



# ***CITY OF MARSHALL, MINNESOTA***

## ***HOUSING CODE Sec. 18-81 & 82***

*September 5, 2000*



## ARTICLE IV. HOUSING CODE

### Sec. 18-81. Adoption by reference.

The 1997 edition of the Uniform Housing Code (UHC) as published by the International Conference of Building Officials, chapters 1 through 10 is hereby adopted as the housing code of the city and incorporated in this article as completely as if set out in full in this section, except as amended in this article.

(Code 1976, § 4.50(1))

State law reference—Adoption by reference, Minn. Stat. § 471.62.

### Sec. 18-82. Amendments.

The 1997 edition of the Uniform Housing Code (UHC) is amended as follows:

Section 201.3, fourth paragraph, delete: "the health ordinance or the health officer."

Section 201.3, fifth paragraph, delete: "in a manner required by the health ordinance and approved by the health officer," and insert: "in a lawful manner."

Section 201.3, sixth paragraph, delete: "the health ordinance or the health officer."

Sections 203 and 204: delete the entire sections.

Section 401: delete definition of health officer.

Section 401 Mechanical Code is amended to state: "Mechanical Code is the Minnesota Mechanical Code."

Section 401 Nuisance, items 3, 7 and 8, delete: "as determined by the health officer."

Add new Section 802: "Sec. 802 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door."

Section 1001.2, items 12 and 15, delete: "as determined by the health officer."

(Code 1976, § 4.50(2))

1997

UNIFORM  
HOUSING  
CODE™



66/02/L  
7/20/99

## TABLE OF CONTENTS

<b>Chapter 1 Title and Scope</b> .....	1	<b>Chapter 12 Appeal</b> .....	23
Section 101 Title .....	1	Section 1201 General .....	23
Section 102 Purpose .....	1	Section 1202 Effect of Failure to Appeal .....	23
Section 103 Scope .....	1	Section 1203 Scope of Hearing on Appeal .....	23
Section 104 Application to Existing Buildings and Structures .....	1	Section 1204 Staying of Order under Appeal .....	23
<b>Chapter 2 Enforcement</b> .....	3	<b>Chapter 13 Procedures for Conduct of Hearing Appeals</b> .....	25
Section 201 General .....	3	Section 1301 General .....	25
Section 202 Substandard Buildings .....	3	Section 1302 Form of Notice of Hearing .....	25
Section 203 Housing Advisory and Appeals Board ...	3	Section 1303 Subpoenas .....	25
Section 204 Violations .....	3	Section 1304 Conduct of Hearing .....	25
<b>Chapter 3 Permits and Inspections</b> .....	5	Section 1305 Method and Form of Decision .....	26
Section 301 General .....	5	<b>Chapter 14 Enforcement of the Order of the Building Official or the Board of Appeals</b> .....	27
Section 302 Fees .....	5	Section 1401 Compliance .....	27
Section 303 Inspection .....	5	Section 1402 Extension of Time to Perform Work ....	27
<b>Chapter 4 Definitions</b> .....	7	Section 1403 Interference with Repair or Demolition Work Prohibited .....	27
Section 401 Definitions .....	7	<b>Chapter 15 Performance of Work of Repair or Demolition</b> .....	29
<b>Chapter 5 Space and Occupancy Standards</b> .....	9	Section 1501 General .....	29
Section 501 Location on Property .....	9	Section 1502 Repair and Demolition Fund .....	29
Section 502 Yards and Courts .....	9	<b>Chapter 16 Recovery of Cost of Repair or Demolition</b> .....	31
Section 503 Room Dimensions .....	9	Section 1601 Account of Expense, Filing of Report ...	31
Section 504 Light and Ventilation .....	9	Section 1602 Notice of Hearing .....	31
Section 505 Sanitation .....	10	Section 1603 Protests and Objections .....	31
<b>Chapter 6 Structural Requirements</b> .....	11	Section 1604 Hearing of Protests .....	31
Section 601 General .....	11	Section 1605 Personal Obligation or Special Assessment .....	31
<b>Chapter 7 Mechanical Requirements</b> .....	13	Section 1606 Contest .....	31
Section 701 Heating and Ventilation .....	13	Section 1607 Authority for Installment Payment of Assessments with Interest .....	31
<b>Chapter 8 Exits</b> .....	15	Section 1608 Lien of Assessment .....	31
Section 801 General .....	15	Section 1609 Report to Assessor and Tax Collector: Addition of Assessment to Tax Bill .....	31
<b>Chapter 9 Fire Protection</b> .....	17	Section 1610 Filing Copy of Report with County Auditor .....	32
Section 901 General .....	17	Section 1611 Collections of Assessment: Penalties for Foreclosure .....	32
<b>Chapter 10 Substandard Buildings</b> .....	19	Section 1612 Repayment of Repair and Demolition Fund .....	32
Section 1001 Definition .....	19		
<b>Chapter 11 Notices and Orders of the Building Official</b> .	21		
Section 1101 General .....	21		
Section 1102 Recordation of Notice and Order .....	21		
Section 1103 Repair, Vacation and Demolition .....	21		
Section 1104 Notice to Vacate .....	22		

