

IPMC Overview

Oct 27, 2016 – AACE

Instructor- Mike Edwards



Introductions

Mike Edwards

- City of Irving
- Code Department
- Interest



Today's Plan

Morning

- ✓ History of Zoning and Property Maintenance
- ✓ IPMC Chapter Highlights
- ✓ Legal Aspects Highlights
- ✓ Overview of Content

Afternoon

- ✓ Test Review
- ✓ Pop Quiz
- ✓ Test Taking Tips

Little bit of History



Code of Hammurabi 1772 BC

- 228. If a builder build a house for some one and complete it, he shall give him a fee of two shekels in money for each sar of surface.
- 229 If a builder build a house for some one, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death.
- 230. If it kill the son of the owner the son of that builder shall be put to death.
- 231. If it kill a slave of the owner, then he shall pay slave for slave to the owner of the house.
- 232. If it ruin goods, he shall make compensation for all that has been ruined, and inasmuch as he did not construct properly this house which he built and it fell, he shall re-erect the house from his own means.
- 233. If a builder build a house for some one, even though he has not yet completed it; if then the walls seem toppling, the builder must make the walls solid from his own means.



The Burning of Rome (circa 64 A.D.)

- Prior to 64 A.D., the wealthy Roman Empire spent large sums of money on major public projects and maintained fairly tight controls on the construction of these public buildings. However, the construction of many vernacular buildings, such as housing, was greatly overlooked. The poor quality of construction (many of these often monstrous buildings would often fall before being completed), the cramped distance between buildings, and the poor sanitation all spoke rather dimly of a great empire.

Emperor Nero had developed a master plan for what he felt would be an idealized Roman city. Nero's idea of a better Roman city was no secret, so when Rome burned in 64 A.D., the popular theory is that Emperor Nero had something to do with the blaze.

After the burning of Rome, construction was done to Nero's master plan, with sound construction principals regarding fire resistance and sanitation being applied to all structures.



The Great London Fire (circa 1666 A.D.)

After the fire, Parliament labored for two years over the writing of the "London Building Act", which setup building regulations for the City of London (the rest of England continued to be unregulated). However, in the two years after the fire, much of London was rebuilt using the same poor practices.

The Chicago Fire (circa 1871 A.D.)

The fire raged in the City for two days before being extinguished, having destroyed 17,000 buildings, taken 250 lives, and leaving 100,000 persons homeless. The financial ruin to the insurance industry left 60 companies in bankruptcy, with the remaining companies threatening to leave unless better building regulations were enacted. There was still resistance to tightening controls on construction, however by 1875 ordinances had been enacted regulating building construction and fire prevention.

The San Francisco Earthquake (circa 1906 A.D.)

The earthquake which struck San Francisco in the early morning of April 18, 1906 left the City in ruins. Those portions not destroyed by the earthquake were destroyed by the resulting fires which swept the community whose infrastructure could no longer provide water to put the fires out.

As the scientific community quickly gathered to observe what had taken place, many of the building code organizations that exist today were forming or on the verge of forming. The western United States (especially California) has had a primary concern regarding the integrity of structures during and after an earthquake event. Many structures since the 1906 earthquake have been studied after each seismic event has occurred, either for their ability or lack of ability to withstand the event.

Policing Power

Zoning is based on **policing power**, which is the right of the municipality to protect the:

Public Health

Safety

General Welfare



IPMC Chapter Highlights



The International Property Maintenance Code (IPMC) is a model code that regulates the minimum maintenance requirements for existing buildings.

Chapter 1 – Scope and Administration

- Provisions for the application, enforcement and administration of code requirements
- Duties and powers of the Code Official
- Buildings/Structures under its purview
- Due process of law in enforcing property maintenance criteria



Chapter 2 – Definitions

- All terms that are defined in the code are listed alphabetically
- Meaning defined in Ch. 2 applicable throughout code
- Terms *italicized* are unique to this code

Chapter 3 – General Requirements

- Variety of requirements for exterior property areas, interior and exterior elements
- Requirements that are intended to maintain minimum level of safety and sanitation
- Regulating the installation and maintenance of specific building components
- Maintenance requirements for vacant structures and land
- Requirements regulating safety, sanitation and appearance of
 - interior and exterior structures
 - all exterior property areas
 - accessory structures

Chapter 3 – General Requirements

- Vehicle storage regulations
- Establishes who is responsible for complying with the chapter's provisions
- Swimming pools, spas and hot tubs
- Establishes responsible parties for exterminating insects and rodents
- Maintaining sanitary conditions

Chapter 4 – Light, Ventilation and Occupancy Limitations

- Establishes minimum criteria for light and ventilation
- Identifies occupancy limitations
- Provides alternative arrangements of windows and other devices

Chapter 5 – Plumbing Facilities and Fixture Requirements

- Establishes minimum criteria for installation, maintenance, and location of plumbing systems and facilities including:
 - Water supply system
 - Water heating appliances
 - Sewage disposal system
- Ensures certain basic plumbing principles are followed throughout the life of a building

Chapter 6 – Mechanical and Electrical Requirements

- Establishes minimum installation, maintenance, performance, and safety requirements for:
 - Heating
 - Electrical
 - Mechanical facilities
 - Elevators, escalators, and dumbwaiters
- Determines responsibility for the provision and maintenance of mechanical and electrical equipment

Chapter 7 – Fire Safety Requirements

- Addresses fire hazards as a result of building's occupancy
- Provides minimum requirements for fire safety issues that are most likely to arise in older buildings
- Requirements for egress in existing buildings, including path of travel, required egress width, means of egress doors and emergency escape openings
- Establishes minimum requirements for fire safety facilities and fire protection systems

Chapter 8 – Referenced Standards

- References standards that are used to regulate materials and methods of construction
- Comprehensive, organized list of all standards in code
- Compliance with the referenced standard is necessary for compliance with this code

Legal Aspects Chapter Highlights



Chapter 1 – Introduction

- Litigation Wave
- Legal Concepts and Factual Situations

Chapter 2 – Historical Overview

- Early Building Codes
- Development of Modern Codes

Chapter 3 – Local Government Law

- Forms of Local Government
- Dillon's Rule
- Home Rule Municipalities
- Local Adoption of a Building Code

Chapter 4 – State Legislative Law

- Enabling Legislation
- State Building Codes
- Related Legislative Provisions
- Preemption
- Sovereign Immunity

Chapter 5 – Federal Legislative Law

- Role of the Federal Government
- The Consumer Product Safety Act
- Immunity

Chapter 6 – Administration and Enforcement

- Permit Issuance
- Permit Revocation
- Inspection
- Administrative Search Warrants
- Plans Examination
- Civil Prosecutions
- Injunctive Relief
- Handling Complaints
- Evidence
- Administrative Guidelines

Chapter 7 – Administrative Law

- Creation of the Board of Building Code Appeals
- Application to the Board
- Powers of the Board
- Appeals Procedures

Chapter 8 – Constitutional Law

- Search and Seizure
- Substantive Due Process
- Retroactive Code Provisions
- Equal Protection Clause

Chapter 9 – Related Property Law Concepts

- Zoning Ordinances
- Covenants
- Easements
- Ownership Transfer
- Common Property Rights
- Subdivision Regulations

Chapter 10 – Liability for Intentional Wrongdoing

- Distinction Between Governmental and Official Liability
- Intentional Torts
- Malicious Prosecution
- Absolute Immunity
- Wrongful Civil Proceedings
- Abuse of Process
- False Imprisonment
- Intentional Infliction of Emotional Distress
- Assault and Battery
- Trespass

Chapter 11 – Negligent Wrongdoing

- Elements of Negligence
- Defenses
- Immunities
- State Tort Liability Acts
- Indemnification and Insurance

Chapter 12 – Civil Rights Actions

- The Civil Rights Act of 1871
- The Fair Housing Act
- The Americans with Disabilities Act
- The Attorney's Fee Award Act

Chapter 13 – The Role of the Witness

- Fact Witness
- Guidelines for Witnesses
- Sequestration of Witnesses
- Expert Witness
- Consulting Experts

