

CHAPTER 153: EXISTING STRUCTURES CODE

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ADMINISTRATION AND ENFORCEMENT

§ 153.001 GENERAL.

(A) These regulations shall be known as the Existing Structures Code of the City of Logan, hereinafter referred to as the existing structures code or "this chapter."

(B) This chapter is to protect the public health, safety and welfare in all existing structures, residential and nonresidential, and on all existing premises as hereinafter provided, by:

(1) Establishing minimum maintenance standards for all structures and premises for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance of all structures and premises now in existence;

(2) Establishing minimum requirements for all existing buildings and structures for means of egress, fire protection systems and other equipment and devices necessary for life safety from fire;

(3) Providing for rehabilitation and reuse of existing structures and allowing differences between the application of the code requirements to new construction and the application of the code requirements to alterations and repairs;

(4) Fixing the responsibilities of owners, operators and occupants of all structures, and;

(5) Providing for administration, enforcement and penalties.

(C) This chapter shall be construed liberally and justly to insure public health, safety and welfare insofar as they are affected by the continued use and maintenance of structures and premises.

(D) The provisions in this chapter shall not be construed to prevent the enforcement of other ordinances or regulations which prescribe standards other than are provided herein.

(E) Any repairs or alterations to a structure, or changes of use therein, which are caused directly or indirectly by the enforcement of this chapter shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes.

(F) The provisions in this chapter shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any buildings which are dangerous, unsafe, and unsanitary.

(G) All repairs, maintenance work, alterations or installations which are required for compliance with this chapter shall be executed and installed in a workmanlike and acceptable manner so as to secure the results intended by this chapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.002 VALIDITY.

(A) If any section, subsection, paragraph, sentence, clause or phrase of this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter which shall continue in full force and effect, and to this end the provisions of this chapter are hereby declared to be severable.

(B) This chapter shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the

provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

(Ord. 25-1991, passed 7-9-91)

§ 153.003 EXISTING STRUCTURES.

(A) Alterations or repairs:

(1) Alterations or repairs to any structure shall conform to that required of a new structure without requiring the existing structure to comply with all the requirements of the code for new construction provided such work conforms to that required by this chapter. Alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

(2) Alterations or repairs to an existing structure which are structural, or adversely affect any structural member or any part of the structure having a required fire-resistance rating, shall be made with materials as required for a new structure.

(B) As provided in § [153.001](#), this chapter establishes minimum requirements for the initial and continued occupancy and use of all structures and premises and does not replace or modify requirements otherwise established by ordinance which are additional or more stringent for the construction, repair, alteration, or use of structures, equipment or facilities.

(Ord. 25-1991, passed 7-9-91)

§ 153.004 APPROVAL.

(A) All materials, equipment and devices approved for use by the code official shall be constructed and installed in accordance with such approval.

(B) Modifications.

(1) When there are practical difficulties involved in carrying out structural or mechanical provisions of the code, the code official shall be permitted to vary or modify such provision upon application of the owner or the owner's representative, provided that the spirit and intent of the law shall be observed and public welfare and safety assured.

(2) The application for modification and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the department.

(C) Used materials, equipment and devices shall not be reused unless they have been reconditioned, tested and placed in good and proper working condition and approved for use by the code official.

(D) The provisions of this chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this chapter, provided any such alternative has been approved. An alternative material or method of construction shall be approved when the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this chapter, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness, fireresistance, durability and safety.

(E) The code official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the code official shall approve its use subject to the requirements of this chapter. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant.

(Ord. 25-1991, passed 7-9-91)

§ 153.005 ENFORCEMENT AUTHORITY.

(A) It shall be the duty and responsibility of the code official to enforce the provisions of this chapter as herein provided.

(B) Any code official, officer or employee who acts in good faith and without malice in the discharge of duties of enforcement of this chapter is relieved of all personal liability for any damage accruing to persons or property as a result of such acts or alleged failure to act. Further, the code official shall not be held liable for any costs in any action, suit or proceeding that is instituted by the code official in the enforcement of this chapter. In any of these actions, the official or employee shall be defended or represented by the jurisdiction's attorney-at-law until the final termination of the proceedings.

(C) An official record shall be kept of all business and activities of the department specified in the provisions of this chapter, and all such records shall be open to public inspection at all appropriate times and under reasonable regulations established by the code official to maintain the integrity and security of such records.

(Ord. 25-1991, passed 7-9-91)

§ 153.006 DUTIES AND POWERS OF CODE OFFICIAL.

(A) The code official shall enforce all the provisions of this chapter.

(B) The code official shall issue all necessary notices and orders to abate illegal or unsafe conditions to insure compliance with this chapter's requirements for the safety, health, and general welfare of the public.

(C) In order to safeguard the safety, health and welfare of the public, the code official is authorized to enter any structure or premises at any reasonable time for the purpose of making inspections and performing duties under this chapter.

(1) If additional nonconforming conditions are encountered during the course of any approved alteration or repair which were not considered or known initially, the code official shall have the authority to require compliance with this chapter of such additional conditions. The determination of what is necessary to bring such conditions into compliance shall take into consideration the use of alternatives and equivalent approaches as provided for in this chapter. The code official shall have the authority to approve construction changes in the field when conditions are encountered which make the originally approved work impractical, provided such changes in approved work can be readily determined to be in compliance with this chapter and are requested by the owner or the owner's agent prior to such construction changes. Such changes shall be specifically documented by the owner or the owner's agent describing the change in work and the reasons and justification for the change, and shall be filed with the permit for the project.

(2) If any owner, occupant, or other person in charge of a structure subject to the provisions of this chapter refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to any part of the structure or premises where inspection authorized by this chapter is sought, the administrative authority shall be permitted to seek, in a court of competent jurisdiction, an order that such owner, occupant or other person in charge cease and desist with such interference.

(3) Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs, or alterations as are necessary to comply with the provisions of this chapter.

(D) The code official or the code official's authorized representative shall disclose proper credentials of their respective office for the purpose of inspecting any and all buildings and premises in the performance of duties under this chapter.

(E) Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders.

(F) The code official shall have power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this chapter to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but such

rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this chapter or violating approved practice involving public safety.

(G) At least annually, the code official shall submit to the City Manager a written statement of operations in the form and content as shall be prescribed by such authority.

(Ord. 25-1991, passed 7-9-91)

§ 153.007 CONDEMNATIONS.

(A) When a structure or part thereof is found by the code official to be unsafe, or when a structure or part thereof is found unfit for human occupancy or use, or is found unlawful, it shall be condemned pursuant to the provisions of this chapter and shall be placarded and vacated. It shall not be reoccupied without approval of the code official. Unsafe equipment shall be placarded and placed out of service.

(1) An unsafe structure is one in which all or part thereof is found to be dangerous to life, health, property, or the safety of the public or its occupants by not providing minimum safeguards for protection from fire or because it contains unsafe equipment or it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is likely.

