouring or within property flood, pathway or interior passage light(s) or from a public thoroughfare (street) light(s) which create too high illumination level inside a complainant's sleeping room thereby:

- a) Affecting the sleeping habit of one or more persons in the complainant's sleeping room(s).
- b) Preventing deep and protracted sleep so crucial to the body repairing itself and maintaining good health.
- c) Having a negative impact on the complainant's wellbeing (comfort, health or happiness).

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or *premises* that is let or offered for *occupancy*.

OWNER. Any person, agent, *operator*, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

PREMISES. A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

PUBLIC WAY. Any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than 3,050 mm (10 feet).

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. That which is built or constructed.

TENANT. A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

ULTIMATE DEFORMATION. The deformation at which failure occurs and that shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

UNCONDITIONED BUILDING, ROOM OR SPACE. A building, room or space that has no artificial heating or cooling, periodically or continuously, to create a comfortable environment within the space regardless of external temperature.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

User note:

About this chapter: Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.

SECTION 301 GENERAL

301.1 Scope.

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, building services systems and *exterior property*.

301.2 Responsibility.

The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* they occupy and control.

301.3 Vacant structures and land.

Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to have a depressing effect on surrounding property values or its aesthetics or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation.

Exterior property and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage.

Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Storm water shall not be drained into neighbouring properties or the public road but into a drain pit filled with sand or gravel.

Exception: The following exceptions shall be allowed where *approved* by the *code official*:

- a) Retention areas and reservoirs.
- b) Where the storm water through the property under scrutiny comes from a neighbouring property or road and is part of a natural drainage course.

302.3 Sidewalks and driveways.

Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from obstructions and hazardous conditions.

302.4 Weeds.

Premises and exterior property shall be maintained free from weeds or plant growth in excess of 305 mm [**12 INCHES**]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs or grasses cultivated; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or owner's agent or occupant having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property. Failure to pay within 3 months of being invoiced shall result in the Municipality (Local Authority) having jurisdiction obtaining the permission of the Parish Court to lodge the debt as a caveat to the title of the property.

302.5 Rodent harborage.

Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated using materials and methods approved by the Environmental Health Unit of the Ministry of Health. Approved elimination materials and application shall not be injurious to the health of humans or *code official* approved pets. After pest elimination, proper precautions shall be taken to eliminate rodent accommodation and attraction to prevent reinfestation.

302.6 Exhaust vents.

Pipes, ducts, conductors, chimneys, exhaust hoods, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on or abutting or adjacent to public or private property or that of another *tenant*. Exhaust fans should preferably be roof mounted unless impossible to implement. The exhaust substance shall be ducted to at least 750 mm (2' – 6") above roof level where dissipation can be achieved before reaching neighbouring on-building or off-building properties. Exhaust vents which cannot be taken to above-roof level shall be installed at a minimum of 1,220 mm (4' – 0") away from the nearest opening or the nearest tenant or neighbouring building.**302.7 Accessory structures.** Accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles.

Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any *premises*, public side walk or verge 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 or protracted repairs (repairs taking more than 8 hours) of vehicles is prohibited unless conducted inside an *approved* spray booth.

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.

302.9 Defacement of property.

A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. Anyone found guilty of willful or wanton damage, mutilation or defacement of the exterior surface of any structure or building on any private or public property by a Parish Court shall be subject to the fine under the Anti-litter Act.

It shall be the responsibility of the *owner* to restore any structure or building or property deemed defaced by the building official to an *approved* state of maintenance and repair.

**SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS**

303.1 Swimming pools.

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. The water shall be treated to prevent mosquito infestation on an ongoing basis.

303.2 Enclosures.

Private swimming pools, hot tubs and spas, containing water more than 610 mm (24 inches) in depth shall be completely surrounded by a fence or barrier not less than 1,220 mm (48 inches) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be selfclosing and self-latching. Where the self-latching device is less than 1,375 mm (54 inches) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 150 mm (6 inches) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier to children or vision impaired adult.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

**SECTION 304
EXTERIOR STRUCTURE**

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to

comply with the *Jamaica Building Code* or the *Jamaica Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.

11. Overhang extensions or projections including, but not limited to cantilevers, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country..
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects likely to be imposed by the highest level of natural hazards previously experienced by the country.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *building official*.

304.2 Protective treatment.

Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by periodic painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated before surfaces are repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be periodically recoated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized before recoating to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification.

Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background and shall be placed on the building or on the gate post or the fence or on its own support stand. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 100 mm (4 inches) in height with a minimum stroke width of 12.5 mm (0.5 inch)+-.

304.4 Structural members.

Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls.

Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be

kept in such condition so as to prevent the entry of rodents and other pests. Storm water shall be prevented from undermining the foundation by ensuring it is drained away from the foundation.

304.6 Exterior walls.

Exterior walls shall be free from holes, breaks, moulds, flaking paints, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that cause rain to leak into the building. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall be discharged to on-lot drain pit filled with sand or gravel in a manner that keeps it within the lot or premises boundary and does not create a public nuisance.

304.8 Decorative features.

Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions.

Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies.

Every exterior stairway, deck, porch, cantilever and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed dead and live loads.

304.11 Chimneys and towers.

Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards.

Every handrail and *guard* shall be firmly anchored and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight, door and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. Cracked and deteriorated joint sealer beads shall be removed and replaced. If any window, skylight, door or frames are to be replaced, the replacement item shall not have a lower R-value or specification than the original item.

304.13.1 Glazing.

Glazing shall be maintained free from cracks and holes and if to be replaced the

replacement glazing shall have the same or lower shading coefficient than the original glazing.

304.13.2 Openable windows.

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens.

Every door, window and other exterior 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 16 mesh per 25 mm (16 mesh per inch), and every screen door used for insect control 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.

304.15 Exterior doors, door assemblies, operator systems and hardware.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door and shall be openable from the inside without a key. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways.

Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows.

Every *basement* window that is openable shall be supplied with rodent screens, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security.

Exterior doors or windows for *dwelling units*, room units or *housekeeping* units shall be provided with devices such as reinforced steel bar grilles designed to provide security for the occupants and property within. Door grilles shall be placed on the inside of the building or room being protected and locks shall be designed to open from the inside without keys. At least one window in each sleeping room, where all the windows are grilled, shall be openable to the outside without keys to facilitate occupant escape if egress door is cut off by fire.

304.18.1 Doors.

Internal doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping* unit in the basement that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 25 mm (1 inch). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall be considered an acceptable deadbolt lock. Door grilles shall not be placed on the inside doors of any room being protected.

