

CHAPTER 2

DEFINITIONS

201 GENERAL

201.1 Tense, Gender And Number

For the purpose of this code, certain abbreviations, terms, phrases, words, and their derivatives, shall be construed as set forth in this chapter. Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and plural number includes the singular.

201.2 Special Meaning And Words Not Defined

201.2.1 Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Mechanical Code, Standard Plumbing Code, Standard Gas Code or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

201.2.2 Whenever the words "dwelling," "dwelling units," "rooming house," "rooming units," and "premises" are used in this code, they shall be construed as though they were followed by the words, "or any part thereof."

202 DEFINITIONS

ADDITION—an extension or increase in floor area or height of a building or structure.

ALTER OR ALTERATION—any change or modification in construction or occupancy.

APARTMENT—a dwelling unit as defined in this code.

APARTMENT HOUSE—any building or portion thereof used as a multiple dwelling for the purpose of providing three or more separate dwelling units which may share means of egress and other essential facilities.

APPLICABLE GOVERNING BODY—a city, county, state, state agency or other political government subdivision or entity authorized to administer and enforce the provisions of this code, as adopted or amended.

APPROVED—approved by the housing official or other authority having jurisdiction.

BASEMENT—that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance

from grade to ceiling, provided, however, that the distance from grade to ceiling shall be at least 4 ft 6 inches (1372 mm).

BUILDING—any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind which has enclosing walls for 50% of its perimeter. The term “building” shall be construed as if followed by the words “or part thereof.” (For the purpose of this code each portion of a building separated from other portions by a fire wall shall be considered as a separate building.)

CELLAR—that portion of a building, the ceiling of which is entirely below grade or less than 4 ft 6 inches (1372 mm) above grade.

DORMITORY—a space in a unit where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room, or in a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, military barracks and ski lodges.

DWELLING—when used in this code without other qualifications, means a building occupied exclusively for residential purposes by not more than two families.

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

EXTERMINATION—the control and extermination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods.

FAMILY—one or more persons living together, whether related by blood, marriage or adoption, and having common housekeeping facilities.

FLOOR AREA—the total area of habitable space in a building or structure.

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

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

HOTEL—any building containing six or more guests rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.

HOUSING OFFICIAL—the officer, or his duly authorized representative charged with the administration and enforcement of this code.

INFESTATION—the presence within or around a dwelling, of any insects, rodents, or other pests.

INOPERABLE MOTOR VEHICLE—one which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

MAJOR VIOLATION—A defect that exists on a property or structure that is immediately dangerous to the health, safety or welfare of the occupants, passersby or persons in contiguous areas; a defect that exists that seriously undermines that component or structural member which renders that component or member unsafe to use or exist in its present condition.

MINOR VIOLATION—A defect that exists on a property or structure that in its present state of disrepair, deterioration or absence, does not constitute an immediate hazard.

MULTIPLE DWELLING—any building, or portion thereof, which is occupied as the home or residence of more than two families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

NUISANCE—the following shall be defined as nuisances:

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

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

OPERATOR—any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

OWNER—the holder of the title in fee simple and any person, group of persons, company, association or corporation in whose name tax bills on the property are submitted. It shall also mean any person who, alone or jointly or severally with others:

1. shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
2. shall have charge, care or control of any dwelling or dwelling unit, as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or vendee in possessions, or assignee of rents, lessee, or other person, firm, or corporation in control of a building; or their duly authorized agents. Any such person thus representing the actual owner shall be bound to comply with the provisions of this code, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner. It is his responsibility to notify the actual owner of the reported infractions of these regulations pertaining to the property which apply to the owner.

PERSON—any individual, firm, corporation, association or partnership.

PLUMBING—the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building, structure, or conveyance; also the practice and materials used in the installation, maintenance, extension, or alteration of stormwater, liquid waste, or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.

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

PUBLIC AREA—an unoccupied open space adjoining a building and on the same property, that is permanently maintained accessible to the fire department and free of all incumbrances that might interfere with its use by the fire department.

REPAIR—the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required exit facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law or ordinance. The term “repair” or “repairs” shall not apply to any change of construction.

REQUIRED—required by some provision of this code.

RESIDENTIAL BUILDINGS—buildings in which families or households live or in which sleeping accommodations are provided, and all dormitories. Such buildings include, among others, dwellings, multiple dwellings, and rooming houses.

ROOMING HOUSE—any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.

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

RUBBISH—combustible and noncombustible waste materials, except garbage, including the residue from the burning of wood, coal, coke or other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metal, mineral matter, glass crockery, and dust.

STAIRWAY—one or more flights of stairs and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one story to another in a building or structure.

STORY—that portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above.

STRUCTURE—that which is built or constructed, 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. The term “structure” shall be construed as if followed by the words “or part thereof.”

SUPPLIED—paid for, furnished, or provided by or under control of, the owner or operator.

TEMPORARY HOUSING—any tent, trailer, or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than 30 consecutive days.

VALUATION OR VALUE—as applied to a building, the estimated cost to replace the building in kind.

VENTILATION—the process of supplying and removing air by natural or mechanical means to or from any space.

YARD—an unoccupied open space other than a court.

