

City of Eaton, Ohio



Title Five **PROPERTY MAINTENANCE CODE**

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CHAPTER 1351
General Provisions

1351.01 Title.

1351.02 Scope.

1351.03 Intent.

1351.04 Severability.

1351.05 Applicability.

CROSS REFERENCES

Construction and interpretation generally - see ADM. Ch. **101**

1351.01 TITLE.

These regulations shall be known as the Property Maintenance Code of the City of Eaton, Ohio, hereinafter referred to as "this Code."
(Ord. 04-36. Passed 1-18-05.)

1351.02 SCOPE.

The provisions of this Code shall apply to all existing residential and nonresidential buildings, structures and premises. The regulations contained herein shall constitute the minimum requirements and standards for the safe and sanitary maintenance of all existing residential and nonresidential buildings, structures, premises, and the minimum requirements and standards for all equipment and/or facilities for light, ventilation, space, heating, sanitation, protection from the elements, and safety from fire and other hazards. The regulations of this Code outline the responsibility of owners, operators and occupants, and regulate the occupancy of existing structures and premises. The provisions of this Code outline the procedures and processes for the administration and enforcement of this Code, as well as the penalties for the violation of any provision thereof.
(Ord. 04-36. Passed 1-18-05.)

1351.03 INTENT.

This Code shall be construed in accordance with its expressed intent of protecting public health, safety and welfare, insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.
(Ord. 04-36. Passed 1-18-05.)

1351.04 SEVERABILITY.

If a section, subsection, sentence, clause or phrase of this Code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.
(Ord. 04-36. Passed 1-18-05.)

1351.05 APPLICABILITY.

(a) General. The provision of this Code shall apply to all matters affecting or relating to dwellings, buildings, structures and premises, as set forth in Section **1351.02**. Where, in a specific case, different sections of this Code specify different requirements, the most restrictive shall govern.

(b) Maintenance. Equipment, systems devices, and safeguards required by this Code or a previous regulation or Code under which the dwelling, building, structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this Code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings, structures, dwellings or premises. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of all dwellings, buildings, structures and premises.

(c) Application of Other Codes.

(1) Repairs, additions or alterations to any dwelling, building or structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the codes referenced in Chapter **1367**.

(2) The codes and standards referenced in this Code, and listed in Chapter **1367**, shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced codes or standards, the provisions of this Code shall apply.

(d) Existing Remedies. The provisions in this Code shall not be construed to abolish or impair any remedies, whether in law or in equity, relating to the removal or demolition of any building, dwelling or structure which is dangerous, unsafe and unsanitary, by the City, its officers or its agents.

(e) Workmanship. Repairs, maintenance work, alterations or installations which result either directly or indirectly from the enforcement of this Code shall be executed and installed in workmanlike manner, in accordance with the codes referenced in Chapter **1367**, as applicable, and in accordance with the manufacturer's installation instructions.

(f) Historic Buildings. The provisions of this Code may not be mandatory for existing buildings or structures that have been designated by the State of Ohio and/or the City as historic buildings, if the Code Official or the City of Eaton Appeals Board determines that the burden imposed upon the owner of the building or structure by the enforcement of these provisions would unduly outweigh the City's interest in the health, safety or welfare of the public.

(g) Requirements Not Covered by Code. Requirements which are necessary for the strength, stability or proper operation of an existing building, dwelling, structure, fixture or equipment, or which are necessary for the protection of the safety, health or welfare of the public, that are not specifically covered by this Code shall be determined by the Code Official and/or other authority having jurisdiction.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1353
Definitions

1353.01 Construction of language.

1353.02 Definitions.

CROSS REFERENCES

Definitions generally - see ADM. **101.02**

1353.01 CONSTRUCTION OF LANGUAGE.

(a) Scope. Unless otherwise expressly stated, the following terms, for the purposes of this Property Maintenance Code, shall have the meanings shown in this Chapter.

(b) Terms Defined in Other Codes. Where terms are not defined in this Code, but are defined in the codes referenced in Chapter **1367**, such terms shall have the meanings ascribed to them as in those codes.

(c) Reference. A Glossary of Zoning, Development and Planning Terms from American Planning Association, Planning Advisory Service, Report Number 491/492, or any updated version of said publication, shall be referred to in defining other terms not specifically included in this Chapter.

(d) Terms Not Defined. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies.

(e) Parts. Whenever the words “Boarding House,” “Dwelling,” “Premises,” “Building,” “Rooming House,” “Rooming Unit,” “Story” or “Structure” are stated in this Code, they shall be construed as though they were followed by the words “or any part thereof.”

(f) Interpretation. For the purposes of this Code, the following terms, phrases, words and their derivations shall be interpreted as follows:

- (1) Words used in the singular shall include the plural, and the plural the singular;
- (2) Words used in the present tense shall include the future tense;
- (3) Words in the masculine gender shall include the feminine and the neuter;
- (4) The words “shall” and “will” are mandatory and not discretionary;
- (5) The word “may” is permissive.

(Ord. 04-36. Passed 1-18-05.)

1353.02 DEFINITIONS.

(a) Appeals Board. “Appeals Board” means the City of Eaton Planning, Zoning and Building Appeal Board.

(b) Approved. The term “Approved” shall mean approved by the Code Official under the provisions of this Code, or approved by some other authority designated by law to give approval in the matter in question, as applied to a material, device or method of construction.

(c) Basement. That portion of a building below the first or ground-floor level and having less than four feet of clearance from its ceiling to the average finished grade of the building perimeter.

(d) Bathroom. A room containing a washbasin, a toilet, and a bathtub or shower or both. In addition to the toilet, bathrooms may also contain urinals and/or bidets.

(e) Bedroom. A fully enclosed portion of a building, dwelling or structure designed or intended to be used for sleeping purposes.

(f) Boarding House. A residential facility that provides not more than five sleeping rooms for rent, where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu. Such houses shall have but one common kitchen facility and no meals shall be provided for outside guests for compensation. For the purposes of this Code, the term "Boarding House" may be included in the meaning of "Building," "Dwelling," and/or "Structure."

(g) Building. For the purposes of this Code, the term "Building," may include the terms "Dwelling" and "Structure."

(h) Building Code. The most current edition of the City of Eaton Building Code, or such other code as may be officially designated by Council, for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures within the City's jurisdictional boundaries.

(i) Central Heating. The heating system permanently installed and adjusted to provide the distribution of heat to all habitable rooms, bathrooms and water closet compartments from a source outside of these rooms.

(j) Code Official. The official charged with the administration and enforcement of this Code, or his duly authorized representative. The terms "Code Official" and "Enforcement Officer" shall be interchangeable for the purposes of this Code.

(k) Condemn. To declare a building, structure, dwelling unit or premises unfit for habitation, use or occupation.

(l) Condemnation for Occupancy. An order issued by the Code Official prohibiting any person from occupying the dwelling unit specified in such order until it has been revoked, and further preventing anyone from being present on such premises except for the purpose of cleaning up and/or making repairs to the premises.