Photos of Violations



Exposed Electrical

IPMC 604.3



Damaged Outlets

IPMC 604.3



Exterior Stairs

IPMC 304.10



Building Cracks

IPMC 304.6



Smoke Alarms

IPMC 704.2



RUBBISH AND GARBAGE

IPMC 308



POOLS

IPMC 303.1



Fences

IPMC 302.7



Windows

IPMC 304.13



Window Screens

IPMC 304.14



Junked/Inoperable Vehicle

IPMC 302.8



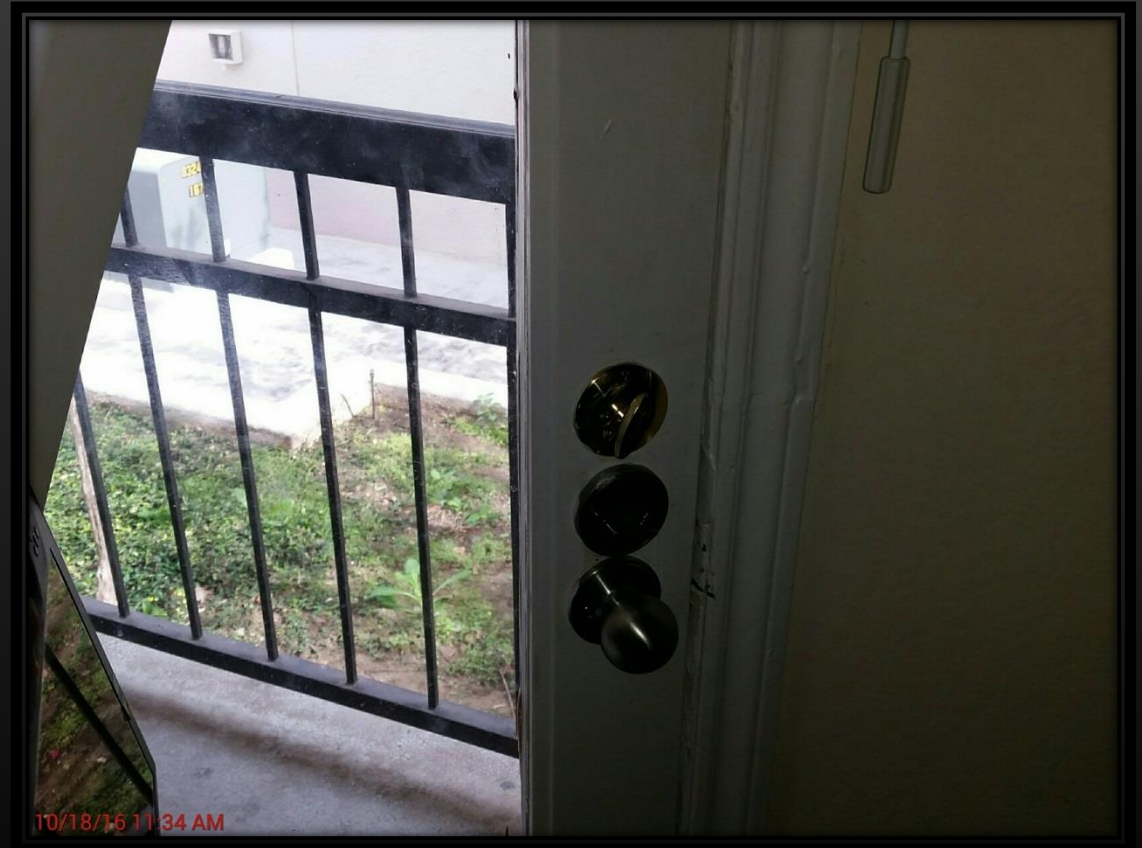
SIDEWALKS

IPMC 302.3



DOOR LOCKS

IPMC 304,15



PROTECTIVE TREATMENT

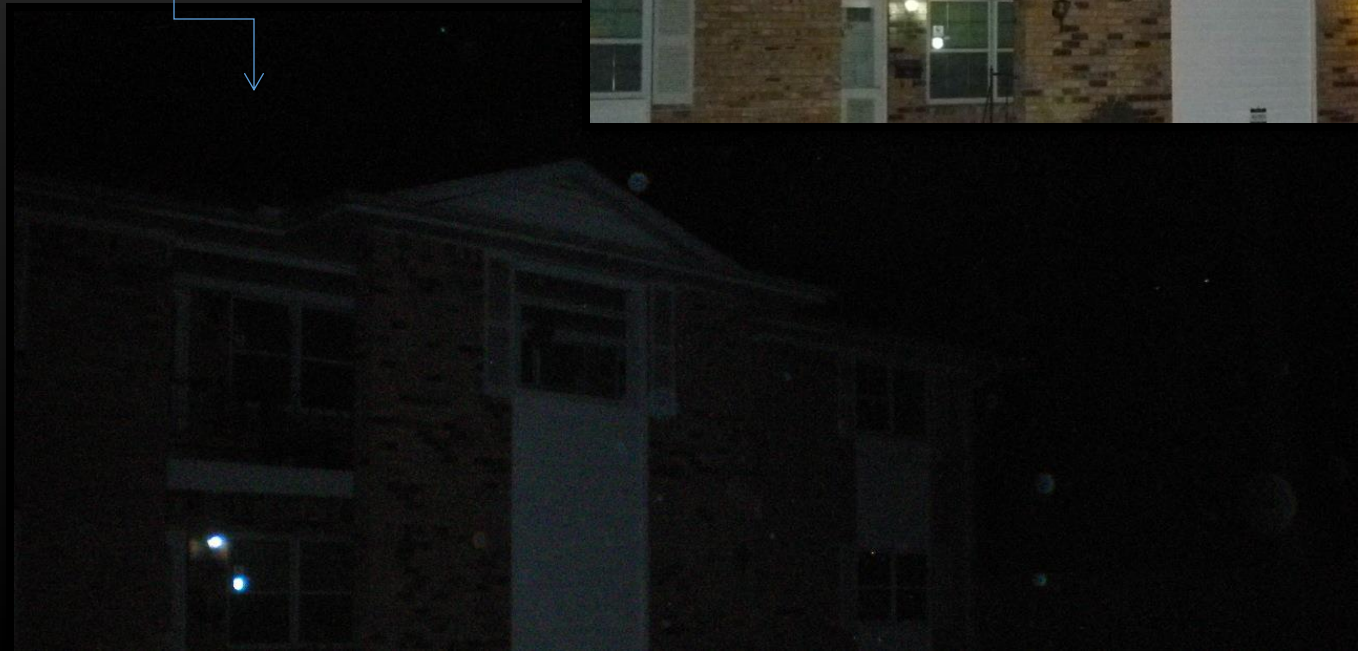
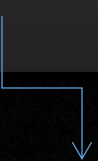
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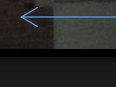
Exterior Lighting