## Chapter 1

### TITLE AND SCOPE

#### SECTION 101 — TITLE

These regulations shall be known as the *Uniform Housing Code*, may be cited as such, and will be referred to herein as "this code."

#### SECTION 102 — PURPOSE

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location, and maintenance of all residential buildings and structures within this jurisdiction.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

#### SECTION 103 — SCOPE

The provisions of this code shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habita-

tion. Such occupancies in existing buildings may be continued as provided in Section 3401 of the Building Code, except such structures as are found to be substandard as defined in this code.

Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this code shall apply to the separate portions as if they were separate buildings.

Rooming houses, congregate residences or lodging houses shall comply with all the requirements of this code for dwellings.

#### SECTION 104 — APPLICATION TO EXISTING BUILDINGS AND STRUCTURES

**104.1 Additions, Alterations or Repairs.** For additions, alterations or repairs, see Section 3403 of the Building Code.

**104.2 Relocation.** Buildings or structures moved into or within this jurisdiction shall comply with the requirements in the Building Code for new buildings and structures.

## Chapter 2 ENFORCEMENT

### SECTION 201 — GENERAL

**201.1 Authority.** The building official is hereby authorized and directed to enforce all of the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**201.2 Right of Entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

**201.3 Responsibilities Defined.** Owners remain liable for violations of duties imposed by this code even though an obligation is also imposed on the occupants of the building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this code.

Buildings and structures and parts thereof shall be maintained in a safe and sanitary condition. The owner or the owner's designated agent shall be responsible for such maintenance. To determine compliance with this subsection, the building may be reinspected.

Owners, in addition to being responsible for maintaining buildings in a sound structural condition, shall be responsible for keeping that part of the building or premises which the owner occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a building containing two or more dwelling units.

Owners shall, when required by this code, ~~the health ordinance or the health officer,~~ furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain approved devices, equipment or facilities for the prevention of insect and rodent infestation, and when infestation has taken place, shall be responsible for the extermination of any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.

Occupants of a dwelling unit, in addition to being responsible for keeping in a clean, sanitary and safe condition that part of the dwelling or dwelling unit or premises which they occupy and control, shall dispose of their rubbish, garbage and other organic waste ~~in a manner required by the health ordinance and approved by the health officer, in a lawful manner.~~

Occupants shall, when required by this code, ~~the health ordinance or the health officer,~~ furnish and maintain approved devices, equipment or facilities necessary to keep their premises safe and sanitary.

### SECTION 202 — SUBSTANDARD BUILDINGS

Buildings or portions thereof that are determined to be substandard as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal ~~in accordance with the procedure specified in Chapter 11 of this code.~~

### ~~SECTION 203 — HOUSING ADVISORY AND APPEALS BOARD~~

**203.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be and is hereby created a housing advisory and appeals board consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The housing advisory and appeals board shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in Section 1201 of this code. Copies of all rules of procedure adopted by the board shall be delivered to the building official, who shall make them accessible to the public.

**203.2 Limitations of Authority.** The housing advisory and appeals board shall have no authority relative to interpretation of the administrative provisions of this code and the board shall not be empowered to waive requirements of this code.

### SECTION 204 — VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure or cause or permit the same to be done in violation of this code.