(m) Dwelling. A building or portion thereof designed, intended or used primarily for residential purposes, including cooking and sanitary facilities. The term does not include a tent, cabin, trailer, mobile home, motel, or hotel. For the purposes of this Code, the term "Dwelling" may include the term "Building" and "Structure."

(1) One-Family Dwelling: A building designed, intended or used primarily for residential purposes, to be occupied by one family.

(2) Two-Family Dwelling: A building designed, intended or used primarily for residential purposes, to be occupied by two families living independently of one another.

(3) Three-Family Dwelling: A building designed, intended or used primarily for residential purposes, to be occupied by three families living independently of one another.

(4) Multiple-Family Dwelling: A building designed, intended or used primarily for residential purposes, to be occupied by more than three families living independently of one another.

(5) Dwelling Unit B: A single family, two-family or multiple family dwelling used by one family for cooking, living and sleeping purposes.

(n) Enforcement Officer. The official designated herein or otherwise charged with the responsibilities of administering this Code, or his authorized representative. The terms "Enforcement Officer" and "Code Official" shall be interchangeable for the purposes of this Code.

(o) Exterior Property. The open space on the premises and on adjoining property, if applicable, under the control of the owners or operators of such premises.

(p) 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 or bedding, or by poison, spraying, fumigating, trapping, or by any other approved pest-elimination methods.

(q) Family. One or more persons occupying a single dwelling unit, provided that unless all persons are related by blood, marriage or adoption, no family shall contain over five persons, but further provided that a family related by blood, marriage or adoption may have a total of two non-related persons living with it.

(r) Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food. It shall be taken to mean and include all table and kitchen refuse of every kind and description; also decaying vegetables and meats, or any thing that will, or may, decompose and become offensive or dangerous to health. (See also "Junk," "Litter" and "Rubbish").

(s) Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

(t) Habitable Space. Space in a building, dwelling, or structure for living, sleeping, eating or cooking, or combinations thereof, the conditions of which permit the inhabitant(s) to live free of serious defects to their health or safety. Bathrooms, toilet, rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

(u) Imminent Danger. A condition that is reasonably certain to place life or limb in peril by posing an impending and immediate danger.

(v) Infestation. The presence within, or contiguous to, a structure or premises of insects, rats, vermin or other pests.

(w) Junk. Scrapped materials such as glass, rags, paper, metal, or other scrap or waste material of whatsoever kind or nature, that is collected or accumulated for resale, salvage; disposal or storage; scrapped or worn-out vehicle parts, appliances, equipment or parts thereof, whether serviceable or not; or anything worn-out or fit to be discarded. (See also "Garbage," "Litter" and "Rubbish").

(x) Labeled. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic, inspection of the production of the above labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

(y) Let, or Let for Occupancy. To permit, provide or offer possession or occupancy of a habitable space in a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is the legal owner of record thereof, or his designated agent, 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.

(z) Litter. Includes any garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature. (See also "Garbage," "Junk" and "Rubbish").

(aa) Motor Vehicle. Any vehicle, including mobile homes and recreational vehicles, that is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. Motor vehicle does not include motorized bicycles, equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, farm machinery, trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at the speed of 25 m.p.h. or less, threshing machinery, hay-baling machinery, corn sheller, hammermill and agricultural tractors, machinery used in the production of horticultural, agricultural, and vegetable products, and trailers that are designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of no more than 10 miles and at a speed of 25 m.p.h. or less.

(bb) Motor Vehicle, Abandoned. A vehicle shall be presumed abandoned under any of the following circumstances:

(1) The vehicle is physically inoperable and/or is missing parts so that it could not be legally driven upon any public highway or street, and/or it is not maintained for driving.

(2) The vehicle does not bear a valid registration plate.

An operable vehicle shall start and move under its own power upon request by the Code Official. A vehicle setting on a bona fide sales lot that is open for business during normal operating hours shall not be required to bear valid registration. An abandoned motor vehicle may be permitted to be stored within a completely enclosed building. A tent, tarpaulin, or vehicle cover shall not be considered a completely enclosed building.

(cc) Noxious Weeds. Noxious weeds shall be as defined by Ohio Administrative Code Chapter 901:5-37.

(dd) Nuisance. Any offensive, annoying, unpleasant, or obnoxious activity or omission which results in such condition(s), that endangers life, health, gives offense to the senses, violates the laws of decency, or unreasonably obstructs, annoys or disturbs the reasonable and comfortable use by another of his property, and includes, but is not limited to, the following:

(1) A physical condition, or use of any premises regarded as 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 junk vehicles, abandoned wells, shaft, basements, excavations, abandoned refrigerators and unsafe fences or structures;

(3) Any premises which have unsanitary sewerage or plumbing facilities;

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

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

(6) Any premises from which the plumbing, heating and/or facilities required by this Code 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 are unsanitary, or which are littered with rubbish or garbage; or

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

(ee) Occupancy. Period during which a person owns, rents or otherwise occupies a dwelling, dwelling unit, building, structure or any part thereof for the person's use.

(ff) Occupant. Person having possessory rights, who can control what goes on on the premises; one who has actual use, possession or control of the premises.

(gg) Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

(hh) Operator. Any person who has charge, care or control of a structure or premises that is let or offered for occupancy.

(ii) Owner. Any person, agent, firm, corporation, or partnership that alone, jointly, severally with others:

(1) Has legal or equitable title to any premises, building, structure, dwelling or dwelling unit, with or without accompanying actual possession thereof; or

(2) Has charge, care or control of any premises, building, structure, dwelling or dwelling unit, as agent of the owner or as executor, administrator, trustee or guardian of the estate of the beneficial owner.

The person shown on the records of the Preble County Recorder to be the owner of a particular property shall be presumed to be the person in control of that property.

(jj) Person. Any individual, trustee, receiver, personal representative, assignee or guardian, or a corporation, association, organization, partnership or any other group acting as a unit.

(kk) 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 applicable to the City of Eaton.

(ll) Plumbing Fixture. A receptacle or device that is either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water there from; and/or a receptacle or device that discharges used water, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; and/or a receptacle or device that requires both a water supply connection and a discharge into the drainage system of the premises.

(mm) Premises. Land with its appurtenances and structures thereon; a dwelling unit and the structure of which it is a part and appurtenances and facilities therein and grounds, areas, and facilities held out for the use of the tenants generally or whose use is promised to the tenant; a room, shop, building, or any definite area.

(nn) Rooming House. A residential building with sleeping rooms for lodgers, wherein no dining facilities are maintained for the lodgers, as distinguished from a boarding house. For the purposes of this Code, the term "Rooming House" may be included in the term "Building," "Dwelling" or "Structure."