(2) Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that it is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(3) A structure is unfit for human occupancy or use whenever the code official finds that it is unsafe, unlawful, or because of the degree in which it lacks maintenance or is in disrepair, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this chapter, or because its location constitutes a hazard to its occupants or to the public.

(4) An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this chapter, or was erected, altered or occupied contrary to law.

(B) If the structure or part thereof is vacant and unfit for human habitation, occupancy or use and is not in danger of structural collapse, the code official shall be permitted to post a placard of condemnation on the premises and order the structure closed up so it will not be an attractive nuisance to youngsters. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause it to be closed through any available public agency or by contract or arrangement

by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(Ord. 25-1991, passed 7-9-91)

§ 153.008 NOTICES AND ORDERS.

(A) Whenever the code official determines that there has been a violation of this chapter or has reasonable grounds to believe that a violation has occurred, or whenever the code official has condemned any structure or equipment under the provisions of § [153.006](#), notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed below. If the code official has condemned the property or part thereof, the code official 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. Notwithstanding the foregoing, a police officer or code official upon finding evidence of a violation of § [153.031](#)(A), (F), or (J) may issue a citation immediately.

(B) Such notice prescribed in division (A) 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 it 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 chapter, and;
- (5) Include an explanation of the owner's right to seek modification or withdrawal of the notice by petition to an appeals board or appropriate review board.

(C) Service:

(1) Such service shall be deemed to be properly served upon such owner if a copy thereof is delivered to the owner personally; or by leaving the notice at the usual place of abode, in the presence of someone in the family of suitable age and discretion who shall be informed of the contents thereof; or by certified or registered mail addressed to the owner at the last known address with return receipt requested; or if the certified or registered letter is returned with receipt showing that it has not been delivered, by posting a copy thereof in a conspicuous place in or about the structure affected by such notice, and at least the publication of such notice in a local newspaper of general circulation.

(2) Service on occupant. When a condemnation order is served on an occupant other than the owner or person responsible for such compliance, a reasonable time to vacate the property after noncompliance shall be stated. Owners or persons responsible

for compliance must vacate at the time set for correction of defects if there is failure of compliance.

(D) Penalties for noncompliance with orders and notices shall be subject to the penalties set forth in § [153.999](#).

(E) 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 until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official 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.

(Ord. 25-1991, passed 7-9-91)

§ 153.009 PLACARDING.

(A) After the condemnation notice required under the provisions of this chapter has resulted in an order by virtue of failure to comply within the time given, the code official 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 thereafter to vacate.

(B) 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 chapter.

(C) The code official shall remove the condemnation placard whenever 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 code official shall be subject to the penalties provided by this chapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.010 EMERGENCY ORDERS.

(A) Whenever a code official finds that an emergency exists on any premises, or in any structure or part thereof, or on any defective equipment which requires immediate action to protect the public's health and safety or that of the occupants thereof, the code official shall, with proper notice and service in accordance with the provisions of § [153.007](#) issue an order reciting the existence of such an emergency and requiring the vacating of the premises or such action taken as is necessary to meet such emergency. Notwithstanding other provisions of this chapter, such order shall be effective immediately, and the premises or equipment involved shall be placarded immediately upon service of the order.

(B) Any person to whom such order is directed shall comply therewith. Such person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as prescribed in this chapter. Depending upon the findings of the board at such hearing as to whether the provisions of this chapter have been complied with, the board shall continue such order or modify or revoke it.

(Ord. 25-1991, passed 7-9-91; Am. Ord. 44-2003, passed 7-9-03)

§ 153.011 DEMOLITION.

(A) The code official shall order the owner of premises upon which is located any structure or part thereof, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, to raze and remove such structure or part thereof; or if it can be made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to raze and remove such structure or part thereof.

(B) Whenever the code official determines that the cost of such repairs would exceed 100% of the current value of such structure, such repairs shall be presumed unreasonable and it shall be presumed for the purpose of this section that such structure is a public nuisance which shall be ordered razed without option on the part of the owner to repair.

(C) The order shall specify a time in which the owner shall comply therewith and specify repairs, if any. It shall be served on the owner of record or an agent where an agent is in charge of the building and upon the holder of any encumbrance of record in the manner provided for service of a summons by a court of record. If the owner or a holder of an encumbrance of record cannot be found, the order shall be served by posting it on the main entrance of the building and by publishing it once each week for three successive weeks in a newspaper authorized to provide service by publication.

(D) Anyone affected by any such order shall, within 30 days after service of such order, apply to a court of record for an order restraining the code official from razing and removing such structure or parts thereof. The court shall determine whether the order of

the code official is reasonable, and if found reasonable, the court shall dissolve the restraining order, and if found not reasonable, the court shall continue the restraining order or modify it as the circumstances may require.

(E) Whenever the owner of a property fails to comply with a demolition order within the time prescribed, the code official shall cause the structure or part thereof to be razed and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such razing and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(F) When any structure has been ordered razed and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such razing and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

(Ord. 25-1991, passed 7-9-91)

§ 153.012 RIGHT TO APPEAL.

(A) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, shall have the right to request and shall be granted a hearing on the matter before the board; provided that such person shall file, in the office of the board, a written petition requesting such hearing and containing a statement of the grounds therefore within 20 days after the day the notice was served.

(B) In order to protect existing structures in the jurisdiction by vigorous enforcement of the provisions of this chapter, there shall be and is hereby created a code appeals board, hereafter referred to as the board, consisting of five members who shall be appointed by the Mayor.

(1) The board shall contain each of the following: a builder, a plumber, an electrician, a specialist in fire prevention and control with at least five years experience, and a citizen of the community. Each member shall have been a resident of the jurisdiction for at least one year prior to appointment. The Council shall appoint for a term of one year an alternate member of the board in addition to the five members above provided for, who shall act with full power only when a member of the board refuses to vote because of interest or when a member is absent. The Council shall appoint one member of the department who shall act as secretary to the board.

(2) The board shall hear all appeals relative to the enforcement of this chapter, and by a concurring vote of the majority of its members shall reverse or affirm wholly or partly, or modify, the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the code official.

(3) A member of the board shall not participate in any hearings or vote on any appeal in which that member has a direct or indirect financial interest, or is engaged as a contractor, or is engaged in the preparation of plans and specification, or in which that member has any personal interest.

(C) The secretary of the board shall keep a record of each meeting so that the record shows clearly the basis for each decision made by the board.

(Ord. 25-1991, passed 7-9-91)

§ 153.013 DEFINITIONS.

(A) Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

(B) 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.

(C) Where terms are not defined in this section and are defined in the building, plumbing, and mechanical codes listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, they shall have the same meanings ascribed to them as in those codes.

(D) Where terms are not defined through the methods authorized by this section, they shall have their ordinarily-accepted meanings such as the context shall imply.