304.18.2 Windows.

Operable windows located in whole or in part within 1,830 mm (6 feet) above ground level or a walking surface below that provide access to a *dwelling unit, rooming unit or housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device. One window in each sleeping room, where all the windows are grilled, shall be openable to the outside without keys to facilitate occupant escape if egress doors are cut off by fire.

304.18.3 Basement hatchways.

Basement hatchways that provide access to a *dwelling unit, rooming unit or housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry. Basement hatchways or doors leading from the ground floor to the basement shall not be grilled. However if a basement hatchway or door must be grilled it shall be done only if there is at least one external basement door and an openable window in each room that can facilitate easy escape to the outdoors in case of a fire.

304.19 Gates.

Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

**SECTION 305
INTERIOR STRUCTURE**

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies*, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*. In the case of multiple owned residential and nonresidential owners maintenance shall be handled by a strata organization the cost of which shall be borne by the occupants on an equitable basis.

305.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *Jamaica Building Code* or the *Jamaica Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.

5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members.

Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces.

Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards.

Every handrail and *guard* shall be firmly anchored and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors.

Every interior door shall fit reasonably well and maintained within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**SECTION 306
COMPONENT SERVICEABILITY**

306.1 General.

The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions.

Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or

replaced to comply with the *Jamaica Building Code* or the *Jamaica Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system.
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
 - 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 1.5. Where the allowable bearing capacity of the soil is in doubt.
 - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration of bar condition.*
 - 2.2. *Ultimate deformation.*
 - 2.3. Fractures.
 - 2.4. Fissures.
 - 2.5. Spalling.
 - 2.6. Exposed reinforcement.
 - 2.7. *Detached, dislodged or failing connections.*
3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. *Deterioration.*
 - 3.2. Corrosion.
 - 3.3. Elastic deformation.
 - 3.4. *Ultimate deformation.*
 - 3.5. Stress or strain cracks.
 - 3.6. Joint fatigue.

- 3.7. *Detached*, dislodged or failing connections.
- 4. Masonry that has been subjected to any of the following conditions:
 - 4.1. *Deterioration*.
 - 4.2. *Ultimate deformation*.
 - 4.3. Fractures in masonry or mortar joints.
 - 4.4. Fissures in masonry or mortar joints.
 - 4.5. Spalling.
 - 4.6. Exposed reinforcement.
 - 4.7. *Detached*, dislodged or failing connections.
- 5. Steel that has been subjected to any of the following conditions:
 - 5.1. *Deterioration*.
 - 5.2. Elastic deformation.
 - 5.3. *Ultimate deformation*.
 - 5.4. Metal fatigue.
 - 5.5. *Detached*, dislodged or failing connections.
- 6. Wood that has been subjected to any of the following conditions:
 - 6.1. Ultimate deformation.
 - 6.2. Deterioration.
 - 6.3. Damage from termites, insects, rodents and other vermin.
 - 6.4. Fire damage beyond charring.
 - 6.5. Significant splits and checks.
 - 6.6. Horizontal shear cracks.
 - 6.7. Vertical shear cracks.
 - 6.8. Inadequate support.

- 6.9. Detached, dislodged or failing connections.
- 6.10. Excessive cutting and notching.

Exceptions:

- 1. Where substantiated otherwise by an *approved* method.
- 2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**SECTION 307
HANDRAILS AND GUARDRAILS**

307.1 General.

Every exterior and interior flight of stairs having more than four risers shall have a handrail on either side of the stairs. However, if one side of the stairs is against a wall the stair may have a handrail only on the open side. Where both sides of the stair is open a handrail shall be installed on each side. Every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 760 mm (30 inches) above the floor or grade below shall have *guards*. Handrails shall be not less than 760 mm (30 inches) in height or more than 1,065 mm (42 inches) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 760 mm (30 inches) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

**SECTION 308
RUBBISH AND GARBAGE**

308.1 Accumulation of rubbish or garbage.

Exterior property and premises, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.

308.2 Disposal of rubbish.

Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers and take it by hand or chute where provided to the approved garbage bulk storage facility from which Municipality garbage disposal trucks will pick up and cart away to the dump.

308.2.1 Rubbish storage facilities.

The *owner* of every occupied *premises* shall supply *approved* covered containers for bulk *rubbish* at a location where the Municipality garbage collection trucks will periodically empty the container and take the garbage to the dump if the premises is not commercial. The *owner* of commercial *premises* shall be responsible for the removal of *rubbish* to the dump and may contract the Municipality garbage collection agency for the removal. The owner or occupant of both commercial and non-commercial premises is responsible for removal of

rubbish arising from the cutting of trees or construction and may contract the Municipality garbage collection agency for the removal.

308.2.2 Refrigerators.

Refrigerators, freezers, refrigerator/freezers and other similar equipment such as coolers and wine chillers not in operation or inoperable shall not be discarded, abandoned or stored on *premises* without first removing the doors and rendering the units unattractive to rodents and pests such as mosquitoes. Special arrangements shall be made by building occupants or owners with private garbage removers to dispose of these types of large and heavy appliances and equipment which shall not be placed in the garbage.

308.3 Disposal of garbage from detached single or duplex or quadruplex houses and Townhouses.

Every *occupant* of a single or duplex detached building or townhouse or structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal bag placed in an appropriate garbage container. The tied or sealed garbage bag shall be placed in an approved collection container located at the roadside to be collected and disposed of by the Local Authority's garbage collection and disposal system. The owner or occupant of the premises putting out the garbage shall ensure that the garbage is not accessible to stray dogs which will forage and scatter the garbage. If the garbage is scattered by stray dogs it shall be swept up and rebagged by the owner or occupant of the premises before the Local Authority's central garbage trucks arrive for collection.

308.3.1 Garbage facilities in multi-family residences or multi-tenant office buildings.

In multifamily residential or multi-tenant office buildings the *owner* of every dwelling or office shall supply one or more of the following garbage disposal means:

- a) An *approved* mechanical food waste grinder in each *dwelling unit*. The grounded waste shall go directly into the sanitary waste disposal system.
- b) An *approved* incinerator unit in the structure available to the occupants in each *dwelling unit*;
- c) A garbage disposal chute available at an appropriate place in the common circulation area on each floor. Garbage from building occupants will go down the chute into an enclosed collection skip on the ground floor that will be removed by the Local Authority's garbage collection and disposal trucks.
- d) An *approved* leakproof, covered, outside garbage container or skip to which the occupant of each dwelling unit can take his properly bagged and tied or sealed garbage. Garbage shall not be placed outside the approved container or skip but placed in container or skip in a manner that stray dogs cannot get access to forage and scatter it. Garbage scattered by dogs shall be cleaned up by the building owner or strata before the Municipal garbage collection trucks arrive for collection and disposal.