IPMC 402

Before



After



DRAINAGE IPMC 507.1



PLUMBING

IPMC 500

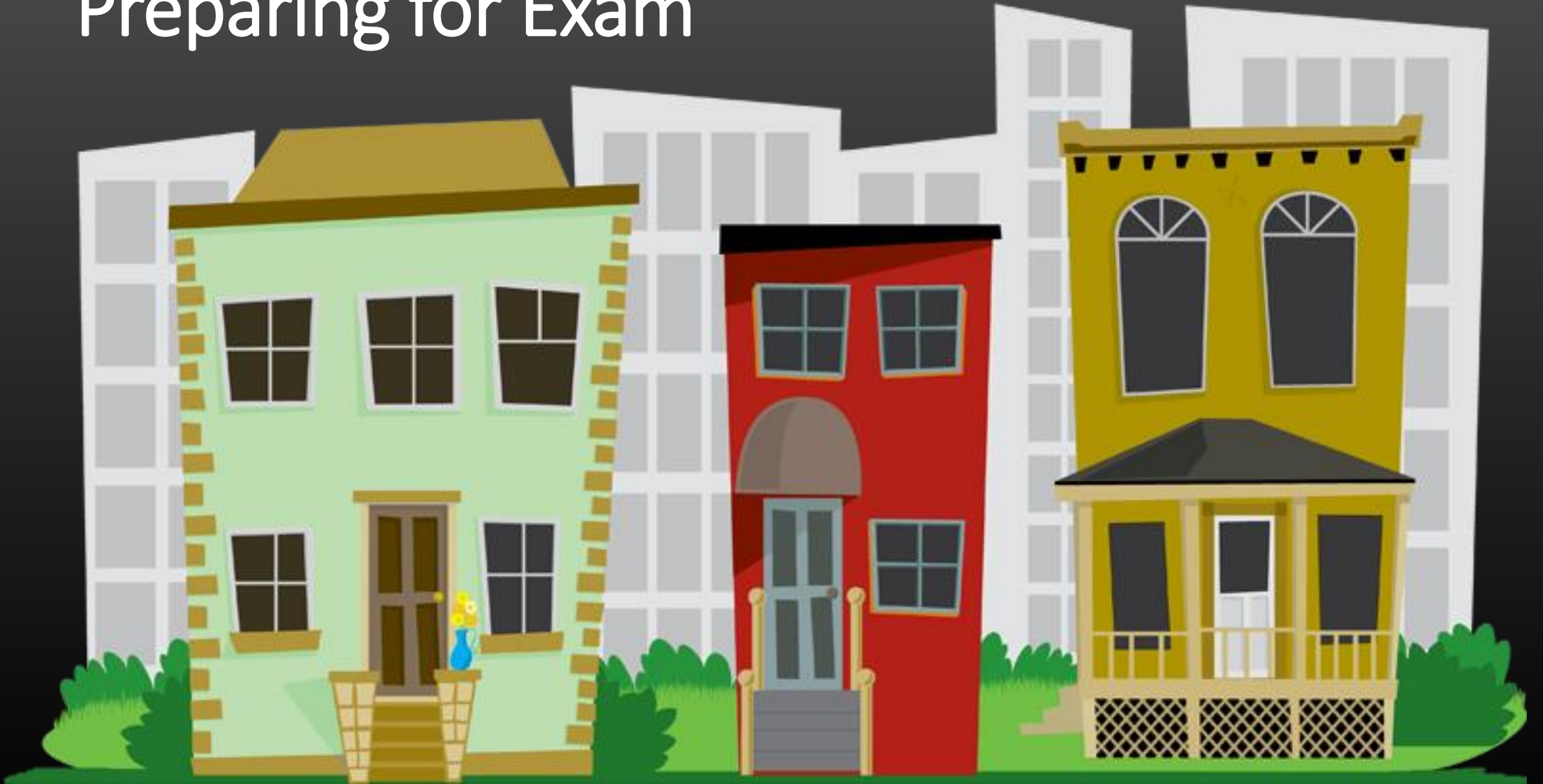


SANITARY SEWER

IPMC 506.2



Preparing for Exam



AACE/ICC PROPERTY MAINTENANCE & HOUSING INSPECTOR (Exam ID 64)

- Exam fee: \$180 (P&P); \$180 (CBT)
- 2-hour time limit
- Open book – any bound copyrighted books may be used

References needed to take the exam:

- Legal Aspects of Code Administration, Copyright 2002
- 2012, 2015 International Property Maintenance Code™
- 2012, 2015 International Residential Code™

Exam Content Area and References

Exam ID 64 AACE Property Maintenance and Housing Inspector

50 multiple choice questions
Open book – 2 hour time limit
Exam fee: \$199 (CBT) or \$199 (P & P)

Content Area	% of Total	References
Administration and Legal	22%	2012, 2015 International Residential Code 2012, 2015 International Property Maintenance Code 2002 Legal Aspects of Code Administration
Light, Ventilation and Occupancy	14%	
Fire and Life Safety	14%	
Mechanical	6%	
Plumbing	10%	
Electrical	8%	
Property Conditions	26%	
Total	100%	

Certification Test Prep/Tips

- Tab your books (Tabs permanently affixed)
- Read the books!
- Notes written in code sections must be with permanent ink and highlighters only
- Flash cards
- Study partners
- Prepare practice test questions
- Practice test within allotted time

Prohibited Items at Test Center

The following items may NOT be brought in the testing area:

- Ink type pens/colored pencils/highlighters
- Purses/wallets/watches/briefcases/bags
- Calculators with print or storing formulas capabilities
- Copying, recording or photo devices
- Cell phones, beepers, radios, MP3 players and or PDA's.
- Books without permanently affixed tabs
- Photocopies of copyrighted materials
- Reference material not listed for specific exam



Items to Bring to Test Ctr.

REQUIRED:

- Testing confirmation number
- 2 forms of Picture Identification
- References for appropriate exam

OPTIONAL:

- Battery operated calculator –no printer/no programming or storage capability
- Foreign language/English translation dictionary if needed
- Eyeglasses, if necessary
- Architects' scale or rule, if necessary
- Magnifying glass



Marking Questions

- Skip and mark questions if answers are not quickly accessed
 - Don't get hung up on one question
 - Come back and answer the marked questions at the end
- Mark answered questions you may be unsure about
- Give yourself some time to let the answer come back to you

Practice Test Questions



Practice Question

A notice of violation is deemed to be properly served if:

- A. Faxed to the owner
- B. Left with a neighbor
- C. The owner is notified by telephone
- D. Sent by certified or first class mail to the last known address.

Chapter 1 Scope and Administration -- Section 107.3 Method of Service

Practice Question

Every habitable room or space shall contain at least _____ separate and remote electrical receptacle(s).

- A. One
- B. Three
- C. Four
- D. Two

Chapter 6 Mechanical and Electrical Requirements – Section 605.2
Electrical Equipment

Practice Question

According to the IRC, which of the following is a habitable space?

- A. Hallway
- B. Kitchen
- C. Bathroom
- D. Laundry

Chapter 2 Definitions – Section 202 General Definitions

Practice Question

The interior of a structure containing two dwelling units shall be maintained in a clean and sanitary condition:

- A. By the occupant
- B. By the owner
- C. By the manager
- D. Only in public areas

Chapter 3 General Requirements – Section 305.1 Interior
Structure – General

Practice Question

Which of the following plants are defined as weeds?

- A. Tomato plants
- B. Noxious plants
- C. Shrubs
- D. Cultivated wildflowers

Chapter 3 General Requirements – Section 302.4 Weeds

Practice Question

Dwellings shall be provided with heating facilities capable of maintaining a daytime room temperature of 65 degrees F in all rooms EXCEPT:

- A. Kitchens
- B. Bathrooms
- C. Dining Rooms
- D. Hallways

Chapter 6 Mechanical and Electrical Requirements – Section 602.2
Residential Occupancies

Practice Question

The court can compel a code official to perform duties by issuing a writ of:

- A. Process
- B. Replevin
- C. Mandamus
- D. Prohibition

Legal Aspects Chapter 6 Administration and Enforcement –
Disclaimers

Practice Question

Structures which are illegally placed or constructed across a property line are referred to as:

- A. Encroachments
- B. Encumbrances
- C. Public easements
- D. Setback violations

Legal Aspects Chapter 9 Related Property Law Concepts – Easements

Practice Question

A writ of mandamus is described as:

- A. Testimony taken out of court under oath
- B. A written statement sworn before a notary public
- C. Legally sufficient evidence to be considered as fact
- D. An order to a public official from the court to perform a specified act or duty

Legal Aspects Chapter 6 Administration and Enforcement –
Disclaimers

Practice Question

As a general rule, a city/county building department may NOT impose building regulations on:

- A. Federally owned property
- B. Federally leased property
- C. Local government owned property
- D. Local government leased property

Legal Aspects Chapter 5 Federal Legislative Law – Immunity

Practice Question

In a multiple dwelling unit facility, there are 4 individual dwelling units and 6 rooming units. How many water closets would be required in the structure?

- A. 4
- B. 5
- C. 6
- D. 7

Chapter 4 Light, Ventilation and Occupancy Limitations – Section
404.4.3 Water Closet Accessibility

Practice Question

If a building code provision is less stringent than the same provision of the Americans with Disabilities Act, the building code takes precedence.

True

False

Legal Aspects Appendix D – Facts about ADA

Practice Question

An inspector must demonstrate reasonable cause in order to obtain a search warrant for municipal inspections.

True

False

Chapter 1 Scope and Administration – Section 104.3 Right of Entry

Practice Question

When a lawsuit is brought, most often the code official is named as a defendant.

True

False

Chapter 1 Scope and Administration – Section 103.4 Liability

Practice Question

The public duty doctrine makes it difficult to sue successfully a code official for negligence.

True

False

Legal Aspects Chapter 11 Negligent Wrongdoing – The Public Duty Doctrine

Practice Question

A federally or state leased building is immune to local building code and zoning ordinances.

True

False

Legal Aspects Chapter 5 Federal Legislative Law – Immunity

Practice Question

A code official may search a premise without a warrant or consent of the owner if the official has probable cause to believe a violation exists.

True

False

IPMC Chapter 1 Scope and Administration – Section 104.3 Right of Entry

Practice Question

Code violations that are in plain view do not give the code official authority to explore the premises to search for other violations.

True

False

Chapter 1 Scope and Administration – Section 104.3 Right of Entry

Practice Question

A code official can enforce restrictive covenants between private property owners.

True

False

Legal Aspects Chapter 9 Related Property Law Concepts – Covenants

Practice Question

If a code official fails to inspect a building properly, yet no one is injured as a result, there can be no legal liability for negligence.

