CHAPTER 8
HEALTH
801
GENERAL

801.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for the health of persons at a premises.

801.2 Responsibility. The owner of the premises shall maintain the premises in compliance with these requirements, except as provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy or allow the public to use any premises which does not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping the areas they control free from hazards to health.

801.3 Approved Testing Methods The code official is authorized to require the owner to provide testing or inspection results as evidence of compliance when, in the opinion of the code official, it is likely that there exists a hazard to health in violation of the requirements of this chapter. The report of an approved agency that conducted a test or an inspection in accordance with federal or state laws consistent with approved methods shall be deemed sufficient to establish whether a premise is in compliance with the requirements of this chapter for the condition or standard for which the test or inspection was conducted. The building owner shall pay the cost of inspection and testing by an approved agency unless, in the opinion of the code official, the tenant is responsible.

801. Vacating. When an area is required to be vacated by this chapter, occupancy shall be restricted to persons actively engaged in removing a hazard to health. The code official shall order the area to be vacated in accordance with section 108 of this code.

802
HAZARDOUS MATERIALS

802.1 Maintenance. Building materials containing hazardous substances including but not limited to asbestos, lead, arsenic or crystalline silica shall be maintained intact in such a manner as to prevent particles of the hazardous substance from becoming airborne or ingestible.

802.2 Abatement. When building materials containing hazardous substances have released or exposed particles that are determined by an approved agency to be present in hazardous quantities, the condition causing the building material to release or expose particles of hazardous substances shall be abated and the exposed area shall be cleared of hazardous substances. The code official is authorized to order occupancy of the affected space to be prohibited until the contaminated area has been certified by an approved testing method as safe for normal occupancy because the non-intact building material has been abated and the hazardous substance has been removed.

803
HAZARDOUS GASEOUS MATERIALS

803.1 Allowable levels. The following gaseous hazardous substances shall not exceed specified levels within a dwelling unit:

Carbon monoxide--9 PPM averaged over 8 hours; 35 PPM averaged over 1 hour; and 200 PPM maximum concentration as measured in general indoor air not directly over a combustion source.

Formaldehyde-- 0.05 PPM based on a 60 minute sampling period.

Radon-- 4 picocuries of radon per liter of air in the lowest occupied level.

When another adopted standard conflicts with these allowable levels, the more restrictive shall apply.

803.2 Abatement. Gaseous hazardous substances determined by an approved testing method to exceed the levels provided in section 803.1 shall be abated. The code official is authorized to order the affected area to be vacated until testing by an approved method finds the area to be in compliance with section 803.1.

804
PESTICIDES

804.1 Storage. Pesticides shall be stored in the manner prescribed by the manufacturer and shall be used in areas and at concentrations in compliance with the labeling of the manufacturer.

804.2 Abatement. When a pesticide is determined by an approved agency to be in a location or at a concentration dangerous to human health and/or contrary to manufacturer labeling the code official is authorized to order the area affected by or containing such pesticide to be vacated until the hazard has been abated.

805
CHEMICAL CONTAMINANTS

805.1 Vacating. When determined by an approved testing method that a dwelling unit is contaminated by a chemical at a concentration and in such a condition as to be hazardous to human health after short term exposure the code official is authorized to order the dwelling unit to be vacated and remain vacated until the hazard has been abated.

805.2 Illegal Methamphetamine manufacturing sites. A dwelling unit declared by a law enforcement agency or health official to be a site of illegal Methamphetamine manufacture shall be vacated and shall not be occupied until certified by an approved testing method as safe from hazardous materials related to the Methamphetamine manufacturing process.

806
BIOLOGICAL HAZARDS

806.1 Waterborne organisms. When determined by an approved testing method that the domestic water supply of a dwelling unit is contaminated with toxin producing bacteria, human parasite, or other organism deemed by an approved testing method as dangerous to human health, the water supply shall be made safe. The code official is authorized to order the dwelling unit to be vacated until such time as the water supply is safe as determined by an approved testing method. The code official is authorized to permit use of a water purification system capable of removing organisms or use of an alternative water supply on a temporary basis provided the water so supplied is safe for drinking and bathing.
806.2 Airborne organisms. Heating, air conditioning and ventilation systems shall be kept clean and maintained so as to prevent the growth of harmful organisms within the system.

807

AIR-BORNE CONTAMINANTS

807.1 Air-borne contaminants. Spaces in which air borne contamina**nts** are generated shall comply with the International Mechanical Code requirements for hazardous exhaust systems. Contaminated air shall not be circulated between tenant spaces or dwelling units. Tobacco smoke shall be considered a hazardous contaminate for purposes of this section. Air may be circulated between tenant spaces or dwelling units when properly installed and maintained equipment first removes any contamina**nt**.

808

SANITARY CLEANUP

808.1 Sanitary cleanup. When an event occurs that makes occupancy of a space unsafe or unhealthful, the space shall not be occupied unless the unsafe conditions are removed in accordance with this section. Sewage spills and flooding shall be considered to make a space unsafe.
808.2 Prescriptive methods. When the prescriptive methods contained in section 809.3.1 through 809.3.2 are used the hazard shall be deemed to have been abated.
808.3.1 Sewage spills. All water containing sewage and all sewage solids shall be removed and disposed of in a safe and sanitary manner. Every absorbent material in contact with sewage or water which contains sewage shall be removed. Every non-absorbent material in contact with sewage or water which contains sewage shall be cleaned with detergent and disinfected with household bleach in water.
808.3.2 Flood damage. Any material that has been damaged or weakened by water shall be removed. Material saturated by water, such as insulation or gypsum board, shall be removed. All surfaces that support mold growth which have come in contact with water shall be removed or thoroughly dried and treated with a fungicide. All materials and systems required by this code and the International Building Code or the International Residential Code shall be replaced or restored to a dry condition and capable of performing the intended purpose. When flood water is known to be contaminated with harmful chemical compounds, the contamination shall be removed and the area shall be tested and found safe by an approved testing method in addition to the other requirements of this section.

809

FOOD PREPARATION AREAS

809.1 Responsibility. The occupant of each space with a food preparation or storage area shall be responsible to maintain that area in accordance with this section.
809.2 Food preparation areas. Food preparation areas shall be maintained free of spoiled or rotting foodstuffs. Grease shall not be allowed to accumulate on surfaces in food preparation areas, including counters, walls, floors, ceilings, appliances and storage areas.

The purpose of the proposed chapter is to address basic hazards that injure health and threaten life that can be present anywhere in the dwelling, and that surpass chapters specific to particular building components, systems, etc. The proposal clearly enumerates various health issues and describes minimum standards to enable the code official to have a more solid legal standing to address those issues. These are all matters that are attached to the property and not the occupant. Since past comments were concerned with testing activities and on what agency testing responsibility may fall, the proposal states that approved methods must be used when testing or inspections are required, and that the code official can order the property owner to pay for testing as needed. The code official is authorized to accept this documentation to establish compliance with other hazards where technical knowledge is required, much in the fashion an engineer's report would be accepted for a structural concern in a building. A clear basis for a decision strengthens the code official's position when challenged on appeal or in court.