308.3.2 Containers for commercial, hotels and industrial establishments.

The *operator* of every commercial or industrial establishment that produces garbage shall provide or at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of the garbage the establishment produces. The operator of the commercial or industrial establishment shall make special arrangement with the Local Authority's garbage collection and disposal organization to remove from their *premises* the garbage and dispose of it. Such arrangement will attract a fee which must be paid in the time agreed.

308.3.3 Garbage Disposal for institutional premises.

**SECTION 309
PEST ELIMINATION**

309.1 Infestation.

Buildings and structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by processes approved by the Environmental Health Unit of the Ministry of Health. Approved extermination materials and application shall not be injurious to human health or code-official-approved pets. After pest extermination, proper precautions shall be taken to eliminate the accommodation and attractions that will cause reinfestation.

309.2 Owner.

The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.3 Single occupant.

The *occupant* of a one-family dwelling or of a single-*tenant* nonresidential structure shall be responsible for pest elimination on the *premises*.

309.4 Multiple occupancy.

The *owner* of a structure containing two or more dwelling units, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. The occupant of each dwelling unit or room shall be responsible for pest extermination within their room. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

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 pest elimination.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

User note:

About this chapter: Chapter 4 sets forth requirements to establish the minimum environment for occupiable and habitable buildings by establishing the minimum criteria for light and ventilation and identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding. This chapter also introduces the concept of **nuisance lighting** which affects the sleep and subsequent health of a large percentage of persons subjected to the phenomena. This chapter outlines the cause of nuisance lighting and how to eliminate or mitigate its effect since it is caused mainly from unsatisfactory maintenance practices.

SECTION 401 GENERAL

401.1 Scope.

The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

401.2 Responsibility.

The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

401.3 Alternative devices.

In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *Jamaica Building Code* shall be permitted.

SECTION 402 LIGHT

402.1 Habitable spaces.

Every *habitable space* shall have not less than one openable window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every conditioned *habitable space* shall be 8 percent of the floor area of such room while for unconditioned space it shall be at least 15 percent of the floor area. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 915 mm (3 feet) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, or not less than 2.33 m² (25 square feet), whichever is greater for conditioned rooms and 15 percent of the floor area or not less than 4.66 m², whichever is greater, for unconditioned rooms.. The exterior glazing area shall be based on the total floor area being served.

402.2 Common halls and stairways.

Every common hall and stairway in residential occupancies, other than in one-and two-family dwellings, shall be lighted at all times with the most appropriate energy efficient lighting to an illumination level of 11 - 22 lux (1 - 2 footcandles), provided that the spacing between lights shall not be greater than 4,575 mm (15 feet). In other than residential occupancies, interior and exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with not less than 1 footcandle (11 lux) at floors, landings and treads.

402.3 Other spaces.

Other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

402.4 Maintaining escape lighting functionality under all power conditions.

Escape lighting shall be maintained in a state of continuous readiness to enable building occupants in a no utility or standby generator power condition to safely escape from a building. The power utility failure to halls and stairways lighting in multi-storey residential or non-residential buildings shall immediately and automatically trigger the standby battery powered escape lighting to illuminate the routes out of the building. Buildings with standby generator power shall power up the halls and stairway lighting usually in 1 minute after utility power failure and make the need for the battery power escape lighting unnecessary. The escape lights shall go off with the arrival of standby generator power and its onboard charger shall recharge the battery to full power and await the next power outage. Escape lighting shall be maintained to satisfy the following functions:

- 1) Indicate clearly and unambiguously the escape routes out of the building.
- 2) Provide sufficient illumination along the escape routes to allow for safe passage out of the building;
- 3) For buildings with standby power - provide staircase and exit passage lighting during the power outage period between utility power going off and standby power coming on and vice versa.
- 4) For buildings without standby power – provide staircase and exit passage lighting after a utility power outage for at least the time it takes to evacuate the building. In no case shall escape lighting last for less than an hour.
- 5) To ensure that fire alarm call points and firefighting equipment provided along the escape routes can be readily located.
- 6) Escape lighting is required not only when there is complete failure of the electrical supply but also when localized electrical failures occur.

402.5 Nuisance lighting. From the definition of Chapter 2 Nuisance Lighting does affect a large percentage of persons sleeping ability, health and wellbeing and therefore shall be eliminated or mitigated wherever it occurs. A nuisance lighting investigation and subsequent correction shall only be triggered by a formal complaint to the *building official*.

402.5.1 Evidence for the existence of nuisance lighting. Any one or more of the following shall constitute acceptable supporting evidence of nuisance lighting:

- a) With a dark curtain covering all fixed or openable windows or glazed doors the light in the sleeping room from the offending light fixture(s) under night-time conditions enables a person to clearly see the outline of furniture in the sleeping room. For the viewing condition to be acceptable the openable window shall be opened for room ventilation and the curtain shall:
 - i. Be mounted at least 63.5 mm (2½ inches) off the vertical face of the wall containing the openable window to facilitate ventilation airflow.
 - ii. Extend a maximum of 76 mm (3 inches) horizontally from the vertical sides of the window wall opening to facilitate ventilation airflow and infiltration of nuisance lighting.
- b) Evidence from a local registered medical practitioner, after examination and test(s), that an occupant in the sleeping room exposed to the alleged nuisance lighting is suffering from sleep deprivation, sleep disruption, light and non-protracted sleep that is developing a health malady specifically associated with nuisance lighting condition.
- c) Light from a continuously lighted fixture located in an internal passage that comes into the sleeping room from under, above or the vertical sides of a solid door in quantum that under night-time conditions enables a person to clearly see the outline of furniture in the sleeping room.

402.5.2 Need for official declaration of a nuisance lighting condition. Correction of a nuisance lighting condition involves cost therefore the correcting party shall be protected against frivolous claims. This shall be done by requiring an official declaration that such a condition exists. The official declaration shall come from only the following two sources after they have carried out the confirmation check of Section 402.1:

- a) The *building official* after he has received the nuisance lighting complaint in writing, carried out the check of Section 402.1 a) or 402.1 c) and confirmed that a nuisance lighting condition exist.
- b) The local medical practitioner through the *building official* after he has carried out the appropriate medical examination, tests and confirm in writing that the nuisance lighting has been inflicting harm on the complainant and must be eliminated or mitigated to improve his health.