True

False

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Intentional Torts

Practice Question

Local governments derive the authority to adopt building codes from:

- A. The local district court
- B. The states
- C. The Board of Appeals
- D. Local legislative council

Legal Aspects Chapter 3 Local Government Law – Local Adoption of Building Code

Practice Question

What are the three major forms of local government?

- A. County, home rule municipality, village
- B. County, municipality, home rule municipality
- C. Municipality, home rule municipality, village
- D. Legislative, judicial and executive

Legal Aspects Chapter 3 Local Government Law – Forms of Local Government

Practice Question

What term means a municipality attempts to adopt a building code in the absence of enabling legislation? The court has said the adoption is not one of the municipality's implied powers.

- A. Expressed power
- B. Implied power
- C. Essential and indispensable power
- D. *Ultra Vires* action

Legal Aspects Chapter 3 Local Government Law – Ultra Vires
Legislation

Practice Question

Why is home rule generally an advantage to municipalities and, therefore, to building code enactment?

- A. Home Rule make it easier for the government to enact legislation to protect public welfare.
- B. Home Rule always bars state interference in purely local affairs.
- C. Municipalities never need to garner state approval in order to adopt legislation.
- D. Home Rule loosens control over peripheral codes such as solar access ordinances.

Practice Question

Which is an act of a home rule charter with unlimited powers?

- A. Adoption of a building code without federal legislation.
- B. Adoption of a building code without state enabling legislation.
- C. Giving full authority to adopt codes to the building commissioner.
- D. Suspension of the building code when it is too costly to comply

Legal Aspects Chapter 3 Local Government Law – Home Rule
Municipality

Practice Question

Which is an act of an home rule charter with limited powers?

- A. Specific authority to adopt a building code comes from the charter itself or from the state.
- B. A draft of the charter is sent to a state agency for review.
- C. The state legislature enacts the charter and then grants powers to the municipality.
- D. Authority to enact legislation comes from the city council.

Legal Aspects Chapter 3 Local Government Law – Home Rule
Municipality

Practice Question

Which of the following statements regarding state enabling legislation and building codes is FALSE?

- A. Enabling legislation permits local governments to enact building codes.
- B. Enabling legislation must be followed to the letter when establishing a local government code enforcement system.
- C. Enabling legislation does not require that buildings and other structures be classified.
- D. A building official implements and enforces the provisions of the local ordinance.

Legal Aspects Chapter 4 State Legislative Law – Enabling Legislation

Practice Question

Who controls the construction industry in those localities that have no building code department or minimum standard?

- A. Chamber of Commerce
- B. American National Standards Institute
- C. The state
- D. Department of Housing and Urban Development

Legal Aspects Chapter 4 State Legislative Law – State Building Codes

Practice Question

What is the difference between a building code and a fire code?

- A. A building code is a construction code; a fire code is a maintenance code.
- B. A building code can only be used on a new construction while a fire code is used for both new and existing structures.
- C. A fire code is a construction code; a building code is a maintenance code.
- D. There is no difference between a building code and a fire code.

Practice Question

What is the purpose of zoning ordinances?

- A. To separate and regulate land uses that are not compatible with one another.
- B. To provide controls for land usage.
- C. To establish restrictive areas to control growth.
- D. To provide a network for improvements that will be compatible with the local infrastructure network.

Legal Aspects Chapter 4 State Legislative Law – Zoning Ordinance

Practice Question

Which is NOT an exception to the general rule of sovereign immunity?

- A. The state waives its immunity from local regulation.
- B. The state waives its immunity with respect to certain types of buildings, such as state office buildings.
- C. State officials request the help of the local building official on the front of a project.
- D. An injunction is issued requiring the state to cease work on a project until a permit has been obtained.

Practice Question

What is the power of the Consumer Product Safety Commission (CPSC)?

- A. Banning hazardous products from commerce.
- B. Preempting local building code provisions.
- C. Regulating the flow of products to commercial retailers.
- D. Designing the labeling and packaging of consumer products.

Legal Aspects Chapter 5 Federal Legislative Law – The Consumer Product Safety Act

Practice Question

Which type of proposed structure would NOT necessarily require the submission of complete architectural plans?

- A. A multi-family apartment complex
- B. A large commercial office building
- C. A church
- D. A single-family unit

Legal Aspects Chapter 6 Administration and Enforcement – Permit Issuance

Practice Question

Generally speaking, a building official will have no trouble revoking a permit when:

- A. A mistake was made by the plans examiner.
- B. A permit was issued wrongfully.
- C. The hard suffered by the builder outweighs the harm suffered by the potential occupants and the public at large.
- D. Construction of a building poses a tremendous danger to the safety of the potential occupants and the public at large.

Legal Aspects Chapter 6 Administration and Enforcement – Permit Revocation

Practice Question

Which statement about documenting an inspection is FALSE?

- A. Record only rudimentary information such as date, address and any observed violations.
- B. Utilize building code terminology so it is difficult for people outside the construction industry to understand the inspection report.
- C. Indicate which section of the building code is being violated.
- D. Keep a copy of each inspection report that is turned in to the building department.

Legal Aspects Chapter 6 Administration and Enforcement – Inspection

Practice Question

Which of the following could result from the examination of building plans by someone other than a qualified expert?

- A. Collapse of a building caused by structural defects or inappropriate materials.
- B. Loss of lives.
- C. A lawsuit against the building department.
- D. All of the above.

Legal Aspects Chapter 6 Administration and Enforcement – Plans Examination

Practice Question

Which is NOT one of the important pieces of information to obtain when handling a complaint?

- A. Name of complainant
- B. Complainant's address and phone number
- C. Date the complaint was written up
- D. Nature of the alleged violation

Legal Aspects Chapter 6 Administration and Enforcement – Handling Complaints

Practice Question

What type of testimony is utilized to prove most cases?

- A. Written
- B. Photographic
- C. Hearsay
- D. Verbal

Legal Aspects Chapter 6 Administration and Enforcement – Evidence

Practice Question

Which piece of evidence is NOT admissible in court?

- A. Third-party information
- B. Photographs
- C. Warning Letters
- D. Permit applications

Legal Aspects Chapter 6 Administration and Enforcement – Evidence

Practice Question

Why should building departments adopt written guidelines to cover areas not covered by the code?

- A. Operation of the department will be more efficient
- B. New questions arise and new rules must be written to address them
- C. An application for a permit can be denied based on these guidelines
- D. Guidelines facilitate uniform administration of the code
- E. All of the above

Legal Aspects Chapter 6 Administration and Enforcement – Administrative Guidelines

Practice Question

What constitutes an unreasonable search under the 4th Amendment? One that takes place:

- A. Without the presence of a police officer.
- B. After working hours.
- C. Without consent or an authorized search warrant.
- D. In an unoccupied building.

Legal Aspects Chapter 8 Constitutional Law – Search and Seizure

Practice Question

Which statement regarding building code inspections is FALSE?

- A. Housing and building codes contain provisions permitting inspections to be carried on “in the line of duty”.
- B. Provisions permitting inspections “in the line of duty” immunize building officials from the 4th Amendment provision of unreasonable search.
- C. The building code can't authorize an unconstitutional inspection.

Legal Aspects Chapter 8 Constitutional Law – Model Code Provisions and Camara

Practice Question

A warrant is viewed as a last resort and should be sought only after entry has been refused.

True

False

Legal Aspects Chapter 8 Constitutional Law – Model Code Provisions
and Camara

Practice Question

What is the easiest way for a building official to conduct an inspection while meeting the constitutional requirements of the 4th Amendment? Obtain consent from:

- A. The property owner's attorney.
- B. A judicial officer.
- C. The owner or occupier of the premises.
- D. A law enforcement officer.

Legal Aspects Chapter 8 Constitutional Law – Consent

Practice Question

Generally speaking, when is it not necessary to obtain a property owner's permission to inspect a building? When:

- A. An anonymous phone caller reports a hazardous condition.
- B. A professional engineer or architect reports noncompliance.
- C. The property is vacant.
- D. The premises have been leased to tenants.

Legal Aspects Chapter 8 Constitutional Law – Consent

Practice Question

Which is an example of consent and waiver of one's 4th Amendment rights?

- A. The original application for a building permit contains language that grants inspections after occupancy.
- B. Adopting a local ordinance that allows routine inspections of existing structures.
- C. A spouse in a jointly owned home allows a building inspector to check the home; the inspector also inspects a beauty parlor in the basement.
- D. A tenant requests inspection of the electrical system in his or her residence.

Legal Aspects Chapter 8 Constitutional Law – Consent

Practice Question

Which is not an example of consent to search where two or more persons have equal rights of occupancy?

