

## CHAPTER 10

### MINIMUM STANDARDS FOR RESIDENTIAL PROPERTY AND HOUSING

Article 1. Interpretation And Enforcement. The following general provisions apply in the interpretation and enforcement of this Chapter:

Sec. 10-101. The Board finds that the structure, equipment, sanitation, maintenance, use or occupancy of residential property, dwellings and rooming houses may cause a hazard to the public health and safety. These properties, dwellings and rooming houses may now exist or may exist in the future. Establishment and enforcement of minimum housing standards are required to correct and prevent the existence of these public health and safety hazards.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-102. The purpose of this Chapter is to

- a) protect, preserve and promote the physical and mental health of the people,
- b) prevent and control the incidence of communicable diseases,
- c) reduce environmental hazards to health,
- d) regulate privately- and publicly-owned dwellings for the purpose of maintaining adequate sanitation and public health,
- e) protect the safety of the people,
- f) insure that the quality of housing is adequate for protection of public health, safety and general welfare,
- g) establish minimum standards for basic equipment and facilities for light, ventilation and thermal conditions,
- h) establish minimum standards for fire and accident safety,
- i) establish minimum standards for the use and location and amount of space for human occupancy,
- j) establish minimum standards for an adequate level of maintenance, and
- k) determine the responsibilities of owners and occupants of dwellings.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-103. This chapter applies uniformly to the maintenance, use and occupancy of all residential buildings and structures. In addition, this chapter applies uniformly to the alteration, repair, equipment, use, occupancy and maintenance of all residential buildings and structures irrespective of when or under what code or codes the building or structure was originally constructed or rehabilitated.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Article 2. Definitions. The following definitions shall apply in the interpretation and enforcement of this ordinance:

Sec. 10-201. "Basement" shall mean a portion of a building located partly underground with not more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-202. "Bathroom" shall mean a room with a toilet and a lavatory sink in or near that room, with or without a bathtub or shower.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-203. "Cellar" shall mean a portion of a building located partly or entirely underground with more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-204. "Dwelling" shall mean any building and/or each individual unit within a building or a pre-manufactured, modular or mobile building used or intended to be used for living, sleeping, cooking and eating.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]*

Sec. 10-205. "Habitable room" shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating. The following types of rooms are not habitable rooms: bathroom, laundry room, furnace room, pantry, kitchenette, utility room with less than fifty square feet of floor space, foyer, connecting corridor, stairway, closet, storage space, workshop or hobby and recreation area.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-206. "Lead-containing paint" shall mean

(a) paint or other similar surface coating materials containing lead or lead compounds and in which the lead content (calculated as lead metal) is in excess of 0.06 percent by weight of the total nonvolatile content of the paint or the weight of the dried paint film or

(b) any applied paint film that contains 1.0 mg/cm<sup>2</sup> or more of lead as measured by *in situ* analyzer device.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-207. "Occupant" shall mean any individual over one year of age living, sleeping, cooking or eating in or having possession of a dwelling unit or a rooming unit.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-208. "Ordinary summer conditions" shall mean a temperature 10°F. below the highest recorded temperature in Marion County for the prior ten year period.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-209. "Ordinary winter conditions" shall mean a temperature 15°F. above the lowest recorded temperature in Marion County for prior ten year period.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-210. "Rooming house" shall mean any building used for living and sleeping in which a person or persons are housed with no individual kitchen facilities provided.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

### Article 3. Responsibilities Of Owners And Occupants and Miscellaneous Provisions.

#### Sec. 10-301. Owner Responsibilities For Sanitation Maintenance.

- a) An owner may not allow occupancy of a dwelling unless the premises are clean, sanitary and fit for human occupancy.
- b) When a dwelling contains more than two dwelling units, the owner shall:
  - 1) cut and dispose of weeds in a clean and sanitary manner;
  - 2) provide solid waste storage containers for garbage and rubbish generated by occupants; and
  - 3) maintain the common areas in a clean and safe condition and dispose of rubbish, garbage or junk vehicles in a clean, safe and sanitary manner.
- c) When a premises have a vacant building or structure or is a vacant lot, the owner shall:
  - 1) cut and dispose of weeds;
  - 2) maintain the premises in a clean and safe condition; and
  - 3) dispose of rubbish, garbage and junk vehicles.
- d) Health and Hospital has discretion to issue a notice of violation and conduct an enforcement action against either an occupant for violation of Sec. 10-302(e) or an owner for violation of Sec. 10-301(a) or Sec. 10-301(c) and is not required to institute enforcement against both. However, an owner is ultimately responsible for cleaning trash left by a vacating occupant and no failure of the Health Officer to enforce Sec. 10-302(e) against an occupant shall relieve or delay the obligation of an owner to cure the violation under Sec. 10-301(a) or Sec. 10-301(c).