402.5.3 Responsible party for correcting nuisance lighting. After a nuisance lighting condition has been officially declared to exist one of the following party shall have responsibility for its correction:

- a) Owner(s), occupier(s) or manager(s) of an offending Residential Property.
- b) Owner(s), occupier(s) or manager(s) of an offending Commercial Property.
- c) The owner of an offending institutional property.
- d) Owner(s), occupier(s) or manager(s) of an offending Industrial Property.
- e) Owner(s), Director(s) or manager(s) of the offending Power Utility Company.

402.5.4 Acceptable correction methods for nuisance lighting. Lighting deemed a nuisance by the Municipality having jurisdiction shall be corrected by the offending party using one or more of the following methods:

- a) Elimination of the offending light(s)
- b) Relocation of the offending light(s)
- c) Fitting the offending light fixture(s) with a different type lamp which direct the light rays downwards and away from the complaining party sleeping room(s).
- d) Fitting the offending light fixture(s) with a reduce wattage lamp that will significantly reduce the lighting level illumination.

- e) Fitting or replacing an appropriate shade to the offending light fixture(s) that will prevent light rays being transmitted in the direction of the complainant sleeping room(s).
- f) Any other method that prevents light rays from being directed in the direction of the complainant's sleeping room(s).

402.5.5 Signing off on nuisance lighting correction. Nuisance lighting that has been corrected shall be reported in writing to the Municipality having jurisdiction. The sign off report shall state the methodolog(y)(ies) used for the correction of the nuisance and shall bear the signature of both the offender and complainant. The Municipality having jurisdiction shall accept the correction made by the offending party as satisfactory and final once it has been verified that the signature of the complainant on the sign off report is that of the complainant who filed the complaint.

402.5.6 Nuisance lights corrected cannot be the source of another nuisance complaint. The Municipality having jurisdiction shall securely file all nuisance lighting claims and their accepted correction (sign off) report(s) and shall use this data to ensure that no other claim is entertained against the same corrected light(s) as long as the offending party has made no changes in the lighting type, shade or lamp wattage.

SECTION 403 VENTILATION

403.1 Habitable spaces.

Every *habitable space* shall have not less than one openable window. The total openable area of the window in every room may be as low as 45 percent of the minimum glazed area provided this openable area is not less than 4% of the room's floor area where it is air conditioned or 15 % of the room's floor area where it is not air conditioned. The minimum air changes per hour in all livable spaces shall be 5 whether natural or mechanical ventilation is used.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but not less than 2.5 m² (27 square feet). The ventilation openings to the outdoors shall be based on the total floor area (room with openings to the outdoors plus room[s] without opening to the outdoors) being ventilated.

403.2 Bathrooms and toilet rooms.

Every *bathroom* and *toilet room* shall be *ventilated either naturally through openable windows or forced ventilation by exhaust mechanical fan. Where natural ventilation is used the openable space shall be at least 15 % of the bathroom and toilet floor area.* Where an exhaust fan is used the window may be fixed thereby allowing no natural ventilation. The minimum air change of the mechanical fan shall be 6 air changes per hour and shall be at least one air change above that of the surrounding livable space. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall be discharged to the outdoors and shall not be recirculated.

403.3 Cooking facilities.

Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

403.4 Process ventilation.

Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust.

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and *labeled* condensing (ductless) clothes dryers.

**SECTION 404
OCCUPANCY LIMITATIONS**

404.1 Privacy.

Dwelling units, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths.

A habitable room, other than a kitchen, shall be not less than 2,500 mm (8 feet) in any plan dimension. Kitchens shall have a minimum clear passageway of 915 mm (3 feet) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights.

Habitable rooms (living, dining, cooking and sleeping); habitable spaces (hallways, corridors, laundry areas, bathrooms and toilet rooms) and habitable *basement* areas without sloping roof shall have a minimum clear ceiling height of: .

- a) 2,750 mm (9.0 ft. 2 inches) where natural ventilation is designed for and;
- b) 2,450 mm (8.0 ft. 2 inches) where air conditioning or forced ventilation is provided.

The minimum acceptable height of any room with a sloping ceiling shall be 2,150 mm (7' – 2") measured vertically from finished floor level to the point of lowest acceptable ceiling height. However, rooms with this height ceiling shall be conditioned or have forced ventilation.

Exceptions:

1. In one- and two-family wooden dwellings, beams or girders spaced not less than 1,220 mm (4 feet) on center and projecting not greater than 150 mm (6 inches) below the required ceiling height. Dwellings with concrete roof shall have a minimum ceiling height of 3,050 mm (10 ft.).

2. *Basement* rooms in one- and two-family wooden dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 2,150 mm (7 feet 2 inches) with a minimum clear height of 2,000 mm (6 feet 8 inches) under beams, girders, ducts and similar obstructions. Basement rooms with concrete roof shall have a minimum ceiling height of 2,750 mm (9 ft.).
3. Wooden building rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 2,150 mm (7 feet) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 1,830 mm (6 feet) shall be included.

404.4 Bedroom and living room requirements.

Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room area.

Every living room shall contain not less than 11.5 m² (124 square feet) of floor area and every bedroom shall contain not less than 7.0 m² (75 square feet) and every bedroom occupied by more than one person shall contain not less than 5 m² (54 square feet) of floor area for each occupant thereof.

404.4.2 Access from bedrooms.

Bedrooms shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

Exception: Units that contain fewer than two *bedrooms*.

404.4.3 Water closet accessibility.

Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

404.4.4 Prohibited occupancy.

Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements.

Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

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 METERS		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	11.5	11.5	14.5
Dining room ^{a, b}	No requirement	8	10
Bedrooms	Shall comply with Section 404.4.1		

For Inch Pound Units: 1 m² = 10.7642 ft².

- 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.

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. Sleeping areas shall comply with Section 404.4.

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.

404.6 Efficiency unit.

Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 11.5 m² (124 square feet). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 21 m² (226 square feet). A unit occupied by three *occupants* shall have a minimum clear floor area of 30 m² (324 square feet). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 760 mm (30 inches) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

404.7 Food preparation.

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.

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

User note:

About this chapter: Chapter 5 establishes minimum sanitary and clean conditions in occupied buildings by containing requirements for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal systems and related plumbing fixtures. Chapter 5 includes requirements for providing potable water to a building and the basic fixtures to effectively utilize and dispose of that water.

SECTION 501 GENERAL

501.1 Scope.

The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility.

The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* that does not comply with the requirements of this chapter.