- A. In the case of a couple, married or unmarried, where one of the partners consents to a search of the entire premises.
- B. Two college students share a two-bedroom house, and one consents to an inspection of the other's bedroom.
- C. Three unrelated people share a house and one consents to an inspection of the kitchen, living room, bathroom and her own bedroom.

Practice Question

Which is a limitation of the plain view doctrine? A building official:

- A. Can't cite violations that are not part of the original purpose of the inspection.
- B. Does not have the authority to explore the premises searching for other violations.
- C. May not have the authority to explore the premises searching for other violations.
- D. Inspecting a bathroom at an owner's consent may not cite violations in a hallway through which he or she passes.

Practice Question

Which is not an emergency situation that constitutes an exception to the 4th Amendment warrant requirements?

- A. Occupants of a building call for an inspection of a faulty wiring system, the building official believes the system poses immediate danger to human life.
- B. Fire fighters enter a burning building to put out a blaze.
- C. Fire officials return to a structure 30 days later to determine the origin and causes of a fire.
- D. Upon external inspection, a building official discovers severe structural defects indicating the possibility of immediate collapse of a building.

Practice Question

When is an impromptu inspection without a warrant constitutionally acceptable, as illustrated by the rulings of *Frey vs. Panza*?

- A. When no sign is present that specifically states NO TRESPASSING.
- B. A building official suspects code violations exist based upon sworn complaints from neighbors.
- C. Code violations are visible from the exterior of the occupied property.
- D. In the case of heavily regulated businesses, such as the construction industry.

Legal Aspects Chapter 8 Constitutional Law – Heavily Regulated Businesses

Practice Question

Which is not a qualification to the ruling on impromptu inspections of building sites? The ruling:

- A. Is the conclusion of only one court and authority is limited.
- B. Applies only to buildings under construction.
- C. No longer applies once the building is occupied.
- D. Gives the building official authority to enter the structure at any reasonable hour.

Legal Aspects Chapter 8 Constitutional Law – Heavily Regulated Businesses

Practice Question

Under what circumstances will the courts uphold retroactive code provisions?

Where:

- A. Property values will increase.
- B. Application of the retroactive code provisions will stimulate the local economy.
- C. The property is more than 36 years old.
- D. The building official can prove that a hazard exists.

Legal Aspects Chapter 8 Constitutional Law – Retroactive Code Provisions

Practice Question

Which is not an application of the Equal Protection Clause as it applies to building code provisions?

- A. Code provisions must apply to people and buildings that are similarly situated in substantially similar ways (facial validity).
- B. Discriminatory enforcement of the code is prohibited.
- C. The state establishes different classifications and applies different standards to each.
- D. The law must be similarly enforced against members of each classification.

Legal Aspects Chapter 8 Constitutional Law – Equal Protection Clause

Practice Question

Which is an example of equal protection based on the facial validity of the code? Restrictions on commercial structures reasonably relate to:

- A. The classification “commercial”
- B. Who owns the structure
- C. Annual gross receipts
- D. Property taxation

Legal Aspects Chapter 8 Constitutional Law – Facial Validity

Practice Question

Which is an example of discriminatory enforcement?

- A. Only rental properties are subject to systematic inspections.
- B. Demolition permits are held for 5 days before issuance.
- C. Certain residential structures are routinely approved without plans; however, the policy is changed in individual cases.
- D. Single-family residential plans do not require a seal by a licensed architect, but other structures require such a seal.

Legal Aspects Chapter 8 Constitutional Law – Discriminatory Enforcement

Practice Question

Which is not an example of an accessory use?

- A. A swimming pool in a city park where the public is charged to swim.
- B. A garage for storage of an automobile on a residential piece of property.
- C. A swimming pool behind a residential home.
- D. A parking attendant booth at a public parking lot.

Legal Aspects Chapter 9 Related Property Law Concepts – Zoning Ordinances

Practice Question

Which is an example of a special exception (or conditional use) zoning permit? Granting to an applicant the right to have:

- A. Multiple dwellings in a residential zone.
- B. A road in an industrial park.
- C. Two cars in a garage.
- D. A day care center in a residential zone.

Legal Aspects Chapter 9 Related Property Law Concepts – Zoning Ordinances

Practice Question

What type of easement is illustrated by a highway passing over private property?

- A. Easement by prescription
- B. *Ultra vires*
- C. Public right-of-way
- D. Common law consent

Legal Aspects Chapter 9 Related Property Law Concepts –
Easements

Practice Question

Which is a load-bearing wall?

- A. Partition wall
- B. Curtain wall
- C. Party wall

Legal Aspects Chapter 9 Related Property Law Concepts – Common
Property Rights

Practice Question

A person can acquire title property by adverse possession if he or she uses property of another without permission for over 20 years.

True

False

Legal Aspects Chapter 9 Related Property Law Concepts –
Easements

Practice Question

Why may a building official be a defendant in a lawsuit without the company of his or her employer, the local government?

- A. Intentional torts can't be brought against the government itself.
- B. The building official acted alone.
- C. The lawsuit regards one of the building official's employees.
- D. The lawsuit involves a zoning matter.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing – Intentional Torts

Practice Question

Which individual most probably will not file a malicious prosecution case claiming the building official is harassing him or her?

- A. Developer who begins construction without a permit.
- B. Building owner who applies for a certificate of occupancy.
- C. Contractor who fails to follow building plans and specifications.
- D. Contractor who does not call for necessary inspections.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing – Malicious Prosecution

Practice Question

Who has the burden of proof in a malicious prosecution suit?

- A. The municipality
- B. The attorneys
- C. The defendant
- D. The plaintiff

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing – Malicious Prosecution

Practice Question

Which individual or entity may be named as a defendant in any lawsuit?

- A. Local governments
- B. Building officials
- C. Inspectors
- D. Both a and b
- E. Both b and c

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing – The Institution of Criminal, Civil or Administrative Proceedings

Practice Question

Which is not an option dismissing charges against a code offender in order to avoid a suit?

- A. Ask the judge to find the defendant guilty, but suspend the fine.
- B. Obtain an agreement for compliance and a schedule for completion from the defendant prior to asking for a dismissal of the case.
- C. Ask the judge to dismiss the case, but have the record reflect a dismissal based on actual violation and compliance.
- D. Obtain a release from the accused relieving the building code department of any liability.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing – Termination of the Proceeding in Favor of the Accused

Practice Question

What is not a reliable basis for probable cause?

- A. Testimony of citizen witnesses
- B. First hand observation by the building official
- C. Dated photographs
- D. Accurate, dated written reports

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Absence of Probable Cause

Practice Question

Which are examples of malice on the part of a building official?

- A. Stopping work for minor, insignificant violations.
- B. Extorting money from a contractor.
- C. Citing all violations in hope that the current owner will sell out to a new owner.
- D. All of the above.
- E. None of the above.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Malice

Practice Question

What is the net effect of lack of absolute immunity?

- A. Less control over the construction community.
- B. A reluctance by building officials to aggressively enforce the code for fear of lawsuits.
- C. Immunization for local governments but not individual public officials.
- D. An increase in the number of lawsuits against public officials.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Absolute Immunity

Practice Question

Which is not a likely example of allegations of intentional infliction of emotional distress?

- A. Mishandling of a dead body during removal from a collapsed building.
- B. Posting a stop-work order.
- C. The plaintiff suffered a heart attack and claimed that the legal proceedings caused it.

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Intentional Infliction of Emotional Distress

Practice Question

Which is not a defense in a trespass charge?

- A. Consent
- B. A search warrant
- C. The inspector did not see the NO TRESPASSING sign
- D. Authorization by the building code

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Trespass

Practice Question

What is the standard of conduct considered in the performance of a duty?

- A. An average degree of skill
- B. Below what a reasonably prudent person would exercise
- C. A minimum of special knowledge and ability
- D. A minimum of education and experience

Legal Aspects Chapter 11 Negligent Wrongdoing – Elements of Negligence

Practice Question

How is the element of injuries or damages satisfied in a negligence cause of action?

- A. Loss of wages
- B. Loss of land use
- C. Emotional distress
- D. Personal injury or property damage

Legal Aspects Chapter 11 Negligent Wrongdoing – Damages or Injury

Practice Question

Which is not a component of legal causation?

- A. The defendant's conduct
- B. Liability
- C. Intent
- D. None of the above

Legal Aspects Chapter 11 Negligent Wrongdoing – Causation in Fact

Practice Question

Which is a public policy reason for Not imposing liability?