(E) Whenever the words ***DWELLING UNIT, MULTIFAMILY DWELLING, PREMISES, RESIDENTIAL BUILDING, ROOMING HOUSE, or ROOMING UNIT***, are used in this chapter, they shall be construed as though they were followed by the words, "or any part thereof".

(F) Applied meanings of words and terms.

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BUILDING CODE. The building code officially adopted by the legislative body of this jurisdiction, or other such codes officially designated by the legislative body of the

jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of buildings and structures.

CENTRAL HEATING. The heating system permanently installed and adjusted so as to provide the distribution of heat to all habitable rooms, bathrooms, and water closet compartments from a source outside of these rooms.

CODE OFFICIAL. The official who is charged with the administration and enforcement of this chapter, or any duly authorized representative.

CONDEMN. To adjudge unfit for use and occupancy.

DWELLINGS.

(1) **BOARDING HOUSE.** A building arranged or used for lodging, with or without meals, for compensation and not occupied as a single family unit.

(2) **DORMITORY.** A space in a building where group sleeping accommodations are provided for persons not of the same family group, in one room, or in a series of closely related rooms.

(3) **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.

(4) **MULTI-FAMILY APARTMENT HOUSE.** A building or portion thereof containing more than two dwelling units and not classified as a one- or two-family dwelling.

(5) **ONE-FAMILY DWELLING.** A building containing one dwelling unit with not more than five lodgers.

(6) **TWO-FAMILY DWELLING.** A building containing two dwelling units with not more than five lodgers or boarders per family.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EXTERIOR PROPERTY AREAS. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

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 (excluding servants) persons, living together as a single housekeeping unit in a dwelling unit.

GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking, or consumption of food.

HABITABLE SPACE. Space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

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

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 thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

MAINTENANCE. Acts of repair and other acts to prevent a decline in the condition of grounds, structures and equipment; such that the condition does not fall below the standards established by this chapter and other applicable statutes, codes, and ordinances.

MOTEL. A hotel as defined in this chapter.

OCCUPANT. Any person living and/or sleeping in a dwelling unit or having possession of a space within a building.

OPENABLE AREA. The part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or the administrator of the estate of any such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

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 listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

PLUMBING FIXTURE. A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a water supply therefrom; or discharges used water, liquid-borne 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.

PREMISES. A lot, plot, or parcel of land including the buildings or structures thereon.

PUBLIC NUISANCE. Includes the following:

(1) The physical condition, or use of any premises regarded as a public nuisance at common law;

(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;

(3) Any premises which has unsanitary sewage or plumbing facilities;

(4) Any premises designated as unsafe for human habitation or use;

(5) Any premises which is manifestly capable of being a fire hazard, or are manifestly unsafe or unsecured as to endanger life, limb, or property;

(6) Any premises from which the plumbing, heating and/or facilities required by this chapter 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;

(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 which is in a state of dilapidation, deterioration, or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises.

RESIDENTIAL BUILDING. A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided; except when classified as an institution under the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

ROOMING HOUSE. Any residential building, or any part thereof containing one or more rooming units, in which space is let by the owner or operator to more than five persons who are not members of the family.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

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, dust and other similar materials.

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

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

WORKMANLIKE. Whenever the words "workmanlike state of maintenance and repair" are used in this chapter, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

YARD. An open unoccupied space on the same lot with a building extending along the entire length of street, or area or interior lot line.

(Ord. 25-1991, passed 7-9-91)

GENERAL REQUIREMENTS

§ 153.030 GENERAL.

(A) The provisions of this subchapter shall govern the minimum conditions for maintenance of exterior property, premises and structures. Premises shall comply with the conditions herein prescribed insofar as they are applicable.

(B) The owner of the premises shall maintain such structures and premises in compliance with these requirements. A person shall not occupy as owner/occupant or let to another for occupancy or use premises which do not comply with the following requirements of this subchapter.

(C) 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.

§ 153.031 EXTERIOR PROPERTY AREAS.

(A) Sanitation.

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

(2) The operator of every establishment producing garbage, vegetable wastes, or other putrescible materials 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.

(B) All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Stagnant water shall be determined as any accumulation that has not dispersed within seven days of the last local rainfall. Exception: Water retention areas and/or reservoirs approved by the code official.

(C) All loading areas, automobile service stations and drive-in food establishments shall be paved with bituminous, concrete or equivalent surfacing and shall be free from dirt and other litter and kept in good repair. When lighted for nighttime use, lights shall not be permitted to cast directly upon dwellings nearby.

(D) An owner of a structure or property shall be responsible for the extermination of insects, rats, vermin, or other pests in all exterior areas of the premises, except that the occupant shall be responsible for such extermination in the exterior areas of the premises of a single-family dwelling. Whenever infestation exists in the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.

(E) All sidewalks, steps, driveways, parking spaces and similar paved areas for public use shall be kept in a proper state of repair, free of all snow, ice mud, overhanging trees and shrubs which obstruct walkways, and other debris and shall be maintained free of hazardous conditions. If any sidewalk or driveway or portion thereof by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced. Steps shall comply with the requirements for exterior stairs.

(F) All lots shall be maintained free from weeds or plant growth in excess of ten 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.

(G) All approved open salvage yards and open storage areas shall be completely obscured from surrounding property by a solid screen not less than six feet in height. Storage of debris, junk or construction materials, which are not associated with an approved use or permitted construction at that site, shall be prohibited.

(H) A person shall not construct, maintain, or operate pipes, ducts, conductors, fans, or blowers discharging gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes so as to discharge directly upon abutting or adjacent public and private property or that of another tenant.

(I) All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in compliance with §§ [153.032](#) and [153.033](#) of this chapter.

(J) Motor vehicles shall be subject to the following requirements of divisions (1) and (2) below.

(1) Except as provided in other regulations, not more than one currently unregistered and/or uninspected motor vehicle shall be parked on any property in a residential district, and said motor vehicle shall not be in the process of being stripped or dismantled. Motor vehicles on private property in residential areas must be capable of being started and driven from the location and comply with all requirements set forth in Chapter 74 of the Codified Ordinances. No vehicle of any type shall undergo a major overhaul, or body work in a residential district unless such work is performed inside a structure or similarly enclosed area designed and approved for such work.

(2) Except as provided in other regulations and approved by the code official, not more than two currently unregistered and/or uninspected motor vehicles shall be permitted on any property in a nonresidential district, and any vehicle shall not at any time be in a state of major disassembly or disrepair, nor shall it be in the process of being stripped or dismantled.

(K) Whoever violates division (A), (F) or (J) of this section shall be guilty of a minor misdemeanor. Each day the violation continues is a separate and distinct offense.

(Ord. 25-1991, passed 7-9-91; Am. Ord. 44-2003, passed 7-8-03; Am. Ord. 38-2006, passed 9-12-06)

§ 153.032 EXTERIOR STRUCTURE.

(A) General.

(1) The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the health, safety and welfare of the occupants and so as to protect the occupants from the adverse effects of the environment.