(oo) Rooming Unit. Any room, or group of rooms forming a single habitable unit, occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

(pp) Rubbish. Combustible and noncombustible waste materials, except garbage; 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, metal, mineral matter, glass, crockery and dust and other similar materials. (See also "Garbage," "Junk" and "Litter").

(qq) Storage. A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours.

(rr) Strict Liability Offense. An offense whose elements do not contain the need for criminal intent or mens rea; in prosecuting such case, it only need be proven that the defendant either did the act which was prohibited, or failed to do an act which the defendant was legally required to do.

(ss) Structure. A combination of materials forming an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but excluding the following: utility mains, lines and underground facilities. As used in this Code, the term "Structure" may include the terms "Building," and/or "Dwelling."

(tt) Tenant. Any person, corporation, partnership or group who occupies or has a leasehold interest in a building, structure, dwelling or premises, or any part thereof, under an agreement with the owner.

(uu) Toilet Room. A room containing only a toilet, with no washbasin, bathtub or shower. In addition to the toilet, toilet rooms may also contain a urinal and/or a bidet.

(vv) Toxic or Noxious Substance. Any solid, liquid, or gaseous matter including, but not limited to, gases, vapors, dusts, fumes, and mists containing properties that by chemical means are inherently harmful and likely to destroy life or impair health or capable of causing injury to the well-being of person or damage to property.

(ww) Used Building Materials. Any materials including, but not limited to, wood, stone, brick, cement blocks or any composition or combination thereof, used or useful in the erection of any building or structure which has been used previously for the erection or construction by the same person or other persons.

(xx) Vacant. Lands or buildings that are not actively used for any purpose.

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

(zz) Water Closet. A room containing a toilet and a washbasin. In addition to the toilet, water closets may also contain urinals and/or bidets.

(aaa) Workmanlike. Executed in a skilled manner, e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

(bbb) Yard. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward.
(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1355
Administration and Enforcement

- 1355.01 Department of Property Maintenance Inspection.**
- 1355.02 Duties and powers of the Code Official.**
- 1355.03 Modifications.**
- 1355.04 Violations and penalties.**
- 1355.05 Notices and orders.**
- 1355.06 Unsafe structures and equipment.**
- 1355.07 Emergency measures.**
- 1355.08 Demolition.**

CROSS REFERENCES

Removal of unsafe structures - see Ohio R.C. 715.26, 715.261
Vacant structures - see BLDG. Ch. **1329**

1355.01 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION.

- (a) General. The Department of Property Maintenance Inspection is hereby created and the executive official in charge thereof shall be known as the Code Official.
- (b) Appointment. The Code Official shall be appointed by the City Manager, upon the concurrence of City Council. The Code Official shall not be removed from office except for cause and after full opportunity to be heard by and before the City Council.
- (c) Deputies. In accordance with the prescribed procedure of the City's personnel policies, and with the concurrence and approval of the City Manager, the Code Official shall have the authority to appoint a Deputy Code Official, other related technical officers, inspectors and other employees.
- (d) Restriction of Employees. An official or employee connected with the enforcement of this Code shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of any dwelling, structure, building or premises, or the preparation of construction documents therefor, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with his official duties or with the interests of the Department.
- (e) Waiver of Liability. Neither the Code Official, nor any other officer or employee charged with the enforcement of this Code, while acting under the authority of this Code and on behalf of the City of Eaton, shall be held personally liable for any damages accruing to persons or property as a result of any act required or permitted in the discharge of his official duties.
(Ord. 04-36. Passed 1-18-05.)

1355.02 DUTIES AND POWERS OF THE CODE OFFICIAL.

- (a) General. The Code Official, or his designee, shall be responsible for enforcing the provisions of this Code.
- (b) Authority. The Code Official shall have the authority to:
 - (1) Adopt and promulgate administrative rules and procedures to aid in the administration and enforcement of this Code;
 - (2) To interpret and implement the provisions of this Code and to secure the intent thereof;
 - (3) To designate requirements applicable because of local climatic or other conditions.

Any administrative rules or procedures adopted and promulgated by the Code Official shall not have the effect of waiving structural or fire performance requirements specifically provided for in this Code, nor shall they violate accepted engineering methods involving public safety.

(c) Inspections. The Code Official shall make all inspections required by this Code, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official is authorized to engage such experts or professionals, as he may deem necessary, to report upon unusual technical issues that arise, subject to the approval of the City Manager.

(d) Right of Entry. The Code Official is authorized to enter any building, dwelling, structure or premises at reasonable times, and upon reasonable notice to the owner, in order to inspect; however such right shall be subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to pursue recourse as provided by law including, but not limited to, seeking an administrative search warrant.

(e) Identification. The Code Official shall carry proper identification when inspecting structures or premises in the performance of his duties under this Code.

(f) Notices and orders. The Code Official shall issue all necessary notices or orders to ensure compliance with this Code, in accordance with Section **1355.05**.

(g) Department Records. The Code Official shall keep official records of all business and activities of the Department, as specified in this Code. Such records shall be retained as long as the building, dwelling, structure or premises to which such records relate remains in existence, unless otherwise provided for by other regulations.

(h) Coordination of Inspections. Whenever, in the enforcement of this Code, the Code Official finds that any other official of the City is engaged in the process of enforcing another City code or ordinance, it shall be the duty of the Code Official to coordinate his inspections and administrative orders with those of the other officials, as fully as practicable, so that visits of numerous inspectors and multiple or conflicting orders can be minimized. Whenever an inspector from any agency or department of the City observes an apparent or actual violation of any provision of this Code, the inspector shall report his findings to the Code Official.

(i) Appeals. Any person adversely affected by an administrative decision regarding any rule, requirement or interpretation made by the Code Official may appeal such decision to the Appeals Board.

(Ord. 04-36. Passed 1-18-05.)

1355.03 MODIFICATIONS.

(a) Whenever the Code Official finds that the enforcement of the provisions of this Code would impose a burden upon the owner of the building or structure that unduly outweighs the City's interest in the health, safety or welfare of the public, the Code Official shall have the authority to grant modifications for individual cases. Such modifications shall not be granted unless the Code Official finds that:

- (1) Special conditions, which do not result from any action or omission by the aggrieved party, makes the strict letter of this Code impractical;
- (2) The modification is in compliance with the intent and purpose of this Code; and
- (3) Granting the modification would not lessen any other health, life and/or fire safety requirements.

Any modifications granted by the Code Official shall be recorded and entered in the department files.

(b) Alternative Materials, Methods and Equipment. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that the Code Official has approved any such alternative. An alternative material or method of construction may be approved where the Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety.

(c) Required Testing.

(1) Whenever there is evidence of noncompliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of this Code, or in the consideration of requests for alternative materials or methods, the Code Official shall have the authority to require tests be made as evidence of compliance, at the cost of the owner.

(2) Test methods shall be as specified in this Code or by other industry- recognized test standards. In the absence of recognized and accepted test methods, the Code Official shall approve the testing procedures.

(3) All tests shall be performed by an approved agency.