- A. The defendant owed no duty to individuals, only to members of the general public.
- B. The plaintiff contributed to his own injuries or damages.
- C. The injury sustained was totally unforeseeable in light of the defendant's conduct.
- D. The defendant is protected by absolute immunity.

Legal Aspects Chapter 11 Negligent Wrongdoing – Public Policy Considerations

Practice Question

What defense can a building official establish even if the plaintiff can establish all four elements of a negligence cause of action?

- A. Executive immunity
- B. Qualified immunity
- C. Nondiscretionary decision making
- D. Executive privilege

Legal Aspects Chapter 11 Negligent Wrongdoing – Immunities

Practice Question

What two important goals have state tort liability acts accomplished? They have:

- I. Made it easier to sue the government.
- II. Established lack of resources as a defense.
- III. Clarified the areas in which the government and its officials can face liability and under what circumstances.

- A. I and II
- B. I and III
- C. II and III

Practice Question

Which is not a benefit to building officials and municipalities of state tort liability acts? No liability results from:

- A. The improper issuance or revocation of a building permit.
- B. The improper inspection of a building.
- C. Illegal searches and seizures.
- D. The institution of judicial or administrative proceedings.

Legal Aspects Chapter 11 Negligent Wrongdoing – State Tort Liability Acts

Practice Question

What is the purpose of indemnification ordinances?

- A. To ensure the wronged party is justly compensated.
- B. To protect public officials from any loss they might suffer.
- C. To prevent harassment lawsuits.
- D. To make sure building codes are enforced.

Legal Aspects Chapter 11 Negligent Wrongdoing – Indemnification
and Insurance

Practice Question

Which is not a requirement for compensation under most indemnification ordinances? The official acted:

- A. In good faith.
- B. Within the scope of his or her employment.
- C. Consistently with the regulations of the building department.
- D. Without negligence.

Legal Aspects Chapter 11 Negligent Wrongdoing – Indemnification and Insurance

Practice Question

To what areas do errors and omissions insurance generally apply?

- A. Incomplete inspections.
- B. Lack of inspections.
- C. Catastrophic liability.
- D. Specialized skills or knowledge.

Legal Aspects Chapter 11 Negligent Wrongdoing – Indemnification
and Insurance

Practice Question

Which is not an example of a specialized skill or knowledge?

- A. Inspecting a premises.
- B. Examining building plans.
- C. Disciplining an employee.
- D. Issuing a building permit.

Legal Aspects Chapter 11 Negligent Wrongdoing – Indemnification
and Insurance

Practice Question

What type of coverage should not be excluded from an errors and omissions insurance policy?

- A. Automobile
- B. Surety bond
- C. Civil rights actions
- D. Worker's compensation

Legal Aspects Chapter 11 Negligent Wrongdoing – Indemnification and Insurance

Practice Question

Which is a situation in which a city is pitted against its own public official in court?

- A. The official acted under a state law contrary to local ordinance.
- B. A building official posted property owned by the City.
- C. The official misused city property.
- D. The official acted pursuant to a city regulation in good faith, but the regulation was unconstitutional.

Legal Aspects Chapter 12 Civil Rights Actions – Immunities

Practice Question

Why is it advisable for a public official to hire separate counsel from that of the city?

- A. Corporate counsels are usually dull witted.
- B. A private attorney will work harder on the case.
- C. A conflict of interest may cause the attorney to argue that the official acted beyond the scope of his or her authority, and therefore the official, not the city, has liability.
- D. Corporate counsels are not knowledgeable in tort law

Practice Question

What is the role of the fact witness?

- A. To establish a chain of evidence.
- B. To provide expertise by someone unrelated to the case.
- C. To describe similar cases when he or she did not observe the case firsthand.
- D. To describe circumstances that he or she has observed firsthand.

Legal Aspects Chapter 13 The Role of the Witness – Fact Witness

Practice Question

Who should be assigned to a case if it is expected to end up in court as a contested matter?

- A. The inspector who first inspected the subject property.
- B. The chief building official for a city.
- C. An inspector who is proficient in his or her field and able to communicate effectively with a judge or jury.
- D. The chief administrative official for the city.

Practice Question

Why must a witness always tell the truth?

- A. Threat of prosecution for perjury.
- B. Once the opposing attorney trips up a witness, the judge will have a hard time believing additional testimony by the witness.
- C. The witness is under oath.
- D. Lying is grounds for a mistrial or dismissal of the case.

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Why should all relevant documentation be reviewed by a witness prior to testifying?

- A. To make sure that all documentation has been submitted to the court.
- B. Minor discrepancies tend to turn up, and the opposing lawyer will call attention to any inaccuracies.
- C. In case the witness wants to change his or her testimony, there is still time.
- D. In order for the witness to memorize his or her testimony.

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Which is an example of a leading question?

- A. “What is your expertise in this matter?”
- B. “When was the last time you took a seminar on this topic?”
- C. “How long have you been a building official?”
- D. “Wasn’t the building foundation already laid by March 1, Mr. Building Official?”

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Why is it better for a witness to admit not knowing the answer to a question than to guess?

- A. The witness could be in contempt of court.
- B. Guesses are always too liberal.
- C. Damage to the case can be considerable.
- D. A guess could lessen the defendant's guilt in the judge's eyes.

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Which is not a reason why a witness should pause before responding to a question under cross-examination. Pausing:

- A. Gives the witness a chance to analyze the question to be sure he or she understands it.
- B. Gives the witness time to organize an answer.
- C. Gives the witness time to refuse to answer the question.
- D. Allows the attorney to object.

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Why is it important for a witness not to get angry under cross-examination?

- A. An angry witness plays into the hands of the opposing lawyer.
- B. A judge knows that angry people have something to hide.
- C. Anger turns people off.
- D. An angry witness will not listen to the questions.

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Which is not appropriate dress for a witness?

- A. A suit
- B. Shorts and a tee shirt
- C. Everyday clothes
- D. A uniform

Legal Aspects Chapter 13 The Role of the Witness – Guidelines for Witnesses

Practice Question

Why should a witness avoid conversation with opposing lawyers at all times?

- A. It would violate the lawyers' code of ethics.
- B. Jurors may feel your credibility is affected.
- C. Opposing lawyers frequently try to get information from witnesses during court recesses and before and after sessions.
- D. The judge will consider the witness' testimony subverted.

Legal Aspects Chapter 13 The Role of the Witness – Sequestration of Witnesses

Practice Question

What level of expertise must an expert witness have?

- A. A master's degree.
- B. At least 10 years of experience.
- C. Some knowledge beyond that of a building official.
- D. Some knowledge beyond that of an ordinary person.

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

Why should an expert witness be thoroughly briefed on the entire case, not just the part in which the expert will play a prominent role?

The expert:

- I. May be helpful in other areas of the case.
- II. May be able to defend himself more easily under cross-examination.
- III. Can cross-examine the witness.

- A. I and II only.
- B. II and III.
- C. III only.

Practice Question

Which is an example of *voir dire*?

- A. “How do you know the defendant?”
- B. “Do you swear to tell the truth?”
- C. Isn’t it true that as a civil engineer, you do not necessarily have any background in electrical engineering?”
- D. On what date was the alleged violation observed?”

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

How should an expert witness respond to allegations of limitations to his or her expertise by the opposing attorney?

- A. Act as though the limitations are unimportant.
- B. Admit to limitations if they are true.
- C. Deny the limitations even if they are true.
- D. Argue about the limitations.

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

Why should an expert witness be familiar with authorities in his or her field of expertise?

- A. Expert witnesses tend to impugn one another's testimony when they are familiar with each other.
- B. The opposing attorney may quiz the expert on "who's who" in the field.
- C. The opposing attorney may quote text written by a recognizable authority that runs counter to the opinion just given by the witness.
- D. The expert may wish to quote other experts to justify his or her position.

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

How can a consulting expert be used during a trial?

- A. Testifying when necessary.
- B. Helping other witnesses prepare for testifying.
- C. Conducting cross-examination on highly technical issues.
- D. Sitting at the table with the attorney and providing advice on cross-examination of the other side's expert.

Legal Aspects Chapter 13 The Role of the Witness – Consulting Experts

Practice Question

A municipal government may not act beyond the scope of authority established by _____.

- A. The county
- B. A writ of mandamus
- C. The charter
- D. The civil government of the community

Legal Aspects Chapter 3 Local Government – Municipalities

Practice Question

A municipality is viewed as a corporation established by the state legislature for the good of the inhabitants. A municipality is created by _____.

- A. The state for government purposes.
- B. The incorporation of people who live in a certain area.
- C. The civil government of a community.
- D. Public referendum.