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

#### Sec. 10-302. Occupant Responsibilities For Sanitation Maintenance.

- a) An occupant must keep the dwelling and premises that the occupant controls in clean and sanitary condition. All garbage and rubbish must be stored and disposed of in a clean, safe and sanitary manner. Solid waste storage containers must be kept in a clean and sanitary condition. When plastic bags are used, they must be managed so that garbage and rubbish is properly contained and is not permitted to become a food source for rodents and other vectors.
- b) An occupant shall keep the premises free from accumulations of rubbish, garbage and junk vehicles.
- c) An occupant shall clean all fixtures and facilities on the property and shall use and operate those fixtures and facilities with reasonable care.

- d) An occupant must cut and dispose of weeds on the part of the property controlled by the occupant.
- e) Occupants must dispose of garbage, rubbish and junk vehicles in a clean, safe and sanitary manner when vacating the property.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec 10-303.

- a) No owner or occupant shall allow the condition of any inhabited or unoccupied property to cause or produce any health or safety hazard.
- b) No owner or occupant shall allow the condition of any inhabited or unoccupied property to cause or produce conditions in which rats, mosquitoes and other disease vectors have food, shelter or a place to breed. Usable items shall be stored in a safe manner at least eighteen inches above the ground in parts of the county where the Health Officer has determined that rat infestations have occurred.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-304. The owner is responsible for providing and hanging all screens when screens are required under this Chapter. The occupant is then responsible for maintenance or replacement of screens installed in the occupant's individual unit once the screens are installed in any one season.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-305.

- a) Every occupant of a single unit dwelling is responsible for the extermination of insects or rats on the property.
- b) Every occupant of a multi-unit dwelling is responsible for extermination whenever his individual unit is the only unit infested.
- c) When infestation is caused by failure of the owner to maintain a dwelling in a reasonably rat-proof or insect-proof condition, extermination is the responsibility of the owner.
- d) When infestation exists in the shared or public parts or in two or more of the dwelling units of a multi-unit dwelling, extermination is the responsibility of the owner.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-306. No person shall deposit or place any garbage, rubbish, junk vehicle or hazardous materials:

- a) upon property owned by another without the approval of the owner of such property,  
or
- b) in or adjacent to any road, street, alley, or other public place unless it is in proper containers for collection.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-307.

- a) Substances that are a potential health or safety hazard because of their chemical composition (including but not limited to bleach, gasoline, herbicides, paint and pesticides) shall be stored, used and disposed of in a manner that does not pose a significant health or safety hazard.
- b) Chemicals commonly used in residences in Marion County which are stored in quantities in which such chemicals are commonly stored in Marion County and in a manner in which such chemicals are commonly used in Marion County do not constitute a significant health or safety hazard.
- c) The following activities related to household substances may be subject to regulation under Chapter 20, Hazardous Materials Management, The Code:
  - 1) storage, use or disposal of a household substance for any commercial purpose or criminal activity;
  - 2) storage of a household substance for the benefit of a person other than a resident of a dwelling where the substance is located; or
  - 3) storage of a household substance on the property of a multi-unit dwelling or rooming house outside an individual unit on the property.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-308. In every dwelling or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 68°F. shall be maintained in all habitable rooms and bathrooms at a distance of thirty-six inches above the floor level.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-309. No owner or occupant shall apply a lead-containing paint to any surface in or on any dwelling, rooming house, fence or accessory building or structure.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-310. Persons may not occupy for more than thirty consecutive days a tent, trailer or any other structure designed to be transportable which is not:

- a) affixed to a foundation and
- b) permanently connected to a utility system.

This subsection 310 does not apply to a campground operating with the approval of the Indiana Department of Health.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Article 4. Minimum Standards For Basic Equipment, Facilities and Exits.