(4) Reports of tests shall be retained by the Code Official for the period required by Section **1355.02(g)**.

(d) Material and Equipment Reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, and have placed in good and proper working condition, and have been approved by the Code Official.

(e) Appeals. Any person aggrieved by the denial of a modification, or any person specially aggrieved by the granting of a modification, may appeal such decision to the Appeals Board. (Ord. 04-36. Passed 1-18-05.)

1355.04 VIOLATIONS AND PENALTIES.

(a) Unlawful Acts. It shall be unlawful for any owner to maintain, or allow to be maintained, any building, dwelling, structure or premises in conflict with, or in violation of, any of the provisions of this Code. It shall be unlawful for any person to violate any provision of this Code.

(b) Notice. The Code Official shall serve notices of violation and correction orders in accordance with Section **1355.05**.

(c) Prosecution of Violations. Upon the failure of any owner or any person to comply with a notice of violation and a correction order served in accordance with Section **1355.05**, the Code Official may institute the appropriate proceeding, whether in law or in equity, to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building, dwelling, structure or premises.

(d) Penalties. Any owner who fails to comply with a notice of violation and correction order served in accordance with Section **1355.05**, or any person who violates any other provision of this Code, shall be deemed guilty of a minor misdemeanor, and the violation shall be deemed a strict liability offense. The penalty shall be one hundred fifty dollars (\$150.00) per violation, and each day the violation continues shall be considered a separate offense.

(e) Other Remedies. The imposition of the penalties herein prescribed shall not preclude the Director of Law from instituting the appropriate action, whether in law or in equity, to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, illegal business or the illegal use of any building, dwelling, structure or premises, or any other unlawful act under the provisions of this Code.
(Ord. 04-36. Passed 1-18-05.)

1355.05 NOTICES AND ORDERS.

(a) Notice of Violation. Whenever the Code Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner of the building, dwelling, structure or premises in the manner prescribed in this section.

(b) Form of Notice. Notices shall be in writing and shall contain the following information:

(1) A description of the real estate sufficient for identification;

(2) A statement outlining the violation(s); and

(3) A correction order allowing a reasonable time for the owner(s) to make the repairs and/or improvements required to bring the building, dwelling, structure or premises into compliance with the provisions of this Code.

(c) Method of Service. Notices shall be deemed properly served upon the owner by any of the following methods:

(1) Personal service;

(2) Registered or certified mail sent to the owner last known mailing address;

(3) Ordinary mail sent to the owner last known mailing address, evidenced by a certificate of mailing;

(4) Posting the notice in a conspicuous place in or about the premises which is the subject of the notice; or

(5) Publication of the notice in a newspaper of general circulation in the County.

(d) Penalties. Penalties for noncompliance with notices of violation and correction orders shall be as set forth in Section **1355.04**.

(e) Transfer of Ownership. It shall be unlawful for the owner of any building, dwelling, structure or premises who has been served with a notice of violation and correction order to sell, transfer, mortgage, lease or otherwise dispose of such property to another, except under the following circumstances:

(1) The provisions of the correction order have been complied with; or

(2) The Code Official has been furnished with an affidavit from the grantee, transferee, mortgagee or lessee that:

A. Acknowledges receipt of a true copy of the notice of violation and correction order from the owner; and

B. States the grantee's, transferee's, mortgagee's or lessee's unconditional acceptance of the responsibility for making the corrections or repairs required by the correction order.

(Ord. 04-36. Passed 1-18-05.)

1355.06 UNSAFE STRUCTURES AND EQUIPMENT.

(a) When a building, dwelling, structure, premises or equipment is found by the Code Official to be unsafe, or when a building, dwelling, structure or premises is found unfit for

human occupancy, or is found unlawful, such building, dwelling, structure or premises may be condemned for occupancy, or condemned and ordered demolished pursuant to Section **1355.08**.

(1) **Unsafe Structures.** An unsafe building, dwelling, structure or premises is one that is found to be dangerous to the life, health, property or safety of the public; or to the occupant thereof by not providing minimum safeguards to protect or warn the occupant in the event of fire; or because such structure contains unsafe equipment; or because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.

(2) **Unsafe Equipment.** 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 dilapidated condition that such equipment is a hazard to life, health, property or safety of the public or the occupant of the building, dwelling, structure or premises.

(3) **Unlawful Structure.** An unlawful building, dwelling or structure is one found in whole or in part to be occupied by more persons than permitted under this Code or other applicable codes, such as Zoning or Building Codes, or was erected, altered or occupied contrary to law.

(b) **Structure Unfit for Human Occupancy.** A building, dwelling, structure or premises is unfit for human occupancy whenever the Code Official finds that such building, dwelling, structure or premises is unsafe; or is unlawful; or is unsanitary; or is vermin or rat infested; or contains filth and contamination; or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Code or other applicable codes; or because the building, dwelling or structure contains unsafe equipment; or because the location of the structure constitutes a hazard to the occupant thereof or to the public; or because of the degree to which the structure is in disrepair or lacks maintenance it constitutes a hazard to the occupant thereof or to the public.

(c) **Closing of Vacant Structures.** If a building, dwelling or structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Official is authorized to post a placard of "condemned for occupancy" on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Code Official shall cause the premises to be closed and secured through any available public agency, or by contract or arrangement with private persons. The cost thereof shall be charged against the property upon which the building, dwelling or structure is located and shall be a lien upon such property and may be collected as other property taxes are collected.

(d) **Condemnation for Occupancy.**

(1) **Notice.** Before the Code Official issues an order for condemnation for occupancy, notice of violation and a correction order shall be served upon the owner of the building, dwelling structure or premises in accordance with Section **1355.05**.

(2) **Placarding.** Upon failure of the owner to comply with the correction order within the time given, the Code Official shall post in a conspicuous place in or about the building, dwelling, structure or premises a placard bearing the words "Condemned for Occupancy." If the structure has been condemned for occupancy because of unsafe equipment, a placard shall also be placed on said equipment. Said placard shall contain a statement of the penalties provided for occupying the premises, operating the equipment, or removing the placard.

(3) **Prohibited Occupancy.** Any person who occupies a placarded premises or operates placarded equipment, or any owner who shall let any one occupy a placarded premises or operate

placarded equipment, shall be guilty of minor misdemeanor and the violation shall be deemed a strict liability offense. The penalty shall be one hundred fifty dollars (\$150.00) per violation, and each day the violation continues shall be considered a separate offense. The imposition of the penalties herein prescribed shall not preclude the Director of Law from instituting any other appropriate action, whether in law or in equity.

(4) Removal of Placard. The Code Official shall remove the condemnation placard when the defect(s) upon which the condemnation and placarding action were based has been corrected or eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be guilty of minor misdemeanor and the violation shall be deemed a strict liability offense. The penalty shall be one hundred fifty dollars (\$150.00) per violation, and each day the violation continues shall be considered a separate offense. The imposition of the penalties herein prescribed shall not preclude the Director of Law from instituting any other appropriate action, whether in law or in equity.