SECTION 502 REQUIRED FACILITIES

502.1 Dwelling units.

Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

502.1.1 Helpers facilities.

For detached single, duplex and quadruplex houses and townhouses every dwelling unit shall have or have access to a toilet (lavatory), basin and shower facilities for helpers and gardeners who may live on or do days' work for occupants of that dwelling unit. For multi family multi-storey residences the owner or strata company shall provide toilets (lavatories), basin and shower facilities for helpers and gardeners who will do days' work for occupants and the strata company.

502.2 Rooming houses.

Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

502.3 Hotels.

Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 *occupants*.

502.4 Employees' facilities.

Not less than one water closet, one lavatory, one shower and one drinking facility shall be available to employees of hotels, industrial, hazardous, single family and duplex detached houses, townhouses and high rise residential buildings.

Not less than one water closet, one lavatory and one drinking facility shall be available to employees of business, educational, institutional and mercantile buildings.

502.4.1 Drinking facilities.

Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

502.5 Public toilet facilities.

Public toilet facilities shall be established and maintained by each Municipality (Local Authority) at places where they are needed and by all businesses interacting with the public. Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the *Jamaica Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the Municipalities toilet facilities at all times while those toilets in businesses open to the public shall be available to the public at the very least during the hours of business. Separate toilets for men and women shall be established and maintained. Women's and men's toilets shall be sized to service the expected number of users. Women's toilets shall have lavatories, water closets, hand drier, soap dispenser, tissue dispenser and sanitary pad disposer. Men's toilets shall have lavatories, water closets, urinals, hand drier, soap dispenser, and tissue dispenser.

**SECTION 503
TOILET ROOMS**

503.1 Privacy.

Toilet rooms and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and *toilet rooms* in a multiple dwelling.

503.2 Location.

Toilet rooms and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

503.3 Location of employee toilet facilities.

Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 152 m (500 feet). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 152 m (500 feet)) from the employees' regular working area to the facilities.

503.4 Floor surface.

In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

**SECTION 504
PLUMBING SYSTEMS AND FIXTURES**

504.1 General.

Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances.

Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 Plumbing system hazards.

Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *building official* shall require the defects to be corrected to eliminate the hazard.

**SECTION 505
WATER SYSTEM**

505.1 General.

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to the water supply system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Jamaica Plumbing Code*. The hot and cold water supply to every kitchen sink, dishwasher, lavatory, water closet, laundry tub and washing machine, drinking fountain and other equipment requiring a water supply shall be fitted with a lock-off as close as possible to the point of entering the plumbing fixture or equipment.

505.2 Contamination.

The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

505.3 Supply.

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. Whether the

water supply is from a public or approved private source, it shall be fitted with an easily accessible lock-off valve, preferably after the water meter, before it enters the building or supply any outdoor source.

505.4 Water heating facilities.

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 not less than 43°C (110°F). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters. In view of the high calcium carbonate in Jamaica water, heaters shall be descaled periodically to ensure that it serves its designed useful life.

505.5 Nonpotable water reuse systems.

Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

505.5.1 Abandonment of systems.

Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the *Jamaica Plumbing Code*.

SECTION 506 SANITARY DRAINAGE SYSTEM

506.1 General.

Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system. The minimum approved private sewage disposal system allowed shall be one consisting of a septic tank and a soak-away pit or disposal field.

Exception:

In deep rural areas where piped supply of water is not available the *building official* may grant permission for installation of a waterless, non-pullutable, compartmentalized, containerized, effluent covered, insect or vermine inaccessible pit latrine that pose no danger to contaminating the aquifer or any nearby surface sources of water.

506.2 Maintenance.

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. To ensure that plumbing system functions properly on a continuous basis the following should be done:

- a) Sewer lines shall be checked periodically during prolonged dry spells for leaks by traversing their routes and looking for wet or uncharacteristically green spots.
- b) Manhole covers shall be temporarily lifted and checks made for obstruction build-up and vermins both of which must be eliminated if found before the cover is returned and resealed.

- c) Septic tank shall be monitored for solids build-up level to ensure that they do not rise to the point of blocking the transfer of liquid to the liquid only chamber. Blockage of liquid to the liquid only chamber will cause overflow to the exterior surroundings.
- d) For the pit latrine periodic inspection by the Environmental Health Unit shall be conducted to ensure that no insect or vermin has access to the effluent, the effluent level has not reached the point where composting is needed or composting has been properly implemented.

506.3 Grease interceptors.

Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous into the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the *building official*.

**SECTION 507
STORM DRAINAGE**

507.1 General.

Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance but taken to an appropriately sized soakaway pit filled with sand or gravel. On no account shall storm water be directed onto the public street.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601 GENERAL

601.1 Scope.

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility.

The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that does not comply with the requirements of this chapter.

SECTION 602 HEATING AND COOLING FACILITIES

602.1 Facilities required.

Heating and cooling facilities shall be provided in structures as required by this section.

602.2 Residential occupancies.

Dwellings in the limited areas of Jamaica where heating is used shall be provided with heating facilities capable of maintaining a room temperature of no less than 20°C (68°F) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

Dwellings of all types where the indoor temperature in any livable space is likely to reach or exceed 30°C (86°F) and retain it over a 5-hour stretch shall be provided with air conditioning capable of maintaining a maximum temperature of 24°C (75°F). The air conditioning provision may be for the entire dwelling (all habitable rooms, bathrooms and toilet rooms) or select rooms. Where the selected room air conditioning option is to be used it shall be limited, at the minimum, to the bedrooms and ample provisions (electrical conduit, outlet boxes, piping between evaporator and condenser location for refrigerant pipes, panelboard sized to accept supply circuit breakers, etc) to accommodate future additions of air conditioning units.

602.3 Heat and cooling supply.

Every *owner* and *operator* of any building who rents, leases or lets one or more dwelling units or *sleeping units* on terms, either expressed or implied, to furnish heat or cooling to the *occupants* thereof shall supply heat as needed during the period from [December] to [April] to maintain a minimum temperature of 20°C (68°F) in all habitable rooms, bathrooms and *toilet rooms* or cooling as needed for any month of the year to maintain a temperature of 24°C (75°F) throughout the building or selected rooms as agreed.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.
2. In areas where the average monthly temperature is below 24°C (75°F) cooling may be temporarily halted and the outside air used for distribution throughout the conditioned spaces.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with cooling during the entire year to maintain a maximum temperature of 24°C (75°F) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement.

The required room temperatures shall be measured 915 mm (3 feet) above the floor near the center of the room and 610 mm (2 feet) inward from the center of each exterior wall.