(2) Each structure to which a street number has been assigned shall have the number so assigned displayed in a position easily observed and readable from the public right of way. All numbers shall be in arabic figures at least three inches high and 1/2 inch wide.

(B) All supporting structural members of all structures shall be kept structurally sound, free of deterioration and maintained capable of safely bearing the dead and live loads imposed upon them.

(C) Every foundation, exterior wall, roof, and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude rats.

(1) All foundation walls shall be maintained so as to carry the safe design and operating dead and live loads and shall be maintained plumb and free from open cracks and breaks, so as not to be detrimental to public safety and welfare.

(2) Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition, or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration.

(3) The roof shall be structurally sound, tight, and not have defects which might admit rain. Roof drainage shall be adequate to prevent rain water from causing dampness or deterioration in the walls or interior portion of the building. Roof water shall not be discharged in a manner that creates a nuisance to owners or occupants of adjacent premises, or that creates a public nuisance.

(4) All cornices, entablatures, 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.

(5) 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. They shall be protected from the elements and against decay and rust by the periodic application of a weather-coating material such as paint or other protective treatment.

(6) All chimneys, cooling 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 and against decay or rust by periodic application of weather-coating materials such as paint or similar surface treatment.

(7) Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the

anticipated loads and shall be maintained in sound condition and good repair. Every stair, porch and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud and other debris. 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, fire escape, porch, landing or balcony which is more than 30 inches above the grade below shall have guardrails. Handrails shall be not less than 30 inches nor more than 34 inches high, measured vertically above the nosing of the treads. Guardrails shall be not less than 30 inches high above the floor of the porch, 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.

(D) Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to be weathertight.

(1) Every window and exterior door shall be fitted reasonably in its frame and be weather-tight. Weather stripping shall be used to exclude wind or rain from entering the dwelling or structure and shall be kept in sound condition and good repair.

(2) Every required window sash shall be fully supplied with approved glazing materials which are without open cracks and holes.

(3) Every window, other than a fixed window shall be capable of being easily opened and shall be held in position by window hardware.

(4) During the period from April 1 to December 1 every door and window or other outside opening used for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tight fitting screens of not less than 16 mesh per inch and every swinging screen door shall have a self-closing device in good working condition. Exception: Screen doors shall not be required for outswinging doors or other types of openings which make screening impractical, provided other approved means such as air curtains or insect repellent fans are employed.

(5) Every exterior door and its hardware shall be maintained in good condition. Door locks on all doors entering dwelling units shall be in good repair and capable of tightly securing the door.

(6) Every basement hatchway shall be so constructed and maintained as to prevent the entrance of rats, rain and surface drainage water into the structure.

(7) Every basement window which is openable shall be supplied with rat-proof shields, or storm windows or other material affording protection against the entry of rats.

(Ord. 25-1991, passed 7-9-91)

§ 153.033 INTERIOR STRUCTURE.

(A) The interior of a structure and its equipment shall be maintained in good repair, structurally sound and in a sanitary condition so as not to pose a threat to the health, safety or welfare of the occupants or visitors, and to protect the occupants from the environment.

(B) The supporting structural members of every building shall be maintained structurally sound, not showing any evidence of deterioration which would render them incapable of carrying the imposed loads. In every existing building used for business, industrial, mercantile or storage occupancy, in which heavy loads or concentrations occur or in which machinery is introduced, the owner or occupant shall cause the weight that each floor will safely sustain to be calculated by a registered architect or engineer and filed with the building code official, and after such acceptance by the building code official, to be posted on each floor in a conspicuous place.

(C) Floors, walls (including windows and doors) ceilings, and other interior surfaces shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be eliminated.

(1) Lead-based paint with a lead content of more than 0.5% shall not be applied to any interior or exterior surface of a dwelling, dwelling unit or child care facility, including fences and outbuildings at these locations. Existing interior and exterior painted surfaces of dwelling units and child care facilities that contain an excess of 0.5% lead shall be removed or covered with paneling or other suitable covering approved by the code official.

(2) Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to permit such floor to be kept in a clean and sanitary condition.

(D) In every building, basements and crawl spaces shall be maintained to prevent conditions conducive to decay or deterioration of the structure.

(E) Sanitation.

(1) The interior of every structure shall be maintained in a clean and sanitary condition free from any accumulation of rubbish, refuse or garbage. Rubbish, garbage, and other refuse shall be properly kept inside temporary storage facilities as required under § [153.031](#).

(2) Garbage or refuse shall not be allowed to accumulate or be stored in public halls or stairways.

(F) All structures shall be kept free from insect and rat infestation, and where insects or 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.

(G) Every door available as an exit shall be capable of being opened easily from the inside and without the use of a key.

(H) Exit facilities.

(1) All interior stairs and railings and other exit facilities of every structure shall be maintained in sound condition and good repair by replacing treads and risers that evidence excessive wear or are broken, warped or loose. Every inside stair shall be so constructed and maintained as to be safe to use and capable of supporting the anticipated loads.

(2) 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 be not less than 30 inches nor more than 34 inches high, measured vertically above the nosing of the tread or above the floor of the landing or balcony. Guardrails shall be not less than 30 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.

(Ord. 25-1991, passed 7-9-91)

LIGHT, VENTILATION AND SPACE REQUIREMENTS

§ 153.040 GENERAL.

(A) The provisions of this subchapter shall govern the minimum conditions and standards for the light, ventilation and space for the occupancy of a structure. All light, ventilation and space conditions shall comply with the requirements herein prescribed insofar as they are applicable.

(B) The owner of the structure shall provide and maintain such light and ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant or let to another for occupancy or use any premises which do not comply with the following requirements of this subchapter.

(C) All structures shall be provided access to public property. Such access means shall be maintained unobstructed.

(D) An open space, when used for the origin or light and ventilation, shall be maintained and unobstructed.

(E) In place of the means for natural light and ventilation herein prescribed, alternative arrangement of windows, louvers, or other methods and devices that will provide the equivalent minimum performance requirements shall be permitted when complying with the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

§ 153.041 LIGHT.

(A) All spaces or rooms shall be provided sufficient light so as not to endanger health and safety.

(B) Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable space shall be 8 percent of the floor area of such room, except in kitchens when artificial light is provided in accordance with the provisions of the building code listed in Appendix A, attached to Ordinance 25-1991, passed 7-9-91. Whenever 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 a 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.

(C) Every common hall and stairway in every building, other than one-and two-family dwellings, shall be adequately lighted at all times with an illumination of 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 (10.76 lux) at floors, landings and treads.

(D) All other spaces shall be provided with natural or artificial light of sufficient intensity and so distributed as to permit the maintenance of sanitary conditions, and the safe use of the space and the appliances, equipment and fixtures.

(Ord. 25-1991, passed 7-9-91)

§ 153.042 VENTILATION.