(Ord. 04-36. Passed 1-18-05.)

1355.07 EMERGENCY MEASURES.

(a) Imminent Danger. When, in the opinion of the Code Official, any building, dwelling, structure or premises poses an imminent danger to any person, the Code Official is hereby authorized and empowered to order and require the occupants to vacate the building, dwelling, structure or premises forthwith. Conditions that will be considered to pose an imminent danger include, but are not limited to:

(1) Failure or collapse of a building, dwelling, or structure or any part thereof which endangers the health, safety or welfare of the occupants or the public;

(2) When any building, dwelling, structure or premises, or any part thereof has fallen and life is endangered by the occupation of the building, dwelling, structure or premises;

(3) When there is actual or potential danger to the building, dwelling, or structure's occupants, those in the proximity of it, or the public because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials;

(4) Operation of defective or dangerous equipment or fixtures that endangers the health, safety or welfare of the occupants, those in proximity of it, or the public.

(b) Notice. The Code Official shall cause to be posted at each entrance to such building, dwelling, structure or premises a notice reading as follows: "This Structure is Unsafe and its Occupancy has been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(c) Emergency Repairs.

(1) Notwithstanding other provisions of this Code, whenever, in the opinion of the Code Official, there is imminent danger due to an unsafe condition that creates an emergency, the Code Official shall order the necessary work to be done to render such structure temporarily safe, including the boarding up of openings, whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken he deems necessary to meet such emergency.

(2) For the purposes of this section, the Code Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

(3) Costs incurred by the City in the performance of emergency work shall be charged against the property upon which the structure is located and shall be a lien upon such property and may be collected as other property taxes are collected.

(d) Closing Streets. When necessary for public safety, the Code Official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized. (Ord. 04-36. Passed 1-18-05.)

1355.08 DEMOLITION.

(a) General. The Code Official shall order the owner of any premises upon which is located any building, dwelling or structure that 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 or occupancy, and that cannot be reasonably repaired, to demolish and remove such structure. If, in the judgment of the Code Official, such structure is capable of being made safe by repairs, the owner may choose to either repair and make safe and sanitary the structure or to demolish and remove the structure. If the owner chooses to repair the structure, such structure shall be made safe and sanitary, to the satisfaction of the Code Official within one year. The Code Official may grant no more than two (2) six-month extensions to the owner in which to complete the repairs. If the owner does not complete the repairs within the required time frame, such structure shall be condemned and ordered demolished in accordance with subsection (c) hereof.

(b) Notices and Orders. All notices and orders shall comply with Section **1355.05**.

(c) Failure to Comply.

(1) If the owner of a building, dwelling, structure or premises fails to comply with a demolition order within the time prescribed, the Code Official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the property upon which the structure is located and shall be a lien upon such property and may be collected as other property taxes are collected.

(2) When any structure has been ordered demolished and removed, the City 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 demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, to the owner of the premises, subject to any order of a court of competent jurisdiction. If such a surplus does not remain to be turned over, the report shall so state.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1357
General Requirements

- 1357.01 General.**
- 1357.02 Exterior property areas.**
- 1357.03 Exterior of structure.**
- 1357.04 Interior of structure.**
- 1357.05 Garbage, junk, litter and rubbish.**
- 1357.06 Extermination.**

CROSS REFERENCES

- Junk and junk cars - see GEN. OFF. Ch. **523**
- Deposit of refuse, etc. - see GEN. OFF. **521.08**
- Weeds - see GEN. OFF. Ch. **555**

1357.01 GENERAL.

(a) Scope. The provisions of this Chapter govern the minimum requirements, conditions, and responsibilities of owners for maintenance of buildings, dwelling, structures, premises, equipment and fixtures, both interior and exterior.

(b) Responsibility. The owner of the building, dwelling, structure and/or premises shall be held responsible for the maintenance the structures and the exterior property in compliance with these requirements, except as otherwise provided for in this Code. No person shall not occupy a building, dwelling or structure as owner-occupant, or permit another person to occupy, premises which are not in a sanitary and safe condition and which do not comply with the requirements of this Chapter. Any agreement between the owner and the occupant of a building, dwelling or structure, whether written or oral, whereby the occupant is responsible for keeping the building, dwelling, structure, or any part thereof, in a clean, sanitary and safe condition shall be enforced by the owner and not the City.

(c) Vacant Structures and Land. All vacant buildings, dwellings, structures, premises and/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, safety or welfare. (Ord. 04-36. Passed 1-18-05.)

1357.02 EXTERIOR PROPERTY AREAS.

(a) Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition.

(b) Grading and Drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water within any structure located thereon and/or anywhere on the premises, with the exception of detention/retention areas and reservoirs that have been approved by the City.

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

(d) Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 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 does not include cultivated flowers and gardens.

(e) Rodent Harborage. All buildings, dwellings, structures, premises and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, approved processes that will not be injurious to human health shall promptly exterminate them. After extermination, proper precautions shall be taken to eliminate the rodent harborage and prevent re-infestation.

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

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

(h) Gates. Gates which are required to be self-closing and self-latching in accordance with the Building Code or the codes referenced in Chapter **1367** shall be maintained in such a manner that the gate will positively close and latch when released from a still position of 6 inches (152 mm) from the gatepost.

(i) Swimming Pools. Swimming pools shall be maintained in a clean and sanitary condition and in good repair.

(j) Motor Vehicles. No inoperative, unlicensed or abandoned motor vehicle shall be parked, kept or stored on any premises and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled, unless such vehicle is maintained within an enclosed structure. Painting of vehicles is prohibited unless conducted inside an approved spray booth. A vehicle may undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

(k) Firewood. Firewood shall be stacked and maintained in a neat and tidy manner.

(l) Defacement of Property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any building, dwelling or structure on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

(m) Trailers. No trailer, when loaded with trash, garbage, junk, litter, or damaged/inoperable vehicles shall be parked for a period longer than seven days, except in a totally enclosed building.

(n) Semi-Trailers. No semi-trailer shall be used as a storage facility, except that semi-trailers parked on construction job sites may be used for storage related to the site, but shall be removed upon completion of the project. No semi-trailer shall be used for the display of signs or banners. (Ord. 04-36. Passed 1-18-05.)

1357.03 EXTERIOR OF STRUCTURE.

(a) General. The exterior of a structure shall be maintained in good repair, structural soundness and a sanitary condition to prevent posing a threat to the health, safety or welfare of the occupant or the public.

(b) Protective Treatment. All exterior surfaces including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and

chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather-resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be established and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(c) Premises Identification. Buildings, dwellings and structures shall have City approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 inches high with a minimum stroke width of 0.5 inch.

(d) Structural Members. All structural members shall be maintained in a sound condition, free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(e) Walls.

(1) All foundation walls shall be maintained plumb and free from open cracks and breaks, and shall be kept in such condition so as to prevent the entry of rodents and other pests.

