

TITLE 9; BUILDINGS

CHAPTER 11

Housing Standards

Section

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§ 1300. Notices and orders; notice to owner or to person or persons responsible

Whenever the city determines that there has been a violation of this ordinance or has reasonable grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefor in the manner prescribed below. If the city has condemned the property or part thereof, the city shall give notice to the owner and to the occupants of the intent to placard and to vacate the property or to order equipment out of service.

(a) Form: Such notice shall:

(1) Be in writing;

(2) Include a description of the real estate sufficient for identification;

(3) Include a statement of the reason or reasons why the notice is being issued;

(4) Include a correction order allowing a reasonable time for the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this ordinance, and;

(5) Inform the owner and occupants of their right to be heard on the subject of such condemnation, provided that, with 10 days of the notice, they contact the Building Inspector to make such request to be heard. Title 31; Page 31

(b) Transfer of ownership: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or such other owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the building inspector and shall furnish to the building inspector a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

§ 1301. Definitions.

(a) Unless otherwise expressly stated, the following terms shall have the meanings indicated in this ordinance. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

(b) Where terms are not defined in this section and are defined in the building, plumbing or mechanical codes they shall have the same meanings ascribed to them in those codes.

(c) Where terms are not defined through the methods authorized with this section, they shall have their ordinarily accepted meanings such as the context implies.

(d) Whenever the words "dwelling unit", "dwelling", "premises", "building", "rooming house", "rooming unit", "story", or "structure" are used in this ordinance, they shall be construed as though they were followed by the words, "or any part thereof".

§ 1302. Applied meaning of words and terms:

(a) Basement: that portion of a building which is partly or completely below grade.

(b) Bathroom: a room containing plumbing fixtures including a bathtub or shower.

(c) Dwelling:

(1) Rooming house: a building arranged or used for lodging, with or without meals, for compensation and not occupied as a one-family dwelling or a two-family dwelling.

(2) Multiple family dwelling: a building containing more than two dwelling units and not classified as a one- or two-family dwelling.

(3) Rooming unit: any room or group of rooms forming a single habitable unit used or intended to be used for sleeping and/or living, but not for cooking purposes.

(4) Dormitory: a space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

(5) Hotel: any building containing six or more guest rooms, intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

(6) One-family dwelling: a building containing one dwelling unit with not more than five lodgers or boarders.

(7) Two-family dwelling: a building containing two dwelling units with not more than five lodgers or boarders per family.

(d) 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.

(e) Exterior property: the open space on the premises and on adjoining property under the control of owners or operators of such premises.

(f) Extermination: the control and elimination of insects, rats or other pests by eliminating their harborage places; but removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by an other approved pest elimination methods.

(g) Family: an individual or married couple and the children thereof with not more than two other persons related directly to the individual or married couple by blood or marriage; or a group of not more than five unrelated persons, living together as a single housekeeping unit in a dwelling unit. Title 31; Page 32

- (h) Garbage: the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- (i) Habitable space: space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces, and similar areas not considered habitable spaces.
- (j) Infestation: the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.
- (k) Let for occupancy or let: to permit possession or occupancy of a dwelling, dwelling unit, rooming unit, building or structure by a person who shall be legal owner or not be the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land.
- (l) Occupant: Any person living or sleeping in a building; or having possession of a space within a building. An occupant shall not include a child under the age of twenty-four (24) months for the purpose of section 1314.
- (m) Openable area: A window or door which is available for unobstructed ventilation and opens directly to the outdoors.
- (n) Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.
- (o) 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 state 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.
- (p) Person: An individual, corporation, partnership or any other group acting as a unit.
- (q) Plumbing: The practice, materials, and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances, and appurtenances within the scope of the plumbing code.
- (r) Plumbing fixture: A receptacle or devise which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water; or discharges used water, liquid-borne non-hazardous waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.
- (s) Premises: A lot, plot or parcel of land including the buildings or structures thereon.
- (t) Public nuisance: Includes the following:
- (1) The physical condition, or use of any premises regarded as a public nuisance at common law; or
 - (2) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
 - (3) Any premises which has unsanitary sewerage or plumbing facilities; or
 - (4) Any premises designated as unsafe for human habitation or use; or
 - (5) Any premises which is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure as to endanger life, limb or property; or
 - (6) Any premises from which the plumbing, heating and/or facilities required by this ordinance have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
 - (7) Any premises which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds, or;
 - (8) Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises. Title 31; Page 33

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

(v) Structure: That which is built or constructed without limitation, buildings for any occupancy or use whatsoever, fences, signs, billboards, fire escapes, chute escapes, railings, water tanks, towers, open grade steps, sidewalks or stairways, tents or anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground.