(A) All spaces or rooms shall be provided sufficient natural or mechanical ventilation so as not to endanger health and safety. Where mechanical ventilation is provided in lieu of the natural ventilation, such mechanical ventilating systems shall be maintained in operation during the occupancy of any structure or portion thereof. When part of the air provided by a mechanical ventilation system is recirculated, the portion or volume of air recirculated shall not be recirculated to a different residential space or occupancy of dissimilar use from which it is withdrawn.

(B) Every habitable space shall have at least one window which can be easily opened or such other device as will adequately ventilate the room. The total openable window area in every room shall be equal to at least 45% of the minimum window area size required in § [153.041](#).

(C) Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable spaces as required by division (B), except that a window shall not be required in bathrooms or water closet compartments equipped with an approved mechanical ventilation system. Air exhausted by a mechanical ventilation system from rooms containing a bathtub or shower within a dwelling unit shall be exhausted to the exterior and shall not be recirculated to any space, including the space from which it is withdrawn. Air exhausted by a mechanical ventilation system from all other bathroom or water closet compartments shall be exhausted to the exterior without recirculation to any space or not more than 85% of the exhaust air shall be recirculated where the system is provided effective absorption and filtering equipment complying with the mechanical code listed Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(D) Unless approved through the certificate of occupancy, cooking shall not be permitted in any sleeping room or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a sleeping room or dormitory unit.

(E) Where any process permits and where injurious, toxic, irritating or noxious fumes, gases, dust, or mists are generated by said process, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source so that it is not allowed to permeate the general atmosphere of the workroom. Air so exhausted shall be exhausted to the exterior and shall not be recirculated to any space, including the space from which it is withdrawn.

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

(Ord. 25-1991, passed 7-9-91)

§ 153.043 DWELLING UNIT LIMITATIONS.

(A) Separation of units.

(1) Dwelling units shall be separate and apart from each other. Sleeping rooms shall not be used as the only means of access to other sleeping rooms or habitable spaces.

(2) Hotel units, lodging units, and dormitory units shall be designed to provide privacy, and be separate from other adjoining spaces.

(B) A habitable space, bathroom, or water closet compartment which is accessory to a dwelling unit shall not open directly into or be used in conjunction with a food store,

barber or beauty shop, doctor's or dentist's examination or treatment room, or similar room used for public purposes.

(C) Rooms partially or completely below grade shall not be used as habitable space unless:

(1) Floors and walls are water-tight so as to prevent entry of moisture;

(2) Total window area, total openable window area and ceiling height are in accordance with this chapter;

(3) Required minimum window area of every habitable space is entirely above the grade adjoining such window abreast and;

(4) Means of egress and emergency escape are provided in accordance with this chapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.044 SPACE REQUIREMENTS.

(A) Area for sleeping purposes.

(1) 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 area for each occupant thereof.

(2) Every room used as a bedroom shall have access to at least one water closet without passing through another room used as a bedroom. Every room used as a bedroom shall have access to at least one water closet located on the same floor as the bedroom, except that this requirement shall not apply to the only bedroom on a floor.

(B) Overcrowding.

(1) Dwelling units shall not be occupied by more occupants than permitted by the minimum occupancy area requirements of Table I below.

(2) Combined living room and dining room spaces shall comply with the requirements of Table I if the total area is equal to that required for separate rooms and if the space is so located that it functions as a combination living room/dining room.

***Table I:
Minimum Occupancy Area Requirements***

<i>Space</i>	Minimum occupancy area in square feet (square meters)		
	1-2 occupants	3-5 occupants	6 or more
Living room*	No requirements	120 (11.16)	150 (13.95)
Dining room*	No requirements	80 (7.44)	100 (9.30)
Kitchen	50 (4.65)	50 (4.65)	60 (5.58)
Bedrooms	Shall comply with section		

* See section for combined living room/dining room spaces.

(C) Kitchens, nonhabitable spaces and public spaces shall not be used for sleeping purposes.

(D) Minimum ceiling heights.

(1) Habitable spaces shall have a clear ceiling height over the minimum area required by this chapter at not less than 7 1/3 feet, except that in attics or top half-stories the ceiling height shall be not less than seven feet over not less than one-third of the minimum area required by this chapter when used for sleeping, study or similar activity. In calculating the floor area of such rooms, only those portions of the floor area of the room having a clear ceiling height of five feet or more shall be included.

(2) Hallways, corridors, bathrooms, toilet rooms, kitchens and habitable basements used as recreation rooms shall have a ceiling height of not less than seven feet to the lowest projection from the ceiling.

(E) It is not intended that this chapter regulate the space requirements of correctional institutions.

(F) Minimum room widths.

(1) Every habitable space shall have a clear room width of not less than seven feet at the narrowest point exclusive of projections affecting less than 10% of the floor area and exclusive of floor areas of alcoves and entry ways not included in meeting the floor area requirements listed in Table I.

(2) Kitchens require a clear passageway of not less than three feet between counters, appliances and/or walls.

(Ord. 25-1991, passed 7-9-91)

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

§ 153.050 GENERAL.

(A) The provisions of this subchapter shall govern the minimum plumbing facilities and fixtures to be provided. All plumbing facilities and fixtures shall comply with the requirements herein prescribed insofar as they are applicable.

(B) The owner of the structure shall provide and maintain such plumbing facilities and fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or let to another for occupancy or use any structure or portion thereof or premises which does not comply with the following requirements of this subchapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.051 REQUIRED FACILITIES.

(A) Every dwelling unit shall include its own plumbing facilities which are in proper operating condition, can be used in privacy, and are adequate for personal cleanliness and the disposal of human waste. The following minimum plumbing facilities set forth in subdivisions (1) through (3) shall be supplied and maintained in sanitary, safe working condition.

(1) Every dwelling unit shall contain within its walls, a room separate from habitable spaces, which affords privacy and a water closet supplied with cold running water. A lavatory shall be placed in the same room as the water closet or located in another room, in close proximity to the door leading directly into the room in which said water closet is located. The lavatory shall be supplied with hot and cold running water.

(2) Every dwelling unit shall contain a room which affords privacy to a person in said room and which is equipped with a bathtub or shower supplied with hot and cold running water.

(3) Every dwelling unit shall contain a kitchen sink apart from the lavatory required under subdivision (1), and such sink shall be supplied with hot and cold running water.

(B) At least one water closet, lavatory basin and bathtub or shower properly connected to an approved water and sewer system and in good working condition shall be supplied for each four rooms within a rooming house, wherever said facilities are shared. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times.

(C) Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower accessible from a public hallway shall be provided on each floor for each ten occupants. Each lavatory, bathtub or shower shall be supplied with hot and cold water at all times.

(D) In nonresidential structures, the requirements for sanitary facilities shall comply with the minimum requirements of the plumbing code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, for such facilities for such use and occupancy.

(Ord. 25-1991, passed 7-9-91)

§ 153.052 TOILET ROOMS.

(A) Toilet rooms and bathrooms shall be designed and arranged to provide privacy.