Sec. 10-400. No dwelling may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-401. Every dwelling shall have a room or area in which food may be prepared and cooked equipped with the following:

- a) A kitchen sink in good working condition and properly connected to an approved water supply and sewer system. The sink must provide an adequate amount of water under pressure, both unheated and heated to no more than 120° F.
- b) Cabinets, shelves, counters or tables used for the storage of food, eating, drinking or cooking equipment and utensils shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any harmful effect to food.
- c) The owner shall provide a stove, oven or microwave oven for cooking food and a refrigerator for the safe storage of food at temperatures less than 45° F. unless a lease agreement requires the lessee to provide any or all of these appliances. These appliances shall be properly installed with all necessary connections for safe, sanitary and efficient operation and shall be maintained in good working condition. When the occupant is expected to provide these appliances, adequate space and connections for the safe and efficient installation and operation shall be provided by the owner.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-402. Every dwelling shall have a flush toilet. The toilet shall be:

- a) in good working condition;
- b) equipped with easily cleanable surfaces;
- c) properly connected to a water system that provides an adequate amount of running water under pressure to cause the toilet to be operated properly; and
- d) properly connected to an approved sewer system.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-403. Every dwelling shall have a lavatory sink. The lavatory sink may be in the same room as the flush toilet; however, the sink may be located in another room if the sink is located close to the door leading directly from the toilet room. The sink shall be:

- a) in good working condition;
- b) properly connected to a water system that provides an adequate amount of water under pressure both unheated and heated to no more than 120° F so that the sink operates properly; and
- c) properly connected to an approved sewer system.
- d) The water inlets shall be located at least one inch above the overflow rim or otherwise designed to prevent cross-connections.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-404. Every dwelling shall have a bathtub or shower. The bathtub or shower shall be:

- a) in good working condition;
- b) properly connected to a water system that provides an adequate amount of unheated water and water heated to no more than 120° F under pressure for proper operation of the bathtub or shower; and
- c) properly connected to an approved sewer system.

- d) The water inlets shall be located at least one inch above the overflow rim or otherwise designed to prevent cross-connections.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]*

Sec. 10-405. Plumbing shall be properly installed and maintained in good working condition, free from defects, leaks and obstructions.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-406. No person shall cause or allow any utility service to be discontinued for any inhabited dwelling except for such temporary interruptions as may be necessary while repairs or replacement is in process or during temporary emergencies when discontinuance of service is approved.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-407.

- a) Structurally sound hand rails shall be installed on any stairs containing four or more risers.
- b) Structurally sound protective guard rails or hand rails shall be installed on porches, patios and balconies located more than three feet higher than the adjacent area.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-408. In dwellings occupied by a person other than the owner, the following shall be provided by the owner:

- a) exterior doors shall be equipped with functioning locking devices; and
- b) exterior windows shall be equipped with functioning locking devices. Until September 30, 1997, when the Health Officer determines that a dwelling does not comply with this subsection (b), he shall give thirty days advance notice to an owner prior to initiating an enforcement action.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-409. Building openings, including windows and doors, shall exclude mosquitoes, flies and other flying insects during times of the year when insect protection is needed.

- a) Screen doors opening directly to the outdoors shall be supplied with properly fitting screens and with a self-closing device.
- b) Windows used for ventilation shall be supplied with screens; however, screens are not required in rooms located high enough above ground level to be free from such insects.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-410.

- a) Every dwelling shall have at least two means of exit leading to safe and open space at ground level. At least one means of exit must have a minimum head room of six feet-six inches.

- b) Every individual unit in a multi-unit dwelling shall have immediate access to at least two approved means of exit with a minimum headroom of six feet-six inches leading to safe and open space at ground level.
- c) Bedrooms located below the fourth floor shall be provided with an exterior door or window of such dimensions as to be used as a means of emergency exit.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-411. Access to or exit from each individual unit shall be provided without passing through any other individual unit.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Article 5. Minimum Standards For Electrical Service, Light And Ventilation.

Sec. 10-500. No dwelling may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-501. At least one outdoor-facing window or skylight shall be installed in every habitable room unless exempted under the building code applicable at the time of construction. If the window or skylight faces a porch or other room or area used seasonally, then adequate daylight must be possible through this inter-connection. The minimum total window or skylight area for each habitable room is eight percent of the floor area of the room. At least 45% of the window or skylight area must be openable for ventilation purposes except when ventilation is provided by another approved means.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-502. Bathrooms and kitchens shall comply with the light and ventilation requirement for habitable rooms except that no window or skylight shall be required in such rooms if they are equipped with an approved ventilation system in working condition.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-503. All parts of public halls and stairways in a multi-unit dwelling shall be adequately lighted to at least six footcandles of light at the tread or floor level at all times. Instead of full-time lighting, the lighting of public halls and stairways in dwellings containing one or two dwelling units may be supplied with conveniently located light switches which may be used as needed.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-504. Heating and cooling facilities must be maintained and operated in accordance with the design capacity of the equipment. Heating or cooling facilities must be operated continuously in the appropriate season when the operation is under the control of a person other than the occupant. During times when the equipment is inoperative because of power or mechanical failure, alternative provisions for fresh air ventilation of each dwelling

must be provided. Humidity control facilities, if present, must be maintained and operated in accordance with manufacturer's instructions.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-505.

