

# CHAPTER 3

## MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES

### 301 GENERAL

No person shall occupy as owner-occupant or let or sublet to another for occupancy any dwelling or dwelling unit designed or intended to be used for the purpose of living, sleeping, cooking, or eating therein, nor shall any vacant dwelling building be permitted to exist which does not comply with the following requirements.

### 302 FACILITIES REQUIRED

#### 302.1 Sanitary Facilities

Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition free from defects, leaks, and obstructions.

#### 302.2 Location Of Sanitary Facilities

All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet, tub or shower and lavatory shall be located in a room affording privacy to the user and such room shall have a minimum floor space of 30 sq ft (2.8 m<sup>2</sup>) with no dimension less than 4 ft (1219 mm). Bathrooms shall be accessible from habitable rooms, hallways, corridors or other protected or enclosed area.

#### 302.3 Hot And Cold Water Supply

Every dwelling unit shall have an adequate supply of both cold and hot water connected to the kitchen sink, lavatory, and tub or shower. All water shall be supplied through an approved distribution system connected to a potable water supply.

#### 302.4 Water Heating Facilities

Every dwelling unit shall have water heating facilities which are properly installed and maintained in a safe and good working condition and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120°F (49°C). Such water heating facilities shall be capable of meeting the requirements of 302.4 when the dwelling or dwelling unit heating facilities required under

the provisions of this code are not in operation. Apartment houses may use a centralized water heating facility capable of heating an adequate amount of water as required by the Standard Plumbing Code<sup>®</sup> to not less than 120°F (49°C).

### **302.5 Heating Facilities**

**302.5.1** Every dwelling unit shall have heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms and bathrooms.

**302.5.2** Where a central heating system is not provided, each dwelling unit shall be provided with facilities whereby heating appliances may be connected.

**302.5.3** Gas heaters listed for unvented use shall be permitted provided the total input rating of the heaters is less than 30 Btu per hour per cu ft (314 W/m<sup>3</sup>) of room content. Such heaters shall be prohibited in bedrooms.

**302.5.4** The use of any liquid fueled unvented heating appliance shall be permitted in one and two family residences only, providing such appliance is tested and listed by an approved laboratory according to requirements of UL 647 (1984) and providing the fuel is stored in containers meeting ASTM ES-8 for kerosene containers.

### **302.6 Kitchen Facilities**

Every dwelling unit shall contain a kitchen equipped with the following minimum facilities:

1. Food preparation surfaces impervious to water and free of defects which could trap food or liquid.
2. Shelving, cabinets or drawers for the storage of food and cooking and eating utensils, all of which shall be maintained in good repair.
3. Freestanding or permanently installed cookstove. Portable electric cooking equipment shall not fulfill this requirement. Portable cooking equipment employing flame shall be prohibited.
4. Mechanical refrigeration equipment for the storage of perishable foodstuffs.

EXCEPTION: Nothing herein shall preclude a written agreement between an owner and tenant that the tenant will furnish mechanical refrigeration equipment and/or a cookstove as required in this section. It shall be an affirmative defense available to an owner charged with a violation of this section if such an agreement exists.

### **302.7 Garbage Disposal Facilities**

Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, of a type and location approved by the applicable governing body.

### **302.8 Fire Protection**

A person shall not occupy as owner-occupant nor shall let to another for occupancy, any building or structure which does not comply with the applicable provisions of the fire prevention code of the applicable governing body.

### **302.9 Smoke Detector Systems**

Every dwelling unit shall be provided with an approved listed smoke detector, installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm. The detector shall be tested in accordance with and meet the requirements of UL 217 (1989), Single and Multiple Station Smoke Detectors.

## **303 MINIMUM REQUIREMENTS FOR LIGHT AND VENTILATION**

### **303.1 Windows**

Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be 8% of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light-obstruction structures are located less than 3 ft (914 mm) from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least 15% of the total floor area of such room.

### **303.2 Ventilation**

**303.2.1** Every habitable room shall have at least one window or skylight which can be easily opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall equal to at least 45% of the minimum window area size or minimum skylight-type window size, as required, or shall have other approved, equivalent ventilation.

**303.2.2** Year round mechanically ventilating conditioned air systems may be substituted for windows, as required herein, in rooms other than rooms used for sleeping purposes. Window type airconditioning units are not included in this exception.

### **303.3 Bathroom**

Every bathroom shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms equipped with an approved ventilating system.

### **303.4 Electric Lights And Outlets**

Where there is electric service available to the building structure, every habitable room or space shall contain at least two separate and remote receptacle outlets. Bedrooms shall have, in addition, at least one wall switch controlled lighting outlet. In kitchens, two separate and remote receptacle outlets shall be provided (receptacles rendered inaccessible by appliances fastened in place or by appliances occupying dedicated space shall not be considered as these required outlets) and a wall or ceiling lighting outlet controlled by a wall switch shall be provided. Every hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one ceiling-mounted or wall-mounted lighting outlet. In bathrooms, the lighting outlet shall be controlled by a wall switch. In addition to the lighting outlet in every bathroom and laundry room, there shall be provided at least one receptacle outlet. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

### **303.5 Light In Public Halls And Stairways**

Every common hall and inside stairway in every building, other than one-family dwellings, shall be adequately lighted at all times with an illumination of at least 1 foot candle intensity (10.76 lux) at the floor in the darkest portion of the normally traveled stairs and passageways.

## **304 MINIMUM REQUIREMENTS FOR ELECTRICAL SYSTEMS**

Every electrical outlet and fixture, and all electrical wiring and equipment shall be installed, maintained and connected to a source of electric power in accordance with the provisions of the electrical code of the authority having jurisdiction.

## **305 GENERAL REQUIREMENTS FOR THE EXTERIOR AND INTERIOR OF STRUCTURES**

### **305.1 Foundation**

The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon.

### **305.2 Exterior Walls**

Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain, or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be kept in repair.

### **305.3 Roofs**

**305.3.1** Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

**305.3.2** All portions, additions or sections of a roof including, but not limited to, the fascia, eave, soffit, sheathing, rafter tail, barge rafter, vent screening, gutter, downspout, roof jack, lead or metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports in accordance with common building practices. No item shall display signs of deterioration, abuse or improper installation that could be construed to affect the purpose of that item or cause damage to the immediate area or roof structure, that could allow dampness or admit rain to the interior of that building.

### **305.4 Means Of Egress**

Every dwelling unit shall have safe, unobstructed means of egress with minimum ceiling height of 7 ft (2134 mm) leading to a safe and open space at ground level. Stairs shall have a minimum head room of 6 ft 8 inches (2032 mm).

### **305.5 Stairs, Porches And Appurtenances**

Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.

### **305.6 Protective Railings**

Protective railings shall be required on any unenclosed structure over 30 inches (762 mm) above the ground level or on any steps containing four risers or more.

### **305.7 Windows**

Every window shall be substantially weathertight, watertight and rodentproof, and shall be kept in sound working condition and good repair.

### **305.8 Windows To Be Glazed**

Every window sash shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes.

### **305.9 Window Sash**

Window sash shall be properly fitted and weathertight within the window frame.

### **305.10 Windows To Be Openable**

Every window required for light and ventilation for habitable rooms shall be capable of being easily opened and secured in position by window hardware.

### **305.11 Exterior Doors**

**305.11.1** Every exterior door, basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