Practice Question

A municipal government may not act beyond the scope of authority established by _____.

- A. The county
- B. A writ of mandamus
- C. The charter
- D. The civil government of the community

Legal Aspects Chapter 3 Local Government – Municipalities

Practice Question

_____ states that a municipal corporation has only those powers expressly granted to it by charter, implied or incidental to the express powers, and essential and indispensable to the corporation.

- A. Home rule
- B. Dillon's rule
- C. Dolan's rule
- D. State legislature

Practice Question

_____ stipulates that the state may not be held liable for any wrongdoing.

- A. Declaratory relief
- B. Equitable estoppel
- C. Sovereign immunity
- D. Writ of mandamus

Legal Aspects Chapter 4 State Legislative Law – Sovereign Immunity

Practice Question

A civil complaint filed against the owner or occupant of a building requires _____.

- A. A description of the violation
- B. The date and time of the offense
- C. Signature of an inspector or witness
- D. All of the above

Legal Aspects Chapter 6 Administration and Enforcement – Handling Complaints

Practice Question

An order issued by the court without notice or a hearing is a _____ and is only issued in extreme circumstances.

- A. A temporary injunction
- B. A restraining order
- C. A permanent injunction

Legal Aspects Chapter 6 Administration and Enforcement –
Injunctive Relief

Practice Question

To obtain a temporary restraining order, the building official must demonstrate that _____.

- A. Immediate harm will occur to particular occupants.
- B. Electrical connections have been improperly installed.
- C. Both A and B

Legal Aspects Chapter 6 Administration and Enforcement –
Injunctive Relief

Practice Question

To obtain a warrant, the code official must _____.

- A. Have probable cause.
- B. Have substantive due process
- C. Exercise discriminatory enforcement.
- D. Have a reasonable doubt

Legal Aspects Chapter 6 Administration and Enforcement –
Administrative Search Warrants

Practice Question

_____ involves conduct which is not intended to cause harm or injury, but nonetheless does so and a breach of some duty or care imposed by the law occurred.

- A. Negligence
- B. Malice
- C. Abuse of power
- D. Assault

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Intentional Torts

Practice Question

The provisions of the property maintenance code constitute minimum requirements and standards for the responsibility of owners, operators, and occupants.

True

False

IPMC Chapter 1 Administration – Section 101.2 Scope

Practice Question

The _____ shall be responsible for the maintenance of buildings, structures and premises.

- A. Occupant
- B. Code Official
- C. Owner

IPMC Chapter 1 Administration – Section 102.2 Maintenance

Practice Question

The provisions of the property maintenance code take precedence over existing remedies of the jurisdiction relating to the removal or demolition of any unsafe, unsanitary or dangerous structure.

True

False

IPMC Chapter 1 Administration – Section 102.4 Existing Remedies

Practice Question

Repairs, alterations or installations caused by the enforcement of the code shall be installed in a workmanlike manner and in accordance with _____.

- A. The provisions of the code
- B. Manufacturer's instructions
- C. The applicable codes
- D. All of the above

IPMC Chapter 1 Administration – Section 102.3 Application of Other Codes

Practice Question

Historic buildings shall comply with the provisions of the property maintenance code.

True

False

IPMC Chapter 1 Administration – Section 102.6 Historic Buildings

Practice Question

The willful attempt to impose injury is _____.

- A. Negligence
- B. Malice
- C. Battery
- D. Assault

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Assault and Battery

Practice Question

If the code official enters onto land without consent of the owner and is acting in good faith and reasonably for the purpose of protecting public safety, he or she can be held liable for trespass.

True

False

Legal Aspects Chapter 10 Liability for Intentional Wrongdoing –
Trespass

Practice Question

_____ stipulates that the state may not be held liable for any wrongdoing.

- A. Declaratory relief
- B. Sovereign immunity
- C. Qualified immunity
- D. Absolute immunity

Legal Aspects Chapter 4 State Legislative Law – Sovereign Immunity

Practice Question

The improper performance of some act a person may lawfully perform is _____.

- A. Negligence
- B. Breach of duty
- C. Malfeasance
- D. Misfeasance

Legal Aspects Chapter 4 Negligent Wrongdoing – Breach of Duty

Practice Question

Where differences occur between the provisions of the property maintenance code and the referenced standard, the _____ shall apply.

- A. Most restrictive
- B. Most applicable referenced standard
- C. Property Maintenance Code
- D. Most specific and restrictive

IPMC Chapter 1 Scope and Administration – Section 102.1

Applicability: General

Practice Question

Requirements necessary for the strength, stability or proper operation of an existing structure, not specified in the code, shall be determined by the _____.

- A. Jurisdiction
- B. Code Official
- C. Board of appeals
- D. Referenced standards

IPMC Chapter 1 Scope and Administration – Section 102.8
Requirements not Covered by Code

Practice Question

When issuing a notice of violation, the tax records may not be relied on to prove who the owner of the property is.

True

False

Legal Aspects Chapter 6 Administration and Enforcement – Civil
Prosecutions

Practice Question

If the owner to be charged owns property that is in a trust, then the trust is charged.

True

False

Legal Aspects Chapter 6 Administration and Enforcement – Civil
Prosecutions

Practice Question

An employee charged with the enforcement of the property maintenance codes shall not be _____.

- A. Held personally liable for any damage accrued as a result of their duties.
- B. Responsible for the preparation of construction documents for a building that employee owns.
- C. A member of the Board of Appeals
- D. All of the above.

Practice Question

The date and time of the complaint shall be the date and time the complaint was issued.

True

False

Legal Aspect Chapter 6 Administration and Enforcement – Civil
Prosecutions

Practice Question

Reports of tests shall be retained by the code official

_____.

- A. As long as the building the test records relates to exists
- B. As prescribed by the approved testing agency
- C. For the period required for the retention of public records

IPMC Chapter 1 Scope and Administration – 105.3.2 Test Reports

Practice Question

Materials may be reused on construction projects.

True

False

IPMC Chapter 1 Scope and Administration – 105.4 Used Material
and Equipment

Practice Question

Any person failing to comply with a notice of violation shall be deemed guilty of a misdemeanor.

True

False

IPMC Chapter 1 Scope and Administration – 106.3 Prosecution of Violation

Practice Question

Each day that a violation continues after notice has been served, shall be included as one offense.

True

False

IPMC Chapter 1 Scope and Administration – 106.4 Violation Penalties

Practice Question

Notices of violation shall _____.

- A. Be in writing
- B. Inform the property owner of the right to appeal.
- C. Be given to persons responsible.
- D. A and B
- E. All of the above

IPMC Chapter 1 Scope and Administration – 107.2 Form

Practice Question

A notice of violation shall include a correction order allowing a reasonable time to make required repairs and improvements.

True

False

IPMC Chapter 1 Scope and Administration – 107.2 Form

Practice Question

A temporary injunction requires the code official to show that the injunction is in the public interest.

True

False

Legal Aspects Chapter 6 Administration and Enforcement – Seeking a Temporary Restraining Order or Injunction

Practice Question

In general, the building owner's permission to inspect the structure need not be obtained if the tenant gives his or her consent.

True

False

Legal Aspects Chapter 8 Constitutional Law – Consent

Practice Question

The code official should question the tenant about his or her rights to the property.

True

False

Legal Aspects Chapter 8 Constitutional Law – Consent

Practice Question

Notice is only properly served if it is delivered personally.

True

False

IPMC Chapter 1 Scope and Administration – Section 107.3 Method of Service

Practice Question

The owner of a dwelling who has received a compliance order may transfer ownership of the property provided the owner furnishes the transferee copies of the compliance order and proves the transferee has received those copies.

True

False

IPMC Chapter 1 Scope and Administration – Section 107.6 Transfer of Ownership

Practice Question

An unsafe structure is one that fails to provide minimum safeguards to protect or warn occupants in the event of a fire.

True

False

IPMC Chapter 1 Scope and Administration – Section 108.1.1 Unsafe Structures

Practice Question

The plain view doctrine allows the code official to _____ to discover any violations.

- A. View property using a ladder to look over a fence
- B. Look through windows
- C. Inspect the rear of any property
- D. None of the above

Legal Aspects Chapter 8 Constitutional Law – The Plain View
Doctrine

Practice Question

An _____ structure is one found to be occupied by more persons than permitted under the code.

- A. Unsafe
- B. Unlawful
- C. Unfit
- D. All of the above

IPMC Chapter 1 Scope and Administration – Section 108.1.4
Unlawful Structure

Practice Question

When there is imminent danger of collapse of a building, the code official shall post a notice reading _____.