- (a) Each dwelling shall be connected to a source of electrical power in a safe and lawful manner.
- (b) Every dwelling shall be supplied with at least one 60-ampere circuit. An individual unit's circuits may not be shared with another unit.
- (c) Electrical protection devices must be of the proper ampacity.
- (d) Tamper-resistant fuses must be used in fuse panels with oversized Edison base fuses.
- (e) Every habitable room shall contain at least two separate wall duplex electric outlets or one such duplex convenience outlet and one supplied wall or ceiling type electric light fixture. No duplex outlet shall serve more than two fixtures or appliances. Wiring devices must be compatible with the existing wiring system.
- (f) Extension cords or temporary wiring shall not be used as permanent wiring.
- (g) Each non-habitable room, public hall and public stairway shall contain at least one installed electric light fixture.
- (h) All electric light fixtures and outlets in bathrooms shall be installed, maintained and controlled by switches designed to minimize electric shock.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Article 6. Minimum Thermal Standards.

Sec. 10-600. No dwelling may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-601. Every dwelling shall have heating equipment and appurtenances which are properly installed, maintained in safe and good working condition and capable of safely and adequately heating all habitable rooms and bathrooms to a temperature of at least 68°F measured at a distance of thirty-six inches above floor level under ordinary winter conditions.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-602.

- (a) All heating devices shall be constructed, installed and operated in such a manner to minimize accidental burns.
- (b) Non-electric heating devices, including hot water heating units, must be vented to the outside of the structure in an approved manner and must be supplied with adequate combustion air.
- (c) Non-electric unvented portable heaters must be supplied with adequate combustion air and may not cause hazardous levels of elevated carbon monoxide or other hazardous combustion by-products inside the dwelling.

(d) Permanently-installed unvented non-electric room heaters must be equipped with oxygen depletion sensors and otherwise comply with state law. These heaters must be supplied with adequate combustion air and may not cause hazardous levels of elevated carbon monoxide or other hazardous combustion by-products inside the dwelling.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

## Article 7. General Requirements Relating To Maintenance Of Dwellings and Accessory Buildings.

Sec. 10-700. No dwelling may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-701. Every bathroom and kitchen floor surface shall be constructed and maintained in a clean and sanitary condition, easily cleanable and reasonably impervious to water. This provision does not prevent the use of carpeting so long as the carpeting is maintained in a clean and sanitary condition.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-702. Every foundation, roof, floor, exterior and interior wall, ceiling, stair and porch, and their appurtenances, shall be maintained in safe and sound condition capable of supporting reasonably-expected weights. Every stair or step shall have uniform risers and uniform treads.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-703. Every foundation, roof, exterior wall, door, skylight and window shall be reasonably weather- and water-tight, capable of preventing dampness. These building components must be kept in sound condition and good repair.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-704. All exterior wood surfaces, other than decay resistant wood, shall be protected from the elements and decay by paint or by other protective covering or treatment. Lead-containing paint may not be applied.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-705. Stormwater must be properly drained from the roof of a dwelling by either:  
a) gutters, leaders and down-spouts that are maintained in good working condition, or  
b) other provisions for controlled water disposal of roof drainage to an approved drainage system or to the ground surface at least five feet from foundation walls.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-706. No property may have standing water which causes a public health hazard.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-707. Accessory structures shall be structurally sound, maintained in good repair and be free of insects, rats, and hazardous materials. The exterior of such structures shall be made weather-resistant through the use of decay-resistant materials or the use of non-lead-containing paint or other preservative material.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-708. All fences shall be maintained in sound condition and shall not create a harborage for rats.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-709. Every dwelling and accessory structure and the property on which the structures are located shall be maintained in a rat-free and rat-proof condition in those areas of Marion County which historically have had rat infestations.