**SECTION 603
MECHANICAL EQUIPMENT**

603.1 Mechanical equipment and appliances.

Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed (to the manufacturer's instructions) and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products.

Fuel-burning equipment and appliances shall be exhausted to the outdoors through an *approved* chimney or equipment specific vent or a group vent system in the case of multi fuel-burning equipment in the same or adjoining spaces.

603.3 Clearances.

Required clearances to combustible materials shall be maintained.

603.4 Safety controls.

Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air.

A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices.

Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

**SECTION 604
ELECTRICAL FACILITIES**

604.1 Facilities required.

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service.

The electrical load and usage pattern of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Jamaica Electrical Code. *Dwelling units* shall be served by a three-wire, 110/220 volt, single-phase electrical service having a minimum calculated full load amperes based on the lighting and equipment (water heater, washer, drier, stove, air conditioning units, etc.) to be used and the electrical code allowance for wall outlets (plugs). The main circuit breaker shall be sized and maintained to allow this load and any required load growth without nuisance tripping. The main cable or wires shall be sized and maintained to carry the main breaker full load amperes without exceeding its code defined current carrying capacity.

604.3 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing or circuit breaker size, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *building official* shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure.

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment.

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *Jamaica Electrical Code*.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

604.3.2 Abatement of electrical hazards associated with fire exposure.

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

604.3.2.1 Electrical equipment.

Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *Jamaica Electrical Code*.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

**SECTION 605
ELECTRICAL EQUIPMENT**

605.1 Installation.

Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles.

Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle with ground fault interrupter protection. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location and located above any likely flood level.

605.3 Luminaires.

Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire that is energy efficient. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

605.4 Wiring.

Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**SECTION 606
ELEVATORS, ESCALATORS AND DUMBWAITERS**

606.1 General.

Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *building official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

606.2 Elevators.

In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

**SECTION 607
DUCT SYSTEMS**

607.1 General.

Duct systems shall be maintained free of obstructions and shall be capable of performing the required function. Ducts that are externally insulated shall be inspected periodically for insulation peeling, tearing and water damage. Ducts that are internally insulated shall be inspected periodically for peeling, tearing and partial blockage. All duct defects shall be corrected speedily either by repair or replacement.

**SECTION 608
AIR CONDITIONING EQUIPMENT**

608.1 Air conditioning equipment.

Air conditioning evaporators, condensers, refrigerant pipes, refrigerant, climate controllers, valves, ducts and insulation shall be properly installed (to the manufacturer's instructions) and maintained in a safe working condition, and shall be capable of performing the intended function.

608.2 Original optimum commissioning data and its usage.

General maintenance, repair or replacement works on air conditioning equipment and systems shall not be done without reference to the optimum settings and performance values derived from the original commissioning data for this equipment or system. The building owner or legal occupant shall ensure that its inhouse or external maintenance crew have access to this commissioning data which shall contain such information as refrigerant pressure before and after compression, pressure drop across filters, refrigerant and chilled water flow rates, temperature before and after critical equipments, line and load voltages and currents at critical equipment, etc. The maintenance crew shall ensure by testing and measurements that all settings and performance values arising from its maintenance, repair or replacement activities are exactly as, or very close to the original commissioning settings and performance values. Where an acceptable and technically feasible replacement equipment changes some optimum settings and performance values the maintenance crew shall replace the original values with the new ones in the maintenance manual.

608.3 Change of refrigerant.

There shall be no change in the type of refrigerant unless there is clear and written approval for this change from the manufacturer and the *building official*. Approval by the *building official* shall be by way of a permit based on an application that includes the cooling efficiency of the new refrigerant versus the original, copy of the equipment manufacturer's approval of the change and the reasons for making the the change.

Oil levels in the refrigerant can also necessitate a change in the refrigerant. In this case, the compressor issue causing the unacceptable level of oil in the refrigerant shall first be corrected and the refrigerant circuit cleansed of the refrigerant and excess oil. The system shall be recharged with the same refrigerant and returned to the original settings and performance values.

608.4 Maintenance of refrigerant levels.

The maintenance crew shall monitor the refrigerant pressures and volume to determine significant change. Significant change shall trigger a leak investigation particularly at pipe joints and the entrances and exits of all equipment handling the refrigerant. After all detected leaks have been repaired the refrigerant levels shall be topped up back to the original level.

608.5 Safety and control equipments.

Safety and control equipments shall be monitored for normal operation and shall be maintained in effective operation.

608.6 Recommissioning of air conditioning equipment.

Any existing air conditioning system in which the condenser or evaporator or air handling unit is replaced or undergo a major repair shall require recommissioning of the system to establish the new settings and performance values for the maintenance manual. The recommissioning exercise shall consist of the following activities:

1. Close physical examination of the entire mechanical; electrical and controls installation to ensure that all equipment, devices, materials, connections and terminations are in their proper place; securely anchored or terminated; geometrically aligned; professionally installed and is in congruence with the mechanical, electrical and controls design drawings and the manufacturer's installation instructions.
2. Recording of all nonconformity or unacceptable installation practice.
3. Obtain expeditious correction of all physical nonconformities and correction of those issues affecting safety and performance prior to the start-up phase commencement.
4. Conduct all non-operational measurements such as supply voltages to various equipment and devices or refrigerant charge pressure or cable resistance or ground resistance and record all values then make comparative checks with manufacturer's recommended values.
5. Obtain expeditious correction of all measurement nonconformities and correction of those items affecting safety and performance prior to the start-up phase commencement.
6. Following the clearance of all non-conformities, conduct start up equipment operation tests at reduced load according to the manufacturer's instructions and record all voltage, current, pressure, temperature, humidity, flow rate and any other measurements needed to assess performance and compare these with manufacturer's or code recommended values.
7. Obtain expeditious correction of all nonconformities prior to the commencement of the full-load tests.
8. Following the clearance of all reduced load non-conformities, conduct start up equipment operation tests at full load according to the manufacturer's instructions and record all voltage, current, pressure, temperature, humidity, flow rate and any other measurements needed to assess performance and compare these with manufacturer's or code recommended values.
9. Obtain expeditious correction of any nonconformity arising from the initial full-load tests before repeating it, if necessary.
10. Prepare a comprehensive report in which operational measurements obtained are used to replace those in the maintenance manual.

CHAPTER 7 FIRE SAFETY REQUIREMENTS

User note:

About this chapter: Chapter 7 establishes fire safety requirements for existing structures by containing requirements for means of egress, including path of travel, required egress width, means of egress doors and emergency escape openings, and for the maintenance of fire-resistance-rated assemblies, fire protection systems, and carbon monoxide alarm and detection systems.