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

(f) Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

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

(h) Overhang Extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair, properly anchored, and kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(i) Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and shall be capable of supporting the imposed loads.

(j) Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and 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.

(k) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(l) Windows, Skylights and Door Frames.

(1) Every window, skylight, door and frame shall be kept in sound condition, good repair and shall be weather-tight.

(2) Glazing: All glazing materials shall be maintained free from cracks and holes.

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

(4) Insect Screens: During the period from March 1 to November 30, insect screening shall be required on all door, window and outside openings required for the ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored. Such insect screening shall consist of approved tightly-fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every swinging door shall have a self-closing device in good working order. Insect screening may not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(m) Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Chapter **1365**.

(n) Basement Hatchways. Every basement hatchway shall be maintained in a manner that prevents the entrance of rodents, rain and surface drainage water.

(o) Guards for Basement Windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

(Ord. 04-36. Passed 1-18-05.)

1357.04 INTERIOR OF STRUCTURE.

(a) General. The interior of all buildings, dwellings and structures, and equipment therein, shall be maintained in good repair, structurally sound and in a sanitary condition. Every owner of a multi-use structure including, but not limited to, a rooming house, boarding house, hotel, dormitory, two or more dwelling units, or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition.

(b) Structural Members. All structural members shall be maintained in a sound condition, free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(c) Interior Surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

(d) Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

(e) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(f) Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by means of proper and secure attachment to jambs, headers or tracks, as intended by the manufacturer of the attachment hardware.

(Ord. 04-36. Passed 1-18-05.)

1357.05 GARBAGE, JUNK, LITTER AND RUBBISH.

(a) Accumulation of Garbage, Junk, Litter and Rubbish. All exterior property and premises, and the interior of every building, dwelling and structure, shall be kept free from any accumulation of rubbish or garbage.

(b) Disposal of Garbage, Junk, Litter and Rubbish. Every owner of a building, dwelling or structure shall dispose of all garbage, junk, litter and rubbish in a clean and sanitary manner by placing such materials in approved containers, and shall require all occupants of said building, dwelling or structure to do the same. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

(c) Disposal Facilities. The owner of every occupied building, dwelling, structure or premises shall supply approved, covered containers for the disposal of garbage, junk, litter and rubbish, and the owner of the premises shall be responsible for the removal of the same.

(d) Garbage Facilities.

(1) Residential: The owner of every dwelling shall supply at least one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak-proof, tightly-covered, outside garbage container.

(2) Non-Residential: The owner of every business establishing shall provide and at all times shall cause the business operator to utilize, approved, leak-proof containers provided with close-fitting covers for the storage of waste materials resulting from said business until removed from the premises for disposal.

(Ord. 04-36. Passed 1-18-05.)

(e) Containers. In all districts, all trash containers shall be kept clean and free of odors when empty. All trash containers shall be stored in a side yard, rear yard, enclosed structure or other location that is least visible to the general public, except when placed out for collection. No container shall be placed out for collection earlier than the evening before the scheduled collection. (Ord. 04-36. Passed 1-18-05.)

1357.06 EXTERMINATION.

(a) Infestation. All structures shall be kept free from insect and/or rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

(b) Responsibility. The owner of any building, dwelling, structure or premises shall be responsible for extermination, and shall be responsible for the continued rodent and pest-free condition of the building, dwelling, structure or premises. Any agreement between the owner and the occupant of a building, dwelling or structure, whether written or oral, whereby the occupant is responsible for keeping the building, dwelling, structure, or any part thereof, free from insect and/or rodent infestation shall be enforced by the owner and not the City.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1359
Light, Ventilation and Occupancy Requirements

1359.01 General.

1359.02 Light.

1359.03 Ventilation.

1359.04 Occupancy requirements.

1359.01 GENERAL.

(a) Scope. The provisions of this Chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

(b) Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any building, dwelling, structure or premises that does not comply with the requirements of this Chapter.

(c) Alternative Devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the codes referenced in Chapter **1367** may be permitted, as approved by the Code Official.

(Ord. 04-36. Passed 1-18-05.)

1359.02 LIGHT.

(a) Habitable Spaces.

(1) Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent (8%) of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

(2) Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m square). The exterior glazing area shall be based on the total floor area being served.

(b) Common Halls and Stairways. Every common hall and stairway in residential dwellings, other than in one-and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each two hundred square feet (19 m square) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than thirty feet (9144 mm). In other than residential dwellings, means of egress, including exterior means of egress by stairways, shall be illuminated at all times the portion of the building served by the means of egress is occupied, with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

(c) Other Spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary condition, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

(Ord. 04-36. Passed 1-18-05.)

1359.03 VENTILATION.

(a) Habitable Spaces.

(1) Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least forty- five percent (45%) of the minimum glazed area required in Section **1359.02**.

(2) Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent (8%) of the floor area or the interior room or space, but not less than twenty-five square feet (2.33 m square). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

(b) Bathrooms, Toilet Rooms and Water Closets. Every bathroom, toilet room and water closet shall comply with the ventilation requirements for habitable spaces as required by subsection (a) hereof, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom, toilet room or water closet shall discharge to the outdoors and shall not be re-circulated.

(c) Cooking Facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit, unless specifically approved in writing by the Code Official.

(d) Process Ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be re-circulated to any space.

(e) Clothes Dryer Exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.
(Ord. 04-36. Passed 1-18-05.)

1359.04 OCCUPANCY REQUIREMENTS.

(a) Privacy. Hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

(b) Minimum Room Widths. A habitable room, other than a kitchen, shall not be less than seven feet (2134 mm) in any plan dimensions. Kitchens shall have a clear passageway of not less than three feet (914 mm) between counter-fronts and appliances or counter-fronts and walls.

(c) Minimum Ceiling Heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than seven feet (2134 mm), except as follows:

(1) In one and two-family dwellings, beams or girders spaced not less than four feet (1219 mm) on center and projecting not more than six inches (152 mm) below the required ceiling height are allowed.

(2) In basement rooms in one and two-family dwellings occupied exclusively for laundry, study or recreation purposes, the ceiling height may be not less than six feet eight inches (2033 mm) with not less than six feet four inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.

(3) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, the clear ceiling height may not be less than five feet (1524 mm).

(d) **Bedroom Requirements.**

(1) **Area for Sleeping Purposes:** Every bedroom occupied by one person shall contain at least seventy square feet (6.5 m square) of floor area, and every bedroom occupied by more than one person shall contain at least fifty square feet (4.6 m square) of floor area for each occupant thereof.

(2) **Access from Bedrooms:** Bedrooms shall not constitute the only means of access to other bedrooms, unless the building, dwelling or structure contains fewer than two bedrooms.

(3) **Water Closet Accessibility:** Every bedroom shall have access to at least one bathroom, toilet room or water closet without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one bathroom, toilet room or water closet located in the same story as the bedroom or an adjacent story.