(B) Toilet rooms and bathrooms shall not be used as a passageway to a hall or other space, or to the exterior. A toilet room or bathroom in a dwelling unit shall be accessible from any sleeping room without passing through another sleeping room.

(C) Toilet rooms and bathrooms serving hotel units, lodging houses, or dormitory units, unless located within such respective units, or directly connected thereto, shall be provided on the same story with such units, and be accessible only from a common hall or passageway.

(D) Toilet rooms for employees shall be readily accessible to such employees, and shall not open directly into any public kitchen or other public space used for the cooking or preparation of food.

(E) Bathrooms and toilet rooms shall be provided with floors of moisture resistant material.

(F) Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room partitions, enclosures or compartments for privacy and shall comply with fixture clearance requirements of the plumbing code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, for such installations.

(Ord. 25-1991, passed 7-9-91)

§ 153.053 PLUMBING FIXTURES.

(A) All plumbing fixtures shall be maintained in a safe and usable condition. All plumbing fixtures shall be of approved nonabsorbent material.

(B) Water supply lines, plumbing fixtures, vents and drains shall be properly installed, connected and maintained in working order and shall be kept free from obstructions, leaks and defects and capable of performing the function for which they are

designed. All repairs and installations shall be made in accordance with the provisions of the building and plumbing codes listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(C) All plumbing facilities shall be maintained in a clean and sanitary condition by the occupant so as not to breed insects and rats or produce dangerous or offensive gases or odors.

(D) Plumbing fixtures shall be installed to permit easy access for cleaning both the fixture and the area about it.

(E) Plumbing fixtures which are replaced shall be of water saving construction and use as required by the energy and plumbing codes listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

§ 153.054 WATER SYSTEM.

(A) Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other facility shall be properly connected to either a public water system or to an approved private water system. All sinks, lavatories, bathtubs and showers shall be supplied with hot and cold running water.

(B) The water supply shall be maintained free from contamination and all water inlets for plumbing fixtures shall be located above the overflow rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approval atmospheric type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

(C) The water supply system shall be installed and maintained to provide at all times a supply of water to plumbing fixtures, devices, and appurtenances in sufficient volume and at pressures adequate to enable them to function satisfactorily.

(D) Where hot water is provided, water heating facilities shall be installed in an approved manner, properly maintained, and properly connected with hot water lines to the fixtures required to be supplied with the hot water. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, and laundry facility or other similar units, at a temperature of not less than 110 degrees F. (43 degrees C.). Every gas-burning water heater shall be vented to a chimney or other venting device leading to outdoor space. 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. There shall be installed on water heaters an approved combination temperature and pressure relief valve. All water heating appliances shall be properly installed and maintained in accordance with this chapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.055 SEWAGE SYSTEM.

(A) Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other facility shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

(B) Every plumbing stack, waste and sewer line shall be so installed and maintained as to function properly and shall be kept free from obstructions, leaks and defects to prevent structural deterioration or health hazards. All repairs and installations shall be made in accordance with the provisions of the building and plumbing codes listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

§ 153.056 STORM DRAINAGE.

An approved system of storm water disposal shall be provided and maintained for the safe and efficient drainage of roofs and paved areas, yards and courts, and other open areas on the premises.

(Ord. 25-1991, passed 7-9-91)

MECHANICAL AND ELECTRICAL REQUIREMENTS

§ 153.070 GENERAL.

(A) The provisions of this subchapter shall govern the minimum mechanical and electrical facilities and equipment to be provided. All mechanical and electrical facilities and equipment shall comply with the requirements herein prescribed insofar as they are applicable.

(B) The owner of the structure shall provide and maintain such mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or let to another for occupancy or use any premises which does not comply with the following requirements of this subchapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.071 HEATING FACILITIES.

(A) Residential buildings.

(1) Every owner of any structure who rents, leases, or lets one or more dwelling units or guest rooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain a room temperature of not less than 65 degrees F. (18 degrees C.), in all habitable spaces, bathrooms, and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day and maintain a temperature of not less than 60 degrees F. (16 degrees C.) during other hours. The temperature shall be measured at a point three feet above the floor and three feet from exterior walls.

(2) Exception. When the exterior temperature falls below 0 degrees F. (-18 degrees C.) and the heating system is operating at its full capacity, a minimum room temperature of 60 degrees F. (16 degrees C.) shall be maintained at all times.

(B) Other structures.

(1) Every owner of any structure who rents, leases, or lets the structure or any part thereof on terms, either express or implied, to furnish heat to the occupant thereof; and every occupant of any structure or part thereof who rents or leases said structure or part thereof on terms, either express or implied, to supply its own heat, shall supply sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours in all enclosed spaces or rooms where persons are employed and working. The temperature shall be measured at a point three feet above the floor and three feet from the exterior walls.

(2) Exceptions.

(a) Processing, storage and operation areas that require cooling or special temperature conditions; and

(b) Areas in which persons are primarily engaged in vigorous physical activities.

(C) All cooking and heating equipment, components, and accessories in every heating, cooking, and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the provisions of the building code and mechanical code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. Portable cooking equipment employing flame is prohibited, except for approved residential type food trays or salvers which are heated by a candle or alcohol lamp.

(D) All mechanical equipment shall be properly installed and safely maintained in good working condition, and be capable of performing the function for which it was designed and intended.

(1) All vented fuel-burning equipment shall be connected to an approved chimney or vent.

(2) All required clearances to combustible materials shall be maintained.

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

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

(5) Devices purporting to reduce gas consumption by attachment to a gas appliance, to the gas 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.

(E) Each boiler and pressure vessel, other than boilers located within a dwelling unit, shall be inspected a minimum of once every two years. The inspection shall determine that the boiler operates in accordance with the manufacturer's requirements and that all safety devices and controls function correctly.

(F) Fireplaces, and other construction and devices intended for use similar to a fireplace, shall be stable and structurally safe and connected to approved chimneys.

(G) When facilities for interior climate control (heating, cooling, and/or humidity) are integral functions of structures used as dwelling units or other occupancies, such facilities shall be maintained and operated in a continuous manner in accordance with the designed capacity.

(Ord. 25-1991, passed 7-9-91)

§ 153.072 ELECTRICAL FACILITIES.

(A) Every building or part thereof used for human occupancy shall be adequately and safely provided with an electrical system in compliance with the requirements of this section. The provisions of subdivisions (1) through (3) shall be considered absolute minimum requirements. The size of units and the usage of appliances and equipment shall be used as a basis for determining the need for additional facilities in accordance with NFPA 70 listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(1) Every habitable space in a dwelling unit, and every guest room shall contain at least two separate and remote receptacle outlets. Every laundry area and bathroom shall contain at least one receptacle.

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

(3) When the electrical system requires modification to correct inadequate service as defined in division (C), the service shall be corrected to a minimum of 100 ampere, three-wire service.

(B) All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.

(C) 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 code official shall require the defects to be corrected to eliminate the hazard.