## Chapter 3

### PERMITS AND INSPECTIONS

#### SECTION 301 — GENERAL

No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official in the manner and according to the applicable conditions prescribed in Section 106 of the Building Code.

#### SECTION 302 — FEES

When a building permit is required by Section 301 of this code, the

appropriate fees shall be paid as specified in Section 107 of the Building Code.

#### SECTION 303 — INSPECTION

Buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 108 and 1701 of the Building Code.



## Chapter 4

### DEFINITIONS

#### SECTION 401 — DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the Building Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinary accepted meanings. Words in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

**BUILDING CODE** is the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

**CONGREGATE RESIDENCE** is any building or portion thereof that contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

**EFFICIENCY DWELLING UNIT** is a dwelling unit containing only one habitable room and meeting the requirements of Section 503.2, exception.

~~**HEALTH OFFICER** is the legally designated head of the Department of Health of this jurisdiction.~~

**HOT WATER** is water supplied to plumbing fixtures at a temperature of not less than 120°F (49°C).

**LODGING HOUSE** is any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.

~~**MECHANICAL CODE** is the *Uniform Mechanical Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction. *Minnesota Mechanical Code*.~~

**NUISANCE.** The following shall be defined as nuisances:

1. Any public nuisance known at common law or in equity jurisprudence.
2. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation that may prove a hazard for inquisitive minors.
3. Whatever is dangerous to human life or is detrimental to health, ~~as determined by the health officer.~~
4. Overcrowding a room with occupants.
5. Insufficient ventilation or illumination.
6. Inadequate or unsanitary sewage or plumbing facilities.
7. Uncleanliness, ~~as determined by the health officer.~~
8. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, ~~as determined by the health officer.~~

**PLUMBING CODE** is the Plumbing Code as adopted by this jurisdiction.

## Chapter 5

### SPACE AND OCCUPANCY STANDARDS

#### SECTION 501 — LOCATION ON PROPERTY

All buildings shall be located with respect to property lines and to other buildings on the same property as required by Section 503 and Chapter 6 of the Building Code.

#### SECTION 502 — YARDS AND COURTS

**502.1 Scope.** This section shall apply to yards and courts having required window openings therein.

**502.2 Yards.** Every yard shall not be less than 3 feet (914 mm) in width for one- and two-story buildings. For buildings more than two stories in height, the minimum width of the yard shall be increased at the rate of 1 foot (305 mm) for each additional story. Where yards completely surround the building, the required width may be reduced by 1 foot (305 mm). For buildings exceeding 14 stories in height, the required width of yard shall be computed on the basis of 14 stories.

**502.3 Courts.** Every court shall not be less than 3 feet (914 mm) in width. Courts having windows opening on opposite sides shall not be less than 6 feet (1829 mm) in width. Courts bounded on three or more sides by the walls of the building shall not be less than 10 feet (3048 mm) in length unless bounded on one end by a public way or yard. For buildings more than two stories in height, the court shall be increased 1 foot (305 mm) in width and 2 feet (610 mm) in length for each additional story. For buildings exceeding 14 stories in height, the required dimensions shall be computed on the basis of 14 stories.

Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m<sup>2</sup>) in area and leading to the exterior of the building unless abutting a yard or public way. The construction of the air intake shall be as required for the court walls of the building, but in no case shall be less than one-hour fire-resistive.

#### SECTION 503 — ROOM DIMENSIONS

**503.1 Ceiling Heights.** Habitable space shall have a ceiling height of not less than 7 feet 6 inches (2286 mm) except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments may have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than 48 inches (1219 mm) on center, ceiling height shall be measured to the bottom of these members. Where exposed beam ceiling members are spaced at 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet (2134 mm) above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof. No portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

If any room has a furred ceiling, the prescribed ceiling height is required in two thirds the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).

**503.2 Floor Area.** Dwelling units and congregate residences shall have at least one room that shall have not less than 120 square feet (11.2 m<sup>2</sup>) of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet (6.5 m<sup>2</sup>). Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet (4.65 m<sup>2</sup>) for each occupant in excess of two.

**EXCEPTION:** Nothing in this section shall prohibit the use of an efficiency living unit within an apartment house meeting the following requirements:

A. The unit shall have a living room of not less than 220 square feet (20.4 m<sup>2</sup>) of superficial floor area. An additional 100 square feet (9.3 m<sup>2</sup>) of superficial floor area shall be provided for each occupant of such unit in excess of two.