SECTION 701 GENERAL

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.

701.2 Responsibility.

The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.

SECTION 702 MEANS OF EGRESS

702.1 General.

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *Jamaica Fire Code*.

702.2 Aisles.

The required width of aisles in accordance with the *Jamaica Fire Code* shall be unobstructed.

702.3 Locked doors.

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 *Jamaica Building Code*.

702.4 Emergency escape openings.

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

**SECTION 703
FIRE-RESISTANCE RATINGS**

703.1 Fire-resistance-rated assemblies.

The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

703.2 Unsafe conditions.

Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the *Jamaica Fire Code*. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire building official shall act in accordance with Section 111.2 of the *Jamaica Fire Code*.

703.3 Maintenance.

The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

703.3.1 Fire blocking and draft stopping.

Required fire blocking and draft stopping in combustibile concealed spaces shall be maintained to provide continuity and integrity of the construction.

703.3.2 Smoke barriers and smoke partitions.

Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

703.3.3 Fire walls, fire barriers, and fire partitions.

Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

703.4 Opening protectives.

Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

703.4.1 Signs.

Where required by the *building official*, a sign shall be permanently displayed on or near each fire door in letters not less than 25 mm (1 inch) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR – KEEP CLOSED.

703.4.2 Hold-open devices and closers.

Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

703.4.3 Door operation.

Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

703.5 Ceilings.

The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

703.6 Testing.

Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

703.7 Vertical shafts.

Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the *Jamaica Fire Code*. New floor openings in existing buildings shall comply with the *Jamaica Building Code*.

703.8 Opening protective closers.

Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 57°C (135°F).

SECTION 704 FIRE PROTECTION SYSTEMS

704.1 Inspection, testing and maintenance.

Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the *Jamaica Fire Code* in an operative condition at all times, and shall be replaced or repaired where defective.

704.1.1 Installation.

Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

704.1.2 Required fire protection systems.

Fire protection systems required by this code, the *Jamaica Fire Code* or the *Jamaica Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the *Jamaica Fire Code* or the *Jamaica Building Code* has been granted shall be considered to be a required system.

704.1.3 Fire protection systems.

Fire protection systems shall be inspected, maintained and tested in accordance with the following *Jamaica Fire Code* requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.

10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.
13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

704.2 Standards.

Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

**TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

704.2.1 Records.

Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

704.2.2 Records information.

Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

704.3 Systems out of service.

Where a required fire protection system is out of service, the Jamaica Fire Brigade and the fire *building official* shall be notified immediately and, where required by the JFB, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the JFB and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *Jamaica Fire Code* to bring the systems back in service.

704.3.1 Emergency impairments.

Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *Jamaica Fire Code*.

704.4 Removal of or tampering with equipment.

It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

704.4.1 Removal of or tampering with appurtenances.

Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the Jamaica Fire Brigade shall not be removed, unlocked, destroyed or tampered with in any manner.

704.4.2 Removal of existing occupant-use hoselines.

The Jamaica Fire Brigade is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *Jamaica Fire Code* or the *Jamaica Building Code*.
2. The hose line would not be utilized by trained personnel or the JFB.
3. The remaining outlets are compatible with local JFB fittings.

704.4.3 Termination of monitoring service.

For fire alarm systems required to be monitored by the *Jamaica Fire Code*, notice shall be made to the *Jamaica Fire Brigade* whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

704.5 Fire department connection.

Where the JFB connection is not visible to approaching fire apparatus, the JFB connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 150 mm (6 inches) high and words in letters not less than 51 mm (2 inches) high or an arrow to indicate the location. Such signs shall be subject to the approval of the *building official*.

704.5.1 Fire department connection access.

Ready access to JFB connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to JFB connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *Jamaica Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

704.5.2 Clear space around connections.

A working space of not less than 915 mm (36 inches) in width, 915 mm (36 inches) in depth and 1,980 mm (78 inches) in height shall be provided and maintained in front of and to the sides of wall-mounted JFB connections and around the circumference of free-standing JFB connections.

704.6 Single- and multiple-station smoke alarms.

Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3.

704.6.1 Where required.

Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Sections 704.6.2 and 704.6.3.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

704.6.1.1 Group R-1.

Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.
3. In each story within the *sleeping unit*, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a

smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.6.1.2 Groups R-2, R-3, R-4 and I-1.

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.6.1.3 Installation near cooking appliances.

Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.

1. Ionization smoke alarms shall not be installed less than 6,100 mm (20 feet) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 3,050 mm (10 feet) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 1,830 mm (6 feet) horizontally from a permanently installed cooking appliance.

704.6.1.4 Installation near bathrooms.

Smoke alarms shall be installed not less than 915 mm (3 feet) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.

704.6.2 Interconnection.

Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.

2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

704.6.3 Power source.

Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

704.6.4 Smoke detection system.

Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *Jamaica Fire Code*.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the *Jamaica Fire Code*.
3. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the *Jamaica Fire Code*.

704.7 Single- and multiple-station smoke alarms.

Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from

the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

**SECTION 705
CARBON MONOXIDE ALARMS AND DETECTION**

705.1 General.

Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the *Jamaica Fire Code*, except that alarms in dwellings covered by the *Jamaica Small Building/Residential Code* shall be installed in accordance with Section R315 of that code.

705.2 Carbon monoxide alarms and detectors.

Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

CHAPTER 8 REFERENCED STANDARDS

User note:

About this chapter: This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard. This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ASME

American Society of
Mechanical Engineers
Two Park Avenue
New York, NY 10016-
5990

**ASME A17.1—2016/CSA B44—16: Safety Code for Elevators and
Escalators**

606.1

ASTM

ASTM International
100 Barr Harbor Drive,
P.O. Box C700
West Conshohocken,
PA 19428-2959

**F1346—91 (2010): Performance Specifications for Safety Covers and Labeling Requirements for
All Covers for Swimming Pools, Spas and Hot Tubs**

303.2

ICC/ BSJ

International Code Council
500 New Jersey Avenue, NW
6th Floor
Washington, DC 20001

Bureau of Standards Jamaica
6 Winchester Road
Kingston 10
Jamaica

JBC—18: Jamaica Building Code[®]

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1,
604.3.2.1, 702.3, 704.4.2

JECC—20: Jamaica Energy Conservation Code[®]

102.3

JEBC—20: Jamaica Existing Building Code[®]