(Ord. 25-1991, passed 7-9-91; Am. Ord. 38-2001, passed 7-10-01)

§ 153.073 ELEVATORS, ESCALATORS AND DUMBWAITERS.

(A) Elevators, dumbwaiters, and escalators shall be maintained to safely sustain the loads to which they are subject, to operate properly, and to be free of physical and fire hazards.

(B) Elevators.

(1) In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

(2) Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

(Ord. 25-1991, passed 7-9-91)

FIRE SAFETY REQUIREMENTS

§ 153.080 GENERAL.

(A) The provisions of this subchapter shall govern the minimum fire safety facilities and equipment to be provided. All structures shall be constructed and maintained to prevent and avoid fire hazards, and in a manner conducive to fire safety. All fire safety facilities and equipment shall comply with the requirements herein prescribed insofar as they are applicable.

(B) The owner of the structure shall provide and maintain such fire safety facilities and equipment in compliance with these requirements and the fire prevention code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. A person shall not occupy

as owner-occupant or let to another for occupancy or use any premises which do not comply with the following requirements of this subchapter.

(Ord. 25-1991, passed 7-9-91)

§ 153.081 MEANS OF EGRESS.

(A) A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to the exterior at a street, or to a yard, court, or passageway leading to a public open area at grade.

(B) Every dwelling unit or guest room shall have access directly to the outside or to an exit access corridor that leads directly to the outside.

(C) 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, hotel units, lodging houses, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

(D) All required and all existing fire escapes shall be maintained in working condition and structurally sound.

(E) All exit signs shall be maintained illuminated and visible.

(F) Dual egress.

(1) Every residential building exceeding two stories in height above grade, not including basements, shall be provided with not less than two approved independent exits from each floor above the second floor, fully accessible to each occupant on the floor.

(2) Exception. One- and two-family dwellings.

(G) 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 two approved independent exits.

(H) In all mercantile occupancies, the minimum clear aisle width shall be not less than 44 inches; except that in occupancies with an occupant load of 50 or less, the clear aisle width shall be not less than 36 inches.

(Ord. 25-1991, passed 7-9-91)

§ 153.082 ACCUMULATION AND STORAGE.

(A) Waste, refuse, or other materials shall not be allowed to accumulate in stairways, passageways, doors, windows, fire escapes, or other means of egress.

(B) Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as waste paper, boxes and rags, shall not be accumulated or stored on residential premises except in reasonable quantities consistent with normal usage.

(C) A dwelling unit or rooming unit shall not be located within a structure containing an establishment handling, dispensing or storing flammable liquids with a flash point of 110 degrees F. (43 degrees C.) or lower, except as provided for in the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(D) Nonresidential structures shall be permitted to store combustible or flammable materials, provided they are confined to approved storage areas and comply with applicable requirements of the building and fire prevention codes listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, for the appropriate use group classification.

(Ord. 25-1991, passed 7-9-91)

§ 153.083 FIRE RESISTANCE RATINGS.

Floors, walls, ceilings, and other elements and components required to develop a fire resistance rating shall be maintained so that the respective fire resistance rating of the enclosure, separation, or construction is preserved.

(Ord. 25-1991, passed 7-9-91)

§ 153.084 FIRE PROTECTION SYSTEMS.

(A) All fire protection systems and equipment shall be maintained in proper operating condition at all times.

(B) Fire alarms and detecting systems shall be maintained and be suitable for their respective purposes.

(C) Fire suppression systems shall be maintained in good condition, free from mechanical injury. Sprinkler heads shall be maintained clean, free of corrosion and paint, and not bent or damaged.

(D) Hose stations shall be identified and accessible. The hose shall be in proper position, ready for operation, dry, and free of deterioration.

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

(Ord. 25-1991, passed 7-9-91)

§ 153.085 FIRE DOORS.

All required fireresistance rated doors or smoke barriers shall be maintained in good working order, including all hardware necessary for the proper operation thereof. The use of door stops, wedges and other unapproved hold-open devices is prohibited.

(Ord. 25-1991, passed 7-9-91)

RESPONSIBILITIES OF PERSONS

§ 153.090 GENERAL.

The provisions of this subchapter shall govern the responsibilities of persons for the maintenance of structures, and the equipment and premises thereof.

(Ord. 25-1991, passed 7-9-91)

§ 153.091 SANITARY CONDITION.

(A) Every occupant of a structure or part thereof shall keep that part of the structure or premises thereof which that occupant occupies, controls, or uses in a clean and sanitary condition. Every owner of a dwelling containing two or more dwelling units shall maintain, in a clean and sanitary condition, the shared or public areas of the dwelling and premises thereof.

(B) Every occupant of a structure or part thereof shall dispose of all rubbish in a clean and sanitary manner by placing it in rubbish containers equipped with tight fitting covers.

(C) Every occupant of a structure or part thereof shall dispose of garbage in a clean and sanitary manner by placing it in garbage disposal facilities, or if such facilities are not available, by removing all nonburnable matter and securely wrapping such garbage and placing it in approved garbage storage containers.

(D) Every dwelling unit shall be supplied with an approved garbage disposal facility, which shall be any adequate mechanical food waste grinder in each dwelling unit, an approved incinerator unit in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage can or cans as required in § [153.031](#). Such facilities shall be sufficient to meet the needs of the occupants.

(E) Every dwelling unit shall be supplied with approved containers and covers for storage of rubbish, and the owner, operator or agent in control of such dwelling shall be responsible for the removal of such rubbish.

(F) All spaces used or intended to be used for food preparation shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage when necessary.

(G) The owner or occupant of a structure or part thereof shall keep the supplied equipment and fixtures therein clean and sanitary, and shall be responsible for the exercise of reasonable care in their proper use and operation. The owner shall maintain the equipment and fixtures in good and proper operating condition.

(H) The equipment and fixtures furnished by the occupant of a structure shall be properly installed, and shall be maintained in good working condition, kept clean and sanitary, and free of defects, leaks or obstructions.

(Ord. 25-1991, passed 7-9-91)

§ 153.092 EXTERMINATION.

(A) The owner of any structure shall be responsible for extermination within the structure prior to renting, leasing or selling the structure.

(B) The tenant-occupant of any structure shall be responsible for the continued rat-proof condition of the structure, and if the tenant-occupant fails to maintain the rat-proof condition, the cost of extermination shall be the responsibility of the tenant/occupant.

(C) 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 in the structure or on the premises.

(D) Every owner, agent or operator of two or more dwelling units or multiple occupancies, or nonresidential structures and rooming houses, shall be responsible for the extermination of any insects, rats or other pests in the public or shared areas of the structure and premises. When infestation is caused by failure of an occupant of a unit of the two or more dwelling units or by an occupant or leasee of a nonresidential structure to prevent such infestation in the area occupied, the occupant shall be responsible for such extermination.