(w) Toilet room: A room containing a water closet or urinal but not a bathtub or shower.

(x) Ventilation: The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

(y) Yard: An open space on the same lot with a building.

§ 1303. Placarding of structure.

After the condemnation notice required under the provisions of this ordinance has resulted in an order by virtue of failure to comply within the time given, the building inspector shall post on the premises or structure or parts thereof, or on defective equipment, a placard bearing the words: "Condemned as unfit for human occupancy or use", and a statement of the penalties provided for any occupancy or use or for removing the placard. The owner or the person or persons responsible for the correction of violations shall have removed themselves from the property on failure to comply with the correction order in the time specified, but other occupants shall be given a reasonable time to vacate.

(a) Prohibited use: Any person who shall occupy a placarded premises or structure or part thereof, or shall use placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises shall be liable for the penalties provided by this ordinance.

(b) Removal of placard: The building inspector shall remove the condemnation placard when the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the building inspector shall be subject to the penalties provided by this ordinance.

§ 1304. Vacating structures.

When, in the opinion of the building inspector there is actual and immediate danger of failure or collapse of a structure which would endanger life, or when any structure has fallen and life is endangered by the occupancy of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or use of defective or dangerous equipment, the building inspector is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. He shall cause to be posted at the main entrance to such structure a notice reading as follows: "This structure is unsafe and its use or occupancy has been prohibited by the building inspector." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the structure.

§ 1305. Temporary safeguards.

Notwithstanding other provisions of this ordinance whenever, in the opinion of the building inspector, there is actual and immediate danger of collapse or failure of a structure or other hazardous condition which would endanger life, the building inspector shall order the necessary work to be done including the boarding-up of accessible openings, to render such structure temporarily safe and shall cause such other action to be taken as the building inspector deems necessary to meet such emergency.

§ 1306. Emergency work.

For the purposes of this ordinance, the building inspector shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

§ 1307. Costs of emergency work. Title 31; Page 34

Costs incurred in the performance of emergency work shall be billed by the Treasurer to the owner of said property. If unpaid after 30 days, the City Attorney shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

§ 1308. Violations.

(a) Unlawful acts: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, use or occupy or permit another person to use or occupy any structure or equipment regulated by this ordinance, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this ordinance, or to fail to obey a lawful order of the building inspector or to remove or deface a placard or notice posted under the provisions of this ordinance.

(b) Penalty: Any person, firm or corporation, who shall violate any provision of this ordinance shall pay a civil penalty of not less than \$50 nor more than \$500. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

§ 1309. General requirements.

The provisions of this ordinance shall govern the minimum conditions and standards for maintenance of structures and exterior property.

(a) Responsibility: The owner of the premises shall maintain the structures and exterior property in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy or use premises which do not comply with the requirements of this ordinance.

(b) Vacant structures and land: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

§ 1310. Exterior property areas

(a) Sanitation: All exterior property and premises shall be maintained clean, safe, sanitary and free from any accumulation of rubbish or garbage.

(b) Grading and drainage: All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Water retention areas and/or reservoirs.

(c) Sidewalk and driveways: All sidewalks, walkways, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free of hazardous conditions.

(d) Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided however, this term shall not include cultivated flowers and gardens.

(e) Rat harborage: All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

(f) Exhaust vents: Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(g) Accessory structure: All accessory structures, including garages, fences and walls, shall be maintained structurally sound and in good repair.

(h) Motor vehicles (amended and approved by the BOA on 9/15/2008; effective 10/9/2008): Except as provided in other regulations, not more than one currently uninspected motor vehicle shall be parked, kept or stored on any property and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Exception: A vehicle of any type is permitted to undergo a major overhaul, including body work, provided such work is performed inside a structure or similarly enclosed area designed and approved for such purpose. Title 31; Page 35

§ 1311. Exterior Structure.