B. The unit shall be provided with a separate closet.

C. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

D. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

**503.3 Width.** No habitable room other than a kitchen shall be less than 7 feet (2134 mm) in any dimension.

Each water closet stool shall be located in a clear space not less than 30 inches (762 mm) in width and a clear space in front of the water closet stool of not less than 24 inches (610 mm) shall be provided.

#### SECTION 504 — LIGHT AND VENTILATION

**504.1 General.** For the purpose of determining the light or ventilation required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room or 25 square feet (2.3 m<sup>2</sup>), whichever is greater.

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court located on the same lot as the building.

**EXCEPTIONS:** 1. Required windows may open into a roofed porch where the porch:

- 1.1 Abuts a public way, yard or court;
- 1.2 Has a ceiling height of not less than 7 feet (2134 mm); and
- 1.3 Has a longer side at least 65 percent open and unobstructed.

2. Skylights.

**504.2 Light.** Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of 10 square feet (0.93 m<sup>2</sup>).

**504.3 Ventilation.** Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than 1/20 of the floor area of such rooms with a minimum of 5 square feet (0.46 m<sup>2</sup>).

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in all guest

rooms, dormitories, habitable rooms and in public corridors. One fifth of the air supply shall be taken from the outside.

Bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than  $\frac{1}{20}$  of the floor area of such rooms with a minimum of  $1\frac{1}{2}$  square feet (0.14 m<sup>2</sup>).

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub, shower or combination thereof; laundry rooms; and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be provided. The point of discharge of exhaust air shall be at least 3 feet (914 mm) from any opening into the building. Bathrooms that contain only a water closet, lavatory or combination thereof, and similar rooms, may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

**504.4 Hallways.** All public hallways, stairs and other exitways shall be adequately lighted at all times in accordance with Section 1003 of the Building Code.

## SECTION 505 — SANITATION

**505.1 Dwelling Units, Lodging Houses and Congregate Residences.** Dwelling units, lodging houses and congregate residences shall be provided with a bathroom equipped with facilities consisting of a water closet, lavatory, and either a bathtub or shower.

**505.2 Hotels.** Hotels or subdivisions thereof where both sexes are accommodated shall contain at least two separate toilet facilities

that are conspicuously identified for male or female use, each of which contains at least one water closet.

**EXCEPTION:** Hotel guest rooms may have one unidentified toilet facility.

Additional water closets shall be provided on each floor for each sex at the rate of one for every additional 10 guests, or fractional part thereof, in excess of 10.

**505.3 Kitchen.** Each dwelling unit shall be provided with a kitchen. Every kitchen shall be provided with a kitchen sink. Wooden sinks or sinks of similarly absorbent material shall not be permitted.

**505.4 Fixtures.** All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation.

All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

**505.5 Water Closet Compartments.** Walls and floors of water closet compartments, except in dwellings, shall be finished in accordance with Section 807 of the Building Code.

**505.6 Room Separations.** Every water closet, bathtub or shower required by this code shall be installed in a room that will afford privacy to the occupant.

**505.7 Installation and Maintenance.** All sanitary facilities shall be installed and maintained in a safe and sanitary condition and in accordance with applicable requirements of the Plumbing Code.

## Chapter 6

### STRUCTURAL REQUIREMENTS

#### SECTION 601 — GENERAL

**601.1 General.** Buildings or structures may be of any type of construction permitted by the Building Code. Roofs, floors, walls, foundations and all other structural components of buildings shall be capable of resisting any and all forces and loads to which they may be subjected. All structural elements shall be proportioned and joined in accordance with the stress limitations and design criteria as specified in the appropriate sections of the Building Code.

Buildings of every permitted type of construction shall comply with the applicable requirements of the Building Code.

**601.2 Shelter.** Every building shall be weather protected to provide shelter for the occupants against the elements and to exclude dampness.

**601.3 Protection of Materials.** All wood shall be protected against termite damage and decay as provided in the Building Code.

## Chapter 7

# MECHANICAL REQUIREMENTS

### SECTION 701 — HEATING AND VENTILATION

**701.1 Heating.** Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of 70°F (21.1°C) at a point 3 feet (914 mm) above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with Section 3102 of the Building Code, the Mechanical Code and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved type.

