

State of Rhode Island Property Maintenance Code (SBC-6)

RESPONSIBILITIES OF OCCUPANTS RELATING TO ASTHMA TRIGGERS IN THE HOME

Droppings or body parts of pests such as cockroaches and rodents can cause allergic reactions associated with asthma. Try using pesticide gel or boric acid (for cockroaches) and poison baits or sticky traps (for rodents) before using pesticide sprays or foggers. Anyone with asthma should not be in the home if pesticides must be used. Doing your share to keep your home in a clean and sanitary condition will help prevent pest infestations.

The following housing code requirements apply to tenants.

Exterior property areas. *Occupants* must keep that part of the *exterior property* which they occupy or control in a clean and sanitary condition. [302.1]

Exterior rodent control provisions. In the event that occupancy usages would result in stacking or piling materials, the materials should be arranged to prohibit the creation of a harborage area by orderly stacking and elevating so that there is a 12” opening between the material and ground level. No stacking or piling of material should take place against the exterior walls of the structure. [302.5.1]

Interior structure. *Occupants* must keep that part of the structure which they occupy or control in a clean and sanitary condition. [305.1]

Disposal of rubbish. Every *occupant* of a structure must dispose of all *rubbish* in a clean and sanitary manner by placing their *rubbish* in *approved* containers. [308.2]

Disposal of garbage. Every *occupant* of a structure must dispose of all *garbage* in a clean and sanitary manner by placing their garbage in an *approved* garbage disposal facility or *approved* garbage containers. [308.3]

Pest elimination - single occupancy. The *occupant* of a one-family dwelling shall be responsible for extermination on the *premises*. [309.3]

Pest elimination - multiple occupancy. The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, or a *rooming house* shall be responsible for extermination in the public or shared areas of the structure and *exterior property*. 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 extermination. [309.4]

Pest elimination - occupant.

The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure. **Exception:** Where the *infestations* are caused by defects in the structure, the owner shall be responsible for extermination. [309.5]

Tenants should bring regular maintenance and major repair situations to their landlord’s attention on an “as needed” basis, and notify the landlord promptly of any conditions that may cause deterioration of the premises.

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RESPONSIBILITIES OF PROPERTY OWNERS RELATING TO ASTHMA TRIGGERS IN THE HOME

MOISTURE/MOLD

Water is a precondition for mold, insects, rodents and dust mites all of which are linked with allergies and asthma. Water is also the most important factor affecting durability of a home and maintenance costs. Maintain your property in sound condition, good repair, and weather tight in accordance with the following housing code requirements to prevent water damage and moisture intrusion.

Grading and drainage. All *premises* must be graded and maintained to prevent the accumulation of stagnant water outside or within any structure. [302.2]

Exterior walls. All exterior walls must be free from holes, breaks, and loose or rotting materials; and maintained weatherproof. [304.6]

Roofs and drainage. The roof and flashing must be sound, tight and not have defects that admit rain. Roof drainage must be adequate to prevent dampness or *deterioration* in the walls or interior portions of the structure. [304.7]

Window, skylight and door frames. Every window, skylight, door and frame must be kept in sound condition, good repair and weather tight. [304.13]

Basement hatchways. Every *basement* hatchway must be maintained to prevent the entrance of rodents, rain and surface drainage water. [304.15]

Plumbing systems and fixtures. All plumbing fixtures must be properly installed and maintained in working order, and kept free from obstructions, leaks and defects to be capable of performing the function for which they were designed. [504.1]

Water supply. The water supply system must 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. [505.3]

Sanitary drainage system maintenance. Every plumbing stack, vent, waste and sewer line must function properly and be kept free from obstructions, leaks and defects. [506.2]

INADEQUATE VENTILATION

Poor ventilation can damage property and cause health problems for residents. Inadequate ventilation and gas irritants associated with combustible appliances that burn fuel can trigger asthma. Maintain your property in accordance with the following housing code requirements to improve indoor air quality.