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

(a) Street numbers: Each building to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be at least three inches high.

(b) Structural members: All structural members shall be maintained free of deterioration, and capable of safely bearing the imposed dead and live loads.

(c) Foundation walls: All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.

(d) Exterior walls: All exterior walls shall be free of holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.

(e) Roofs and drainage: The roof and flashing shall be sound, tight, and not have defects which might admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building. Roof water shall not be discharged in a manner that creates a public nuisance.

(f) Decorative features: All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(g) Overhang extensions: All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

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

(i) Handrails and guardrails: Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below shall have guardrails. Handrails shall not be less than 30 inches nor more than 42 inches high, measured vertically above the nosing of the treads. Guardrails shall be 42 inches high above the floor of the landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

(j) Window and door frames: Every window, door and frame shall be kept in sound condition, good repair and weather-tight. All glazing materials shall be maintained free of cracks and holes.

(1) Openable windows: Every window other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(2) Insect screens: During the period from May 1 to October 1, every door, window and other outside opening used or required for ventilation purposes serving any building containing habitable rooms, shall be supplied with approved tightly fitting screens.

(k) Doors: All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

(l) Basement hatchways: Every basement hatchway shall be maintained to prevent the entrance of rats, rain and surface drainage water.

(m) Guards for basement windows: Every basement window which is openable shall be supplied with rat-proof shields, storm windows or other approved protection against the entry of rats.

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

(a) Structural members: The supporting structural members of every building shall be maintained structurally sound, and capable of carrying the imposed loads.

(b) Interior surfaces: All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

(c) Accumulation of rubbish or garbage: The interior of every structure shall be free from any accumulation of rubbish, or garbage.

(d) Insect and rat harborage: All structures shall be kept free from insect and rat infestation. All structures in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

(e) Stairs and railings: All interior stairs and railings shall be maintained in sound condition and good repair.

(f) Handrails and guardrails: Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches above the floor grade below shall have guardrails. Handrails shall not be less than 30 inches nor more than 42 inches high, measured vertically above the nosing of the tread or above the floor of the landing or balcony. Guardrails shall be 42 inches high above the floor of the landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

§ 1313. Light, ventilation and occupancy limitations

The provisions of this ordinance shall govern the minimum conditions and standards for the light, ventilation and space for the occupancy of a structure. The owner of the structure shall provide and maintain light, ventilation, and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy or use any premises that do not comply with the requirements of this ordinance. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation shall be permitted when complying with the building code.

(a) Light

(1) Habitable spaces: Every habitable space shall have a least one window of approved size facing directly to the outdoors or to a court. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

(2) Common halls and stairways: Every common hall and stairway, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60 watt standard incandescent light bulb or equivalent for each 200 square feet of floor area, provided that the spacing between lights shall not be greater than 30 feet. Every exterior stairway shall be illuminated with a minimum of one foot candle at floors, landings and treads.

(3) Other spaces: All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe use of the space and the appliances, equipment and fixtures.

(b) Ventilation

(1) Habitable spaces: Every habitable space shall have a least one openable window. Title 31; Page 37

(2) Bathrooms and toilet rooms: Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by this ordinance, except that a window shall not be required in spaces equipped with a mechanical ventilation system that complies with the following: Air exhausted by a mechanical ventilation system from a bathroom within a dwelling unit shall be exhausted to the exterior and shall not be recirculated to any space, including the space from which such air is withdrawn.

(3) Cooking facilities: Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit. Exception: Where specifically approved in writing by the building inspector.

(4) Clothes dryer exhaust. Clothes dryer venting systems shall be independent of all other systems and shall be vented in accordance with the manufacturer's recommendations.

§ 1314. Occupancy Limitations

(a) Access from sleeping rooms: Sleeping rooms shall not be used as the only means of access to other sleeping rooms or habitable spaces. Exception: Dwelling units that contain fewer than two bedrooms.

(b) Area for sleeping purposes: Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of floor for each occupant thereof.

(c) Water closet accessibility: Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.

(d) Overcrowding: Dwelling units shall not be occupied by more occupants than permitted by the minimum occupancy area requirements of Table A for minimum occupancy.