(4) **Prohibited Occupancy:** Kitchens and non-habitable spaces shall not be used for sleeping purposes.

(5) **Other Requirements:** Bedrooms shall comply with the applicable provisions of this Code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this Chapter; the plumbing facilities and water-heating facilities requirements of Chapter **1361**; the heating facilities and electrical receptacle requirements of Chapter **1363**; and the smoke detector and emergency escape requirements of Chapter **1365**.

(e) **Occupancy Limitations.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements listed below, and subject to the requirements listed in subsections (1) and (2) hereof.

MINIMUM AREA REQUIREMENTS
Minimum Area in Square Feet

SPACE	1-2 occupants	3-5 occupants	6 or more occupants
Living Room _{1,2}	No Requirements	120	150
Dining Room _{1,2}	No Requirements	80	100
Kitchen ¹	50	50	60
Bedrooms	Shall comply with subsection (d) hereof	Shall comply with subsection (d) hereof	Shall comply with subsection (d) hereof

(1) **Sleeping Area.** The minimum occupancy areas required for living rooms, dining rooms, and kitchens shall not be included in determining the minimum occupancy for sleeping areas. All sleeping areas shall comply with subsection (d) hereof.

(2) **Combined Spaces.** Combined living room and dining room spaces shall be deemed to comply with the requirements of the above table if the total area of the combined space is equal to that required for separate rooms and if the space is located so as to function as a combined living room/dining room.

(f) **Efficiency Units.** Efficiency living units may be allowed only if they meet all the following requirements:

(1) A unit occupied by not more than two occupants shall have a clear floor area of not less than two-hundred twenty square feet (20.4 m square). A unit occupied by three occupants shall have a clear floor area of not less than three-hundred twenty square feet (39.7 m square). These required areas shall be exclusive of the areas required by subsections (2) and (3) hereof.

(2) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than thirty inches (762 mm) in front.

(3) The unit shall be provided with a separate bathroom containing a toilet, washbasin, and bathtub or shower.

(4) Light and ventilation conforming to this Code shall be provided.

(5) The maximum number of occupants for any efficiency unit shall be three.

(g) Food Preparation Areas. All spaces to be occupied for food preparation purposes 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, garbage and refuse, including facilities for temporary storage.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1361
Plumbing Facilities and Fixture Requirements

- 1361.01 General.**
- 1361.02 Required facilities.**
- 1361.03 Bathrooms, toilet rooms and water closets.**
- 1361.04 Plumbing systems and fixtures.**
- 1361.05 Water systems.**
- 1361.06 Sanitary drainage systems.**
- 1361.07 Storm drainage.**

CROSS REFERENCES

Sewer connections - see S.U. & P.S. Ch. **921**

Water regulations - see S.U. & P.S. Ch. **923**

1361.01 GENERAL.

- (a) Scope. The provisions of this Chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided in all buildings, dwellings and structures.
- (b) Responsibility. The owner of the building, dwelling or structure shall provide and maintain all plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any building, dwelling, structure or premises which does not comply with the requirements of this Chapter. (Ord. 04-36. Passed 1-18-05.)

1361.02 REQUIRED FACILITIES.

- (a) Dwelling Units. Every dwelling unit shall contain a bathroom and a kitchen sink, which shall be maintained in a sanitary, safe working condition. In addition to bathrooms, dwellings may also contain toilet rooms and water closets. In the case of a toilet room, a washbasin shall be located in close proximity to the door leading directly into the toilet room. A kitchen sink shall not be used as a substitute for the required washbasin.
- (b) Boarding Houses and Rooming Houses. At least one bathroom shall be supplied for each four rooming units.
- (c) Hotels. Where private bathrooms or water closets are not provided, one bathroom having access from a public hallway shall be provided for each ten occupants.
- (d) Employees' Facilities.
 - (1) In all businesses with more than one employee, a minimum of one water closet or one toilet room shall be available to employees during all working hours. In the case of a toilet room, a washbasin shall be located directly adjacent to the door leading directly into the toilet room.
 - (2) In all businesses with more than one employee, drinking facilities shall be available to employees during all working hours. Drinking facilities may consist of a drinking fountain, a water cooler, a bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in water closets or toilet rooms.
(Ord. 04-36. Passed 1-18-05.)

1361.03 BATHROOMS, TOILET ROOMS AND WATER CLOSETS.

(a) Privacy. Bathrooms, toilet rooms and water closets shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms, toilet rooms and water closets in a multiple dwelling.

(b) Location. Bathrooms and water closets serving hotel units, rooming units or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

(c) Location of Employee Facilities.

(1) Employees shall have access to toilet rooms or water closets from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employees' regular working area, and the path of travel to such facilities shall not exceed a distance of five hundred feet (152 m). Employee facilities shall either be separate facilities or public customer facilities.

(2) Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of five hundred feet (152 m) from the employees' regular working area to the facilities.

(Ord. 04-36. Passed 1-18-05.)

1361.04 PLUMBING SYSTEMS AND FIXTURES.

(a) General. All plumbing fixtures shall be properly installed and maintained in working order and shall be kept free from obstructions, leaks and defects, and shall be at all times capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

(b) Fixture Clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

(c) Plumbing System Hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupant of the structure or the structure itself by reason of inadequate service, inadequate venting, cross connection, back-siphonage, improper installation, deterioration or damage, or for similar reasons, the Code Official shall require the defects to be corrected to eliminate the hazard.

(Ord. 04-36. Passed 1-18-05.)

1361.05 WATER SYSTEMS.

(a) General. Every sink, washbasin, bathtub or shower, drinking fountain, toilet, urinal, bidet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, washbasins, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the applicable health codes, as adopted or enforced by the Preble County Health Department.

(b) Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixtures. 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 approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

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

(d) Water Heating Facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, washbasin, bathtub, shower and laundry facility at a temperature of not less than one hundred twenty degrees Fahrenheit (120°F or 49°C). A gas-burning water heater shall not be located in any bathroom, toilet room, water closet, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure- relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

(Ord. 04-36. Passed 1-18-05.)

1361.06 SANITARY DRAINAGE SYSTEMS.

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

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

(Ord. 04-36. Passed 1-18-05.)

1361.07 STORM DRAINAGE.

Drainage of roofs and paved areas, yards and courts and other open areas on the premises shall not be discharged in a manner that creates a nuisance.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1363
Mechanical and Electrical Requirements

- 1363.01 General.**
- 1363.02 Heating systems.**
- 1363.03 Mechanical equipment.**
- 1363.04 Electrical systems.**
- 1363.05 Electrical equipment.**
- 1363.06 Elevators, escalators and dumbwaiters.**
- 1363.07 Duct systems.**

CROSS REFERENCES

National Electrical Code - see BLDG. Ch. **1303**

1363.01 GENERAL.

(a) Scope. The provisions of this Chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

(b) Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this Chapter.

(Ord. 04-36. Passed 1-18-05.)