Exhaust vents. Pipes, ducts, conductors, fans or blowers must not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*. [302.6]

Openable windows. Every window, other than a fixed window, must be easily openable and capable of being held in position by window hardware. [304.13.2]

Habitable spaces. Every *habitable space* must have at least one window of *approved* size facing directly to the outdoors or to a court. [401.1] Every habitable space must have at least one openable window. [403.1]

Bathrooms and toilet rooms. Every *bathroom* and *toilet room* must comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window is not required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system must be exhausted to the outdoors and shall not be recirculated. [403.2]

Clothes dryer exhaust: Clothes dryer exhaust systems must be independent of all other systems and must be exhausted outside the structure in accordance with the manufacturer's instructions. **Exception:** Listed and *labeled* condensing (ductless) clothes dryers. [403.5]

Water heating facilities. A gas burning water heater must not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. [505.4]

Residential occupancies. *Dwellings* must be provided with heating facilities capable of maintaining a room temperature of 68 F in all *habitable rooms, bathrooms* and *toilet rooms*. Cooking appliances shall not be used to provide space heating to meet the requirements of this section. [602.2]

Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances must be properly installed and maintained in a safe working condition to be capable of performing the intended function. [603.1]

Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent. [603.2]

Unvented portable space heater. Unvented flame space heaters are prohibited in any dwelling or dwelling unit. No owner or occupant should install, operate, or use a space heater employing a flame that is not vented outside the structure in an approved manner. [603.2.1]

Combustion air. A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment must be provided for the fuel-burning equipment. [603.5]

Duct systems. Duct systems must be maintained free of obstructions and shall be capable of performing the required function. [607.1]

PESTS

Insects and rodents can damage property, contaminate food, carry infectious disease, and make allergies and asthma worse. The most effective strategy for eliminating pests is to properly identify and repair the structural source of infestation, block pest entries, and eliminate sources of pet food and water. The following housing code requirements will help prevent pest intrusion. Use Integrated Pest Management (IPM) best practices once sources of food, water and entry are eliminated.

Grading and drainage. All *premises* must be graded and maintained to prevent the accumulation of stagnant water outside or within any structure. [302.2]

Weeds. All *premises* and *exterior property* must be maintained free from weeds or plant growth in excess of a height set by your city/town not including cultivated flowers and gardens. [302.4]

Rodent harborage. All structures and *exterior property* must be kept free from rodent harborage and *infestation*. Where rodents are found, they must be promptly exterminated by *approved* processes which will not be injurious to human health. After extermination, proper precautions must be taken to eliminate rodent harborage and prevent reinfestation. [302.5]

Sanitary rodent control provisions. [302.5.1]

1. Every window located at or near ground level, used or intended to be used for ventilation, and every other opening located at or near ground level which might provide an entry for rodents, must be supplied with adequate screens or other devices that will prevent their entrance.
2. Every dwelling or accessory structure and the premises upon which they are located must be rodent-proofed and maintained to prevent rodents' harborage.
3. All openings in the exterior walls, foundations, basement, ground or first floors, and roofs which have a ½" diameter or more opening must be rat-proofed in an approved manner if they are within 48" of the existing exterior ground level immediately below those openings, or if they may be reached by rats from the ground by climbing unguarded pipes, wires, cornices, stairs, roofs, and other items as trees or vines by burrowing.
4. Skirting, lattice, or other non-rat-proofed enclosures displaying evidence of rat harborage under a porch or any portions of a building must be rat-proofed at all locations where evidence of burrowing or gnawing was found.
5. In the event that occupancy usages would result in stacking or piling materials, the materials must be arranged to prohibit the creation of a harborage area by orderly stacking and elevating so that there is a 12" opening between the material and ground level. No stacking or piling of material should take place against the exterior walls of the structure.
6. All doors, including swinging, sliding, and folding types, must be constructed so that the space between the lower edge of the door and the threshold does not exceed 3/8"; provided, further, that the space between sections of folding and sliding doors when closed does not exceed 3/8".