- A. Condemned
- B. This structure is unsafe and its occupancy has been prohibited by the code official.
- C. Do not enter. This structure is unsafe
- D. None of the above.

IPMC Chapter 1 Scope and Administration – Section 109.1 Imminent
Danger

Practice Question

If the owner of a structure fails to close up the premises, the code official shall cause the premises to be closed through any available public agency. The cost of such closure shall be _____.

- A. Charged to the owner
- B. Absorbed by the jurisdiction
- C. A lien upon the property

IPMC Chapter 1 Scope and Administration – Section 108.2 Closing of Vacant Structures

Practice Question

Frequently, an expert witness is called to express an opinion and will have no connection with the facts of a case.

True

False

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

There is no minimum level of expertise required of an expert witness.

True

False

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

An expert witness needs to prepare to be qualified to testify as

_____.

- A. An expert witness
- B. A consulting expert
- C. Voir Dire
- D. All of the above

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

It is important for an expert witness to be able to express simple thoughts in a complex manner.

True

False

Legal Aspects Chapter 13 The Role of the Witness – Expert Witness

Practice Question

Costs incurred in the performance of emergency work shall be _____.

- A. Paid by the jurisdiction
- B. Charged to the real estate in the form of a lien
- C. Charged to the property owner

IPMC Chapter 1 Scope and Administration – Section 109.5 Costs of
Emergency Repairs

Practice Question

If the owner of a structure fails to comply with a demolition order, the code official shall cause the structure to be demolished. The cost of such demolition shall be _____.

- A. Recovered by legal action instituted against the owner.
- B. Charged to the property owner
- C. Charged to the real estate in the form of a lien
- D. Paid by the jurisdiction

IPMC Chapter 1 Scope and Administration – Section 110.3 Failure to Comply

Practice Question

The governing body may sell salvage materials from a structure that has been ordered demolished.

True

False

IPMC Chapter 1 Scope and Administration – Section 110.4 Salvage
Materials

Practice Question

The Board of Appeals shall meet _____ the filing of an appeal.

- A. Immediately after
- B. Within 20 days after
- C. As soon as possible after
- D. As regularly scheduled to discuss.

IPMC Chapter 1 Scope and Administration – Section 111.1
Application for Appeal

Practice Question

Hearings before the Board of Appeals shall be closed.

True

False

IPMC Chapter 1 Scope and Administration – Section 111.4 Open
Hearing

Practice Question

The code official shall take action _____ in accordance with the decision of the Board of Appeals.

- A. Within 20 days
- B. Immediately
- C. As soon as possible
- D. Within 30 days

IPMC Chapter 1 Scope and Administration – Section 111.6.2
Administration

Practice Question

The procedures under which a hearing shall be conducted shall require compliance with strict rules of evidence.

True

False

IPMC Chapter 1 Scope and Administration – Section 111.4.1
Procedure

Practice Question

The code official shall be a voting member of the Board of Appeals.

True

False

IPMC Chapter 1 Scope and Administration – Section 111.2

Membership of Board

Practice Question

A written application for appeal must be filed within _____ of the day the notice or order was served.

- A. 10 days
- B. 20 days
- C. 24 hours
- D. 30 days

IPMC Chapter 1 Scope and Administration – Section 111.1
Application for Appeal

Practice Question

The Board of Appeals shall consist of at least five (5) members.

True

False

IPMC Chapter 1 Scope and Administration – Section 111.2

Membership of Board

Practice Question

Any individual living or sleeping in a building is considered an _____.

- A. A tenant
- B. An occupant
- C. A person
- D. Any of the above

IPMC Chapter 2 Definitions – Section 202 General Definitions

Practice Question

Rubbish includes animal or vegetable waste resulting from the handling of food.

True

False

IPMC Chapter 2 Definitions – Section 202 General Definitions

Practice Question

A condition which could cause serious or life-threatening injury is _____.

- A. An imminent danger
- B. Infestation
- C. A strict liability offense

IPMC Chapter 2 Definitions – Section 202 General Definitions

Practice Question

Generally, all habitable rooms shall have an aggregate glazing area of not less than _____ percent of the floor area.

- A. 5
- B. 8
- C. 10
- D. 20

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 402.1 Light

Practice Question

Generally, _____ percent of the floor area being ventilated is the minimum openable area to the outdoors?

- A. 45
- B. 20
- C. 25
- D. 50
- E. 10

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 403.1 Habitable Spaces

Practice Question

The minimum horizontal dimension of a habitable room within a dwelling is _____ feet.

- A. 10
- B. 8
- C. 7
- D. 4

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.2 Minimum Room Widths

Practice Question

Every dwelling unit shall have at least one habitable room that is at least _____ square feet.

- A. 100
- B. 120
- C. 150
- D. 70

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.4.1 Room Area

Practice Question

Generally, the minimum height dimension in a habitable room within a dwelling is _____ feet.

- A. 5.75'
- B. 8'
- C. 7'
- D. 7.5'

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.3 Minimum Ceiling Heights

Practice Question

Generally, the ceiling height in a basement that is not considered habitable shall be a minimum of _____ inches.

- A. 68"
- B. 80"
- C. 66"
- D. 84"

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.3 Minimum Ceiling Heights

Practice Question

A sloping ceiling is permitted in a habitable space and also up to 50% of that ceiling may be less than the minimum height dimension so long as no portion of the required floor area has a ceiling less than _____ inches in height.

- A. 68"
- B. 80"
- C. 66"
- D. 60"

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations – Section 404.3
Minimum Ceiling Heights

Practice Question

Every common hall in residential occupancies shall be lit with at least one 60-watt standard light bulb for every _____ square feet of floor area.

- A. 100
- B. 200
- C. 150
- D. 75

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 402.2 Common Halls and Stairways

Practice Question

In non-residential structures, exterior means of egress shall be illuminated with a minimum of _____.

- A. One 60-watt standard light bulb
- B. 1 Lux
- C. 11 Footcandles
- D. 11 Lux

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 402.2 Common Halls and Stairways

Practice Question

The total openable area of the required window in every habitable space shall be equal to at least _____ of the minimum glazed area required.

- A. 8%
- B. 10%
- C. 30%
- D. 45%

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 403.1 Habitable Spaces

Practice Question

A small cooking appliance is permitted in a dormitory unit.

True

False

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 403.3 Cooking Facilities

Practice Question

Clothes dryer exhaust systems shall be exhausted in accordance with _____.

- A. The mechanical codes
- B. The property maintenance code
- C. The manufacturer's instructions
- D. Provisions of the most specific code

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 403.5 Clothes Dryer Exhaust

Practice Question

Kitchens shall have a clear passageway of not less than 5' between countertops and appliances.

True

False

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.2 Minimum Room Widths

Practice Question

Hallways shall have a clear ceiling height of at least 7 feet.

True

False

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.3 Minimum Ceiling Heights

Practice Question

Basement rooms in one- and two-family dwellings, occupied exclusively for laundry or recreational purposes, may have a ceiling height of not less than _____.

- A. 7'
- B. 6', 4"
- C. 6', 8"
- D. 7', 6"

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.3 Minimum Ceiling Heights

Practice Question

In calculating the floor area of rooms having a sloped ceiling, only those portions of the rooms having a clear ceiling height of _____ or more shall be included.

- A. 5'
- B. 6', 4"
- C. 6', 8"
- D. 7'

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.3 Minimum Ceiling Heights

Practice Question

Bedrooms shall not constitute the only means of access to other habitable spaces.

True

False

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.4.2 Access from Bedrooms

Practice Question

Every bedroom shall have access to at least one lavatory _____.

- A. Without passing through another bedroom
- B. Located in the same story
- C. Without having to access an adjacent story.
- D. All of the above.

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.4.3 Water Closet Accessibility

Practice Question

The maximum number of occupants of an efficiency living unit is _____.

- A. 2
- B. 3
- C. 4
- D. It depends on the area of the unit

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.6 Efficiency Unit

Practice Question

Cooking appliances in an efficiency unit shall have a clear space in front of them of not less than 3'.

True

False

IPMC Chapter 4 Light, Ventilation and Occupancy Limitations –
Section 404.6 Efficiency Unit

Exam Tips

Take a deep breath and relax

Read all of the directions carefully

Make sure you understand what is being asked

Look at all of the choices before your answer

Paraphrase the question

Eliminate the answers you know are wrong

Stop and think carefully

Check your work for accuracy

And always do your best

Optimum Result

*You Know
the material...*

And.....

*You apply what you know,
in all that you do,
every day!*



**KEEP
CALM
AND
Take the
Test**

Questions