1363.02 HEATING SYSTEMS.

(a) Systems Required. Heating systems shall be provided in structures as required by this Section.

(b) Dwellings.

(1) Dwellings, including single-family, two-family, three-family, multi-family and efficiencies, shall be provided with heating facilities capable of maintaining a room temperature of sixty-five degrees Fahrenheit (65°F or 18°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in the plumbing code referenced in Chapter **1367**. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

(2) In the case of all two-family, three-family, multi-family or multiple efficiencies located in the same structure, each dwelling unit shall be equipped with a separate heating system capable of being controlled from the dwelling unit it serves.

(c) Rooming Units.

(1) Every owner and operator of any building who rents, leases or lets one or more rooming unit, including rooming houses, boarding houses, bed and breakfasts, hotels, dormitories, shall furnish heat to the occupants thereof during the period from September 1 to April 30. Any heating system used to supply heat in accordance herewith shall be capable of maintaining a temperature of not less than sixty-five degrees Fahrenheit (65°F or 18°C) in all habitable rooms, bathrooms, toilet rooms and water closets.

(2) Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter

outdoor design temperature for the locality shall be as indicated in the plumbing code referenced in Chapter **1367**.

(d) Work Spaces. Indoor, occupied work spaces shall be supplied with heat during the period from September 1 to April 30 to maintain a temperature of not less than sixty-five degrees Fahrenheit (65°F or 18°C) during the period the spaces are occupied, subject to the following exceptions:

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

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

(e) Room Temperature Measurement. The required room temperatures shall be measured three feet (914 mm) above the floor near the center of the room and two feet (610 mm) inward from the center of each exterior wall.

(Ord. 04-36. Passed 1-18-05.)

1363.03 MECHANICAL EQUIPMENT.

(a) Mechanical Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances, and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

(b) Removal of Combustion Products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent, with the exception of fuel-burning equipment and appliances which are labeled for unvented operation.

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

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

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

(f) Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

(Ord. 04-36. Passed 1-18-05.)

1363.04 ELECTRICAL SYSTEMS.

(a) Systems Required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this Section and Section **1363.05**.

(b) Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 100 amperes.

(c) Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting 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. 04-36. Passed 1-18-05.)

1363.05 ELECTRICAL EQUIPMENT.

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

(b) Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one-grounded receptacle or a receptacle with a ground fault circuit interrupter (GFCI) receptacle. Every bathroom shall contain at least one grounded receptacle or a ground fault circuit interrupter (GFCI) receptacle. Any new or replacement kitchen countertop receptacle shall be a ground fault circuit interrupter (GFCI) receptacle. No existing non-grounding receptacles shall be replaced with a grounding receptacle unless a ground conductor exists or a ground fault circuit interrupter (GFCI) type is used.

(c) Lighting Fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, water closet, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

(Ord. 05-06. Passed 4-18-05.)

1363.06 ELEVATORS, ESCALATORS AND DUMBWAITERS.

(a) General. Elevators, dumbwaiters and escalators shall be maintained to safely sustain all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

(b) Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied, with the exception that buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

(Ord. 04-36. Passed 1-18-05.)

1363.07 DUCT SYSTEMS.

Duct systems shall be maintained free of obstructions and shall be capable of performing their required functions.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1365
Fire Safety Requirements

1365.01 General.

1365.02 Means of egress.

1365.03 Fire-resistance ratings.

1365.04 Fire protection systems.

CROSS REFERENCES

Smoke detectors - see BLDG. Ch. **1333**

1365.01 GENERAL.

(a) Scope. The provisions of this Chapter shall govern the minimum conditions and standards for fire safety relating to buildings, dwellings, structures and exterior premises, including fire safety facilities and equipment to be provided.

(b) Responsibility. The owner of the building, dwelling, structure or premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements, except as otherwise provided herein. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this Chapter.

(Ord. 04-36. Passed 1-18-05.)

1365.02 MEANS OF EGRESS.

(a) General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.

(b) Aisles. The required width of aisles in accordance with the Ohio Fire Code shall be unobstructed.

(c) Locked Doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the codes referenced in Chapter **1367**.

(d) Emergency Escape Openings. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings, provided that the minimum net clear opening size complies with the codes referenced in Chapter **1367** and that such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section **1365.04**.

(Ord. 04-36. Passed 1-18-05.)

1365.03 FIRE-RESISTANCE RATINGS.

(a) Fire-Resistance-Rated Assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

(b) Opening Protectives. Required opening protectives shall be maintained in an operative condition. All fire and smoke-stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

(Ord. 04-36. Passed 1-18-05.)

1365.04 FIRE PROTECTION SYSTEMS.

(a) Smoke Detectors. Existing Group R occupancies not already provided with single- station smoke alarms shall be provided with approved single-station smoke alarms.

(b) Installation. Approved single station smoke alarms shall be installed in existing dwelling units, congregate residences, and hotel and lodging house guestrooms. Installation shall be in accordance with the Ohio Fire Code.

(c) Power Source. In Group R occupancies, single-station smoke alarms shall be battery-operated or shall received their primary power from the building wiring, provided that such wiring is served from a commercial source. When power is provided by the building wiring, the wiring shall be permanent and without a disconnection switch other than those required for over-current protection. When the power is provided by batteries, it shall be the duty of the occupant to maintain such power source.

(Ord. 04-36. Passed 1-18-05.)

CHAPTER 1367
Referenced Standards

1367.01 General.

1367.01 GENERAL.

This Chapter lists the standards that are referenced in various sections of this document. The application of the referenced standards shall be as specified in Chapter **1355**.

ASME American Society of Mechanical Engineers
Three Park Avenue
New York, New York 10016-5990

Standard Reference No.	Title	Referenced in Code
A17.1 – 96 --with A17.1a--97 and A17.1b--98 Addenda	Safety Code for Elevators and Escalators	1351.05, 1353.01, 1363.06
OTHER CODES		
Title	Referenced in Code	
Ohio Building Code (or Ohio Building Code) and Ohio Residential Building Code, the most recent editions thereof including any subsequent amendments	1351.05, 1353.01, 1357.02, 1359.01, 1365.02, Chapter 1359	
Ohio Fire Code, the most recent edition thereof, including any subsequent amendments	1351.05, 1353.01, 1365.02, 1365.04	
Ohio Mechanical Code, the most recent edition thereof, including any subsequent amendments	1351.05, 1353.01, Chapter 1363	
International Plumbing Code, the most recent edition thereof, including any subsequent amendments	1351.05, 1353.01, 1363.02, Chapter 1361	
City of Eaton Zoning Code, being the most recent edition thereof, including any subsequent amendments +		
National Electrical Code, being the most recent edition thereof, including any subsequent amendments	Chapter 1363	
A Glossary of Zoning Development and Planning Terms, the most recent edition thereof, and any subsequent amendments	1353.01	

(Ord. 04-36. Passed 1-18-05.)