**701.2 Electrical Equipment.** 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.

Where there is electrical power available within 300 feet (91 440 mm) of any building, such building shall be connected to such electrical power. Every habitable room shall contain at least two electrical convenience outlets or one convenience outlet and one electric light fixture. Every water closet compartment, bathroom, laundry room, furnace room and public hallway shall contain at least one electric light fixture.

**701.3 Ventilation.** Ventilation for rooms and areas and for fuel-burning appliances shall be provided as required in the Mechanical Code and in this code. Where mechanical ventilation is provided in lieu of the natural ventilation required by Section 504 of this code, such mechanical ventilating system shall be maintained in operation during the occupancy of any building or portion thereof.

## Chapter 8 EXITS

### SECTION 801 — GENERAL

Dwelling units or guest rooms shall have access directly to the outside or to a public corridor. All buildings or portions thereof shall be provided with exits, exitways and appurtenances as required by Chapter 10 of the Building Code.

Sleeping rooms below the fourth story shall have at least one operable window or exterior door approved for emergency escape or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

Add new Section 802: "Sec. 802 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

## Chapter 9 FIRE PROTECTION

### SECTION 901 — GENERAL

All buildings or portions thereof shall be provided with the degree of fire-resistive construction as required by the Building Code for

the appropriate occupancy, type of construction and location on property, and shall be provided with the appropriate fire-extinguishing systems or equipment required by Chapter 9 of the Building Code.

## Chapter 10

### SUBSTANDARD BUILDINGS

#### SECTION 1001 — DEFINITION

**1001.1 General.** Any building or portion thereof that is determined to be an unsafe building in accordance with Section 102 of the Building Code, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings.

**1001.2 Inadequate Sanitation.** Buildings or portions thereof shall be deemed substandard when they are insanitary. Inadequate sanitation shall include, but not be limited to, the following:

1. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
2. Lack of or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
3. Lack of or improper kitchen sink in a dwelling unit.
4. Lack of hot and cold running water to plumbing fixtures in a hotel.
5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
6. Lack of adequate heating facilities.
7. Lack of or improper operation of required ventilating equipment.
8. Lack of minimum amounts of natural light and ventilation required by this code.
9. Room and space dimensions less than required by this code.
10. Lack of required electrical lighting.
11. Dampness of habitable rooms.
12. Infestation of insects, vermin or rodents ~~as determined by the health officer.~~
13. General dilapidation or improper maintenance.
14. Lack of connection to required sewage disposal system.
15. Lack of adequate garbage and rubbish storage and removal facilities ~~as determined by the health officer.~~

**1001.3 Structural Hazards.** Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.

8. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

9. Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.

**1001.4 Nuisance.** Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

**1001.5 Hazardous Electrical Wiring.** Electrical wiring that was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not being used in a safe manner shall be considered substandard.

**1001.6 Hazardous Plumbing.** Plumbing that was installed in violation of code requirements in effect at the time of installation or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not free of cross-connections or siphonage between fixtures shall be considered substandard.

**1001.7 Hazardous Mechanical Equipment.** Mechanical equipment that was installed in violation of code requirements in effect at the time of installation or mechanical equipment not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good and safe condition shall be considered substandard.

**1001.8 Faulty Weather Protection.** Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

1. Deteriorated, crumbling or loose plaster.
2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
4. Broken, rotted, split or buckled exterior wall coverings or roof coverings.

**1001.9 Fire Hazard.** Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard.

**1001.10 Faulty Materials of Construction.** The use of materials of construction, except those that are specifically allowed or approved by this code and the Building Code, and that have been adequately maintained in good and safe condition, shall cause a building to be substandard.

**1001.11 Hazardous or Insanitary Premises.** The accumulation of weeds, vegetation, junk, dead organic matter, debris, gar-



bage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in Chapter 11 of this code.

**1001.12 Inadequate Exits.** Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the building official finds that an unsafe condition exists through an improper location of exits, a

lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

**1001.13 Inadequate Fire-protection or Firefighting Equipment.** Buildings or portions thereof shall be considered substandard when they are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

**1001.14 Improper Occupancy.** All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes that were not designed or intended to be used for such occupancies shall be considered substandard.