(E) Continuing or repeated incidents of rat infestation determined from the official records as provided in § [153.004](#) of this chapter shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

HAZARD ABATEMENT IN EXISTING BUILDINGS

§ 153.100 GENERAL.

(A) The provisions of this subchapter are intended to provide a reasonable degree of safety to persons occupying existing buildings that do not conform to the minimum requirements of the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, by requiring the following alterations to such existing buildings.

(B) All alterations to an existing building which are caused directly or indirectly by the enforcement of this chapter shall be done in accordance with the applicable procedures and provisions of the building, plumbing and mechanical codes and NFPA 70 listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(C) All service equipment, means of egress devices and safeguards which are required by this subchapter or which were required by a previous statute or another code in a building or structure when erected, altered or repaired shall be maintained in good working order. The requirements of this subchapter are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings. These requirements are intended to require that existing buildings which do not comply with these provisions be altered to provide a minimum level of safety as required herein.

(D) The provisions of this subchapter are not intended to exclude the acceptance and approval of alternative methods and systems if such alternative methods and systems provide equivalent safety to the occupant of the existing buildings.

(E) The owner of the existing building or structure shall provide and maintain such facilities, equipment and systems in compliance with these requirements and the fire prevention code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

§ 153.101 MEANS OF EGRESS.

(A) Number of exits.

(1) Every story used for human occupancy more than six stories above grade shall be provided not less than two independent exits. Every story used for human occupancy totally below grade greater than 2,000 square feet shall be provided not less than two independent exits.

(2) A single exit is acceptable when:

(a) The building is equipped throughout with an automatic fire suppression system and an automatic fire alarm system with smoke detectors located in all corridors, lobbies and common areas;

(b) The building is provided an automatic fire alarm system and the exit is a smokeproof enclosure or pressurized stairway;

(c) An existing fire escape conforming to the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91, is provided in addition to the single exit; or

(d) Stories complying with the requirements of the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(B) Exit enclosure.

(1) All interior exits shall be enclosed with approved assemblies except as provided in Table I.

(2) Enclosures connecting not more than six floor levels shall have a fire-resistance rating of not less than one hour with approved opening protectives. Enclosures connecting more than six floor levels shall have a fire-resistance rating of not less than two hours with approved opening protectives.

(C) The capacity of the exits serving a floor shall be sufficient for the occupant load thereof as determined by the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(D) All corridors serving an occupant load of greater than 30 and openings therein shall provide an effective smoke barrier. All transoms, louvers, doors and other openings shall be closed or shall be self-closing.

(E) All corridors which serve more than one exit shall provide direct connection to such exits. The length of a dead end corridor shall not exceed 35 feet when the building is not equipped throughout with an automatic fire suppression system. The dead end travel distance limit shall be increased to 70 feet when the building is equipped throughout with an automatic fire suppression system.

(Ord. 25-1991, passed 7-9-91)

§ 153.102 SHAFTS.

All shafts shall be enclosed as required by § [153.101](#)(A) for exits except elevator and supplemental stairway shafts which are immediately adjacent to and not separated from floor openings connecting the same floors served by the shaft. The opening protectives shall provide a barrier to fire penetration. Building service shafts such as trash chutes, utility and duct shafts shall be enclosed as required by § [153.101](#) for exits.

(Ord. 25-1991, passed 7-9-91)

§ 153.103 ILLUMINATION AND SIGNS.

(A) All means of egress shall be equipped with artificial lighting in accordance with the requirements for new buildings in the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. Emergency lighting shall be provided in accordance with the requirements for new buildings in the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(B) All exits shall be indicated with exit signs in accordance with the requirements for new buildings in the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(C) A sign shall be provided at each floor landing in all interior stairways more than three stories above grade, designating the floor level above the floor of discharge. All elevator lobby call stations on all floor levels in buildings more than 75 feet above the lowest level of fire department access shall be marked with approved signs reading as follows: USE STAIRWAYS IN CASE OF FIRE - DO NOT USE ELEVATORS.

(Ord. 25-1991, passed 7-9-91)

§ 153.104 FIRE PROTECTION SYSTEMS.

(A) All buildings and portions thereof of high hazard use shall be equipped throughout with an approved automatic fire suppression system.

(B) Commercial kitchen exhaust hood and duct systems, other than steam tables, completely enclosed ovens, cooking appliances located within a dwelling unit and not used for commercial purposes and auxiliary cooking equipment that does not produce greaseladen vapors, shall be equipped with an approved automatic fire suppression system.

(C) All buildings having floors used for human occupancy located more than six stories above grade shall be provided with standpipes according to the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. The standpipes shall have an approved fire department connection with hose connections at each floor level.

(D) Smoke detectors.

(1) 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, boarding house or dwelling unit. The detectors shall be installed in accordance with the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. When actuated, the smoke detector shall provide an alarm suitable to warn the occupants within the individual room or unit.

(2) Anyone tampering or interfering with the effectiveness of a smoke detector shall be in violation of this chapter.

(E) Fire alarm system.

(1) All buildings used as churches and for similar religious purposes or of educational use shall be equipped with a manual fire alarm system in accordance with the building code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(2) Exception. Sanctuary and nave areas of churches and similar religious buildings.

(Ord. 25-1991, passed 7-9-91)

§ 153.105 ELEVATOR RECALL.

All elevators having a travel distance of 25 feet or more above or below the primary level of elevator access for emergency fire fighting or rescue personnel shall conform to the requirements of Rule 211.3, (Operation of Elevators Under Fire or Other Emergency Conditions), of ASME A17.1 listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91.

(Ord. 25-1991, passed 7-9-91)

§ 153.106 MECHANICAL EQUIPMENT CONTROL.

Each recirculating air or exhaust system which serves more than one floor in buildings which exceed six stories in height shall be equipped with approved smoke and heat detection devices in accordance with the mechanical code listed in Appendix A attached to Ordinance 25-1991, passed 7-9-91. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or control system.

(Ord. 25-1991, passed 7-9-91)

§ 153.999 PENALTY.

(A) Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any structure or equipment regulated by this chapter, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this chapter.

(B) Any person, firm or corporation, who shall violate any provisions of this chapter shall, upon conviction thereof, be subject to a fine of not less than \$50 nor more than \$250, or imprisonment for a term not to exceed 30 days, or both, at the discretion of

the court. 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.

(C) In case any violation order is not promptly complied with, the chapter official shall request the jurisdiction's legal representative to institute an appropriate action or proceeding at law to exact the penalty provided in division (B). Also, the code official shall ask the legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

- (1) To restrain, correct or remove the violation or refrain from any further execution of work;
- (2) To restrain or correct the erection, installation, or alteration of such structure;
- (3) To require the removal of work in violation; or
- (4) To prevent the occupation or use of the structure or part thereof erected, constructed, installed or altered in violation of, or not in compliance with, the provisions of this chapter, or in violation of a plan or specification under which an approval, permit or certificate was issued.

(Ord. 25-1991, passed 7-9-91)

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