TABLE A

MINIMUM OCCUPANCY AREA REQUIREMENTS

Space

Minimum occupancy area in square feet

1-2 Occupants 3-5 Occupants 6 or more

Living room No requirements 120 150

Dining room No requirements 80 100

Kitchen 50 50 60

(e) Combined spaces: Combined living room and dining rooms spaces shall comply with the requirements of Table A for minimum occupancy if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

(f) Prohibited use: Kitchens, nonhabitable spaces and interior public areas shall not be used for sleeping purposes.

(g) Minimum ceiling heights: Habitable spaces, other than kitchens, shall have a clear ceiling height of not less than seven feet four inches. Hallways, corridors, laundry areas, bathrooms, toilet rooms, and kitchens shall have a clear ceiling height of not less than seven feet. Exceptions:

(1) Beams or girders spaced not less than four feet on center and projecting not more than six inches below the required ceiling height, provided the minimum clear height is not less than six feet eight inches.

(2) Dropped or furred ceilings over no more than one-half of the minimum floor area required by this ordinance provided no part of such dropped or furred ceiling is less than seven feet in height.

(3) Rooms used exclusively for sleeping, study, or similar uses and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five feet or more shall be included. Title 31; Page 38

(4) Basement rooms in one and two-family dwellings used exclusively for laundry, study, or recreation purposes having a ceiling height of not less than six feet eight inches with not less than six feet four inches of clear height under beams, girders, ducts, and similar obstructions

(h) Minimum room widths: A habitable room, other than a kitchen, shall not be less than seven feet in any plan dimension. Kitchens shall have a clear passageway of not less than three feet between counterfronts and appliances or counterfronts and walls.

§ 1315. Plumbing facilities and fixture requirements.

The provisions of this ordinance shall govern the minimum plumbing facilities and plumbing fixtures to be provided. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy or use any structure or portion thereof or premises with does not comply with the requirements of this ordinance.

(a) Required facilities.

(1) Dwelling units: Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in proximity to the door leading into the room in which such water closet is located.

(2) Rooming houses: At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

(b) Toilet Rooms.

(1) Privacy: Toilet rooms and bathrooms shall provide privacy and shall not be used as the only passageway to a hall or other space, or to the exterior.

(2) Every sink, lavatory, bathtub or shower, water closet or other plumbing fixture shall be properly connected to a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

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

(4) Water heating facilities: Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees F. A gas-burning water heater shall not be located in any bathroom, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

(c) Sanitary Drainage System.

(1) All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

(2) Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

§ 1316. Storm drainage.

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance. Such drainage shall not be connected directly into the City sanitary sewer system.

§ 1317. Mechanical and electrical requirements. Title 31; Page 39

The provisions of this ordinance shall govern the minimum mechanical and electrical facilities and equipment to be provided. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. a person shall not occupy as owner-occupant or permit another person to occupy or use any premises which does not comply with the requirements of this ordinance.

(a) Heating facilities.

(1) Residential buildings: Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. when the outside temperature is 15 degrees below zero, at a level of three feet above the floor and a distance of three feet from the exterior walls in all habitable rooms, bathrooms and toilet rooms. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guest rooms on terms, either express or implies, to furnish heat to the occupants thereof shall supply sufficient heat to maintain a room temperature of not less than 65 degrees F. in all habitable rooms, bathrooms and toilet rooms whenever the outside temperature is less than 55 degrees F. regardless of the time of year.

(2) Cooking and heating equipment: All cooking and heating equipment, components, and accessories in every heating, cooking, and water heating device shall be properly installed and maintained free from leaks and obstructions.

(3) Mechanical equipment: All mechanical equipment shall be properly installed and maintained in safe working condition, and capable of performing the intended function.

(4) Flue: All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. Exception: Fuel-burning equipment and appliances that are labeled for unvented operation.

(5) Clearances: All required clearances to combustible materials shall be maintained.

(6) Safety controls: All safety controls for fuel-burning equipment shall be maintained in effective operation.

(7) Combustion air: A supply of air for complete combustion of the fuel and for ventilation of the space shall be provided for the fuel-burning equipment.

(8) Energy conservation devices: Devices purporting to reduce fuel consumption by attachment to a fuel appliance, to the fuel supply line thereto, or the vent outlet or vent piping therefrom shall not be used unless labeled for such use and the installation is specifically approved.

(9) Fireplaces: Fireplaces and solid fuel-burning appliances shall be properly installed and maintained in a safe working condition.

§ 1318. Electrical Facilities

(a) Facilities required: Every building used for human occupancy shall be provided with an electrical system in compliance with state electrical codes.

(b) Receptacles: Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle.

(c) Lighting fixtures: Every public hall, interior stairway, water closet compartment, bathroom, laundry room and furnace room shall contain at least one electric lighting fixture.

(d) Service: The size and usage of appliances and equipment shall be used as a basis for determining the need for additional facilities in accordance with National Electrical Code. Every dwelling unit shall be served by a main service which is not less than 60 ampere, three wire.

(e) Installation: All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(f) Electrical system hazards: Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the building inspector shall require the defects to be corrected to eliminate the hazard.

§ 1319. Fire Safety Requirements Title 31; Page 40

The provisions of this ordinance shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements and the B.O.C.A. fire prevention code. Persons shall not occupy as owner-occupant or permit another person to use any premises that do not comply with the requirements of this ordinance.

(a) Means of egress: A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to a public way.

(b) Locked doors: All doors in the required means of egress shall be readily openable from the inner side without the use of keys. Exits from dwelling units, rooming units, guest rooms, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

(c) Emergency escape: Every sleeping room located in a basement shall have at least one openable window or exterior door approved for emergency egress or rescue; or shall have access to not less than two approved independent exits. Exception: Buildings equipped throughout with a complete automatic fire suppression system.

§ 1320. Accumulations and storage.

(a) Accumulations: Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, doors, windows, fire escapes, or other means of egress.

(b) Hazardous material: Combustibles, flammable, explosive or other hazardous material, such as paints, volatile oils and cleaning fluids, or combustible rubbish, such as waste paper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the building code and the fire prevention code.

§ 1321. Fire resistance ratings.

The fire resistance rating of floors, walls, ceilings, and other elements and components shall be maintained. All required fire resistance rated doors or smoke barriers shall be maintained in good working order, including all hardware necessary for the property operation thereof. The use of door stops, wedges and other unapproved hold-open devices is prohibited.

§ 1322. Fire protection systems.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in proper operating condition at all times.

(a) Fire suppression system: Fire suppression systems shall be maintained in good condition and free from mechanical injury. Sprinkler heads shall be maintained clean, free of corrosion, paint, and damage.

(b) Fire extinguisher: All portable fire extinguishers shall be visible, accessible, and shall be maintained in an efficient and safe operating condition.

(c) Smoke detectors: All residential occupancies shall be provided with a minimum of one approved single-station smoke detector in the sleeping area, guest room or suite of a hotel, motel, lodging house or boarding house. Single family dwelling unit with minimum of one smoke detector per floor interconnected or the detectors shall be located in accordance with the Building Inspector. When actuated, the smoke detector shall provide an alarm suitable to warn the occupants within the individual room or unit.

(d) Tampering: Anyone tampering or interfering with the effectiveness of a smoke detector shall be in violation of this ordinance.

§ 1323. Responsibilities of persons.

The provisions of this ordinance shall govern the responsibilities of persons for the maintenance of structures equipment and exterior property.

(a) Sanitary condition. Title 31; Page 41

(1) Cleanliness: Every occupant of a structure shall keep that part of the structure and exterior property which such occupant occupies, control, or uses in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units, or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public area of the structure and exterior property.

(2) Disposal of rubbish and garbage: Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such rubbish in approved containers.

(3) Garbage facilities: The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or an approved leakproof covered outside garbage container.

(4) Containers: The operator of every establishment producing garbage shall provide, and at all times cause to be used, leakproof approved containers provided with close fitting covers for the storage of such materials until removed from the premises for disposal.

(5) Rubbish storage facilities: The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

(b) Extermination.

(1) Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

(2) Occupant: The occupant of any structure shall be responsible for the continued ratproof condition of the structure, and if the occupant fails to maintain the ratproof conditions, the cost of extermination shall be the responsibility of the occupant.

(3) Single occupancy: The occupant of a structure containing a single dwelling unit or of a single nonresidential structure shall be responsible for the extermination of any insects rats or other pests on the premises.

(4) Multiple occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house, a nonresidential structure shall be responsible for the extermination of any insects, rates or other pests in the public or shared areas of the structure and exterior property. When infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupants shall be responsible for extermination.