7. Basement floors and/or the floors and areas in contact with the soil, and located a maximum depth of 4' or less from the grade line, must be paved with concrete or other rat impervious material.

8. Any materials used for rodent control must be acceptable to the appropriate authority.

Foundation walls. All foundation walls must be free from open cracks and breaks and kept in such condition as to prevent the entry of rodents and other pests. [304.5]

Exterior walls. All exterior walls must be free from holes, breaks, and loose or rotting materials; and maintained weatherproof. [304.6]

Insect Screens. During the period from May 1 to October 1, every door, window and other outside opening required for *ventilation* of habitable rooms must be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control must have a self-closing device in good working condition. [304.14]

Basement hatchways. Every *basement* hatchway must be maintained to prevent the entrance of rodents, rain and surface drainage water. [304.15]

Guards for basement windows. Every *basement* window that is openable must be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents. [304.16]

Accumulation of rubbish and garbage. All *exterior property* and *premises*, and the interior of every structure, must be free from any accumulation of *rubbish* or garbage. [308.1]

Rubbish storage facilities. The *owner* of every occupied *premises* must supply *approved* covered containers for *rubbish*, and the owner of the *premises* must be responsible for the removal of *rubbish*. [308.2.1]

Garbage facilities. The *owner* of every dwelling must supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leak proof, covered, outside garbage container. [308.3.1]

Infestation. All structures must be kept free from insect and rodent *infestation*. All structures in which insects or rodents are found must be promptly exterminated by *approved* processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re infestation. [309.1]

Pest elimination - owner. The *owner* of any structure is responsible for extermination within the structure prior to renting or leasing the structure. [309.2]

Pest elimination - multiple occupancy. The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure is responsible for extermination in the public or shared areas of the structure and *exterior property*. If infestation is caused by failure of an occupant to prevent such *infestation* in the area occupied, the *occupant* and *owner* are responsible for extermination. [309.4]

Pest elimination - occupant. The *occupant* of any structure is responsible for the continued rodent and pest-free condition of the structure. **Exception:** Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for extermination. [309.5]

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Defined terms are in *italics* throughout the code. Unless otherwise expressly stated, the following terms shall, for the purposes of the above code, have the following meanings. Terms that are not defined shall have ordinarily accepted meanings such as the context implies.

Wherever the words *dwelling*, *dwelling unit*, *rooming house*, *rooming unit*, *housekeeping unit*, *premises*, *building* and *structure* are used in the code, they shall be construed as though they were followed by the words “or any part thereof.” Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine, and the feminine the masculine.

SECTION 202 DEFINITIONS

APPROVED. Means approved by the local or state authority having administrative authority.

BASEMENT. A portion of the building partly underground, but having less than half its clear height below the average grade of the adjoining ground.

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.

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.

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.

HABITABLE SPACE. The 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.

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 which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

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

KITCHEN. Any room containing any or all of the following equipment, or area of a room within three feet (3') of that equipment: sink, and/or other device for dish washing, stove or other device for cooking, and refrigerator or other device for cool storage of food.

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.

OWNER. Any person, agent, operator, firm or corporation having a 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, partnership, corporation, 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.

PLUMBING. Means and includes all of the following supplied facilities and equipment: gas pipes, gas burning equipment, waste pipes, garbage disposal units, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, septic tank, or gas lines.

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

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 can, metals, mineral matter, glass, crockery and dust of other similar materials.

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.

STRUCTURE. That which is built or constructed or a portion thereof and used, unused or intended to be used for residential, commercial, business or industrial use or occupancy.

TENANT. A person, partnership, corporation, 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.

UN-VENTED PORTABLE SPACE HEATER. A non-flue connected, self-contained, self supporting, oil-fueled heating appliance equipped with an integral reservoir designed to be carried from one room to another.

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

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