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1

- JFC—20: Jamaica Fire Code**[®]
102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2,
704.1.3, 704.3, 704.3.1, 704.4.2, 704.4.3, 704.5.1, 704.6.4,
705.1
- JFGC—20: Jamaica Fuel Gas Code**[®]
102.3, 201.3
- JMC—20: Jamaica Mechanical Code**[®]
102.3, 201.3
- JPC—20: Jamaica Plumbing Code**[®]
102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3
- JRC—20: Jamaica Residential Code**[®]
102.3, 201.3
- IZC—18: International Zoning Code**[®]
102.3, 201.3

NFPA

National Fire Protection
Association
1 Batterymarch Park
Quincy, MA 02169-
7471

- 10—17: Standard for Portable Fire Extinguishers**
Table 704.2
- 12—15: Standard on Carbon Dioxide Extinguishing Systems**
Table 704.2
- 12A—15: Standard on Halon 1301 Fire Extinguishing Systems**
Table 704.2
- 17—17: Standard for Dry Chemical Extinguishing Systems**
Table 704.2
- 17A—17: Standard for Wet Chemical Extinguishing Systems**
Table 704.2
- 25—17: Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems**
Table 704.2
- 70—17: National Electrical Code**
102.3, 201.3, 604.2
- 72—16: National Fire Alarm and Signaling Code**
Table 704.2
- 80—16: Standard for Fire Doors and Other Opening Protectives**
703.3.3, 703.4
- 105—16: Standard for Smoke Door Assemblies and Other Opening Protectives**
703.3.2
- 204—15: Standard for Smoke and Heat Venting**
Table 704.2
- 720—15: Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment**
[F] 705.2
- 750—14: Standard on Water Mist Fire Protection Systems**

Table 704.2

2001—15: Standard on Clean Agent Fire Extinguishing Systems

Table 704.2

UL

Underwriters
Laboratories, LLC
333 Pfingsten Road
Northbrook, IL 60062

268—09: Smoke Detectors for Fire Alarm Systems

704.6.4

APPENDIX A

BOARDING STANDARD

The provisions contained in this appendix are not mandatory but informational only.

User note:

About this appendix: Appendix A provides minimum specifications for boarding a structure. This can be utilized by a jurisdiction as a set of minimum requirements in order to result in consistent boarding quality. These requirements also provide a reasonable means to eliminate having to approve numerous methods or materials for the boarding and securing of a structure. It is important to note that the provisions of Appendix A are not mandatory unless specifically referenced in the adopting ordinance of the authority having jurisdiction.

A101 GENERAL

A101.1 **General.**
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.

A102 MATERIALS

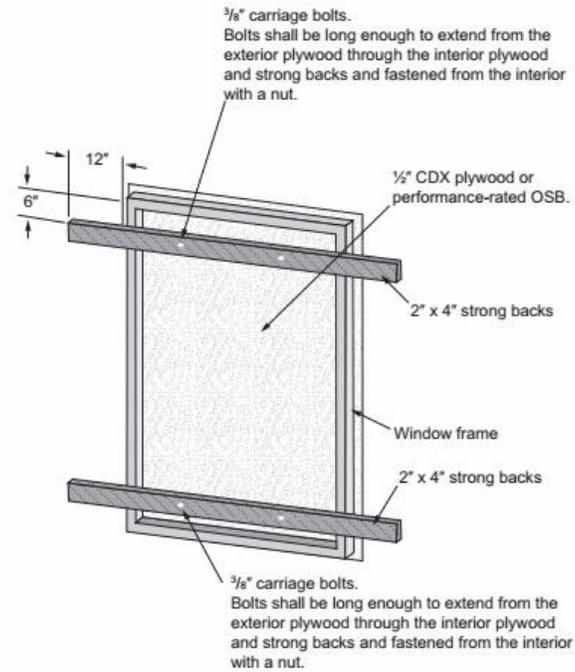
A102.1 **Boarding sheet material.**
Boarding sheet material shall be minimum 12.5 mm ($\frac{1}{2}$ -inch) -thick wood structural panels complying with the *Jamaica Building Code*.

A102.2 **Boarding framing material.**
Boarding framing material shall be minimum nominal 51 mm by 100 mm (2-inch by 4-inch) solid sawn lumber complying with the *Jamaica Building Code*.

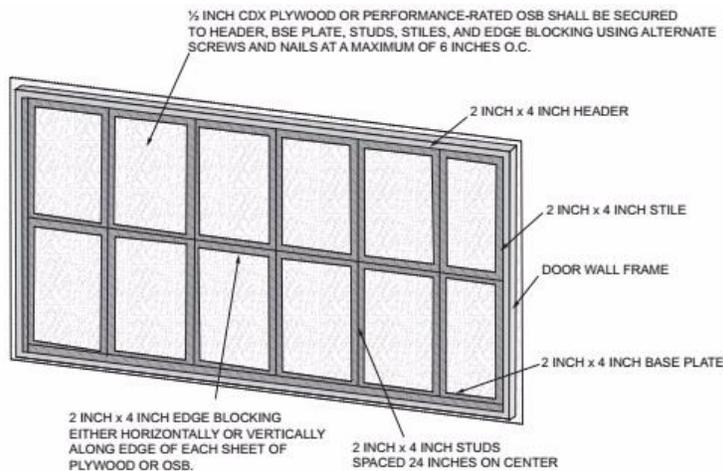
A102.3 **Boarding fasteners.**
Boarding fasteners shall be minimum 9.5 mm ($\frac{3}{8}$ -inch) -diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *Jamaica Building Code*.

A103 INSTALLATION

A103.1 Boarding installation.
The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.



**FIGURE A103.1(1)
BOARDING OF DOOR OR WINDOW**



For Inch Pound Units: 1 mm = 0.03937 inch

**FIGURE A103.1(2)
BOARDING OF DOOR WALL**

A103.2 Boarding sheet material.

The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

A103.3 Windows.

The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 51 mm by 100 mm (2-inch by 4-inch) strong back framing material shall be cut minimum 51 mm (2 inches) wider than the window opening and shall be placed on the inside of the window opening 150 mm (6 inches) minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

A103.4 Door walls.

The door opening shall be framed with minimum 51 mm by 100 mm (2-inch by 4-inch) framing material secured at the entire perimeter and vertical members at a maximum of 610 mm (24 inches) on center. Blocking shall also be secured at a maximum of 1,220 mm (48 inches) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 150 mm (6 inches) on center.

A103.5 Doors.

Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

**A104
REFERENCED STANDARD**

JBC—20

Jamaica Building Code

A102.1,
A102.2, A102.3

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