(a) All openings in the exterior of a dwelling or accessory structure which have an opening a half-inch or more in diameter shall be rat-proofed in an approved manner if the opening is within forty-eight inches of the exterior ground level, or if the opening may be reached by rats from the ground by burrowing or climbing unguarded pipes, wires, cornices, stairs, roofs, trees or vines.

(b) Exterior doorways and windows or other openings located at or near ground level which might provide an entry for rats shall be supplied with adequate screens or such other devices that will effectively prevent the entrance of rats into the structure.

*[Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]*

(c) All sewers, pipes, drains or conduits and openings around such pipes and conduits shall be constructed to prevent the entrance of rats.

(d) Interior floors of basements, cellars and other areas in contact with the soil shall be rat-proofed in an approved manner.

(e) Approved rat-proofing materials must be used.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

#### Article 8. Density And Space, Use And Location Requirements.

Sec. 10-800. No dwelling may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-801.

(a) At least one hundred fifty square feet of floor space shall be provided for the first occupant. An additional one hundred square feet of floor space shall be provided for each additional occupant. Floor space is calculated in habitable rooms in which ceiling height is more than five feet.

(b) A room to be used for sleeping shall have at least seventy square feet of floor space for the first occupant. An additional fifty square feet of floor space shall be provided for sleeping area for each additional occupant. Floor space is calculated in habitable rooms in which ceiling height is more than five feet.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-802. The ceiling height of habitable rooms must be at least seven feet; however, any habitable room under a sloping ceiling must have a ceiling height of at least seven feet in at least one half of the floor area.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-803.

(a) Sole access to any sleeping room or bathroom may not be through another sleeping room. A bathroom or toilet room shall not be used as the only passageway to any habitable room, hall, basement, cellar or exterior.

(b) However, this subsection does not apply to a room adjacent to a bedroom that is intended to be used as a nursery nor will it apply to a dwelling which was constructed under a building code which at the time of construction allowed these configurations.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-804. No basement may be used as a habitable room unless:

(a) The room meets all requirements in this Code for habitable rooms, and

(b) The floors and walls are impervious to leakage of underground and surface run-off water and are insulated against dampness.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-805. No cellar may be used as a habitable room.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Article 9. Standards For Rooming Houses, Dormitories, Hotels And Motels.

Sec. 10-900. No rooming house, dormitory, hotel or motel may be inhabited unless the provisions of this Article are met. Unless otherwise indicated, the property owner is responsible for taking or causing to be taken any action necessary to maintain compliance with the provisions of this Article.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-901. At least one toilet, one lavatory basin and one bathtub or one shower shall be provided for each group of six persons or less. Members of the rooming house or dormitory operator's family shall be included in this count when they share the use of these facilities.

(a) If rooms are let only to males, flush urinals may be substituted for up to one-half the required toilets so long as at least one toilet is provided.

(b) The bathroom facilities must be located to be reasonably accessible from a common hall or passageway for all persons sharing the facilities. The facilities may not be located more than one floor above or below the rooming or dormitory unit served.

(c) If a rooming house or dormitory has only one bathroom, the bathroom may not be located below grade.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-902.

- (a) Cooking in dormitory rooms and individual units of rooming houses is prohibited.
- (b) Communal cooking and dining facilities in a rooming house or dormitory are prohibited, except when licensed by the Health Officer.
- (c) All food service and dining facilities provided in a rooming house or dormitory shall comply with the food service provisions of this Code.
- (d) Access doors to individual units of rooming houses and dormitories shall have operating locks to insure privacy.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-903. The operator of a rooming house or dormitory shall change supplied bed linen and towels prior to letting a room and at least once a week thereafter. The operator shall maintain supplied bedding in a clean and sanitary manner.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-904. Every individual unit of a rooming house or dormitory shall contain at least eighty square feet of floor space for its first occupant and an additional sixty square feet for each additional occupant of that unit.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-905. Every rooming unit shall have immediate access to two appropriately marked approved means of exit, each with a minimum head room of six feet-six inches, which lead to safe and open space at ground level.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-906. Access to or exit from each individual unit of a rooming house or dormitory shall be provided without passing through any other individual unit.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*

Sec. 10-907.

- (a) This Article applies to hotels and motels. However, when any provision of this Article conflicts with other applicable state or local law, the other state or local law shall apply.
- (b) The provisions of this Article may be waived when public health will not be adversely affected.

*[Gen.Ord. 14-1996(B) Passed 10/16/96 Effective Date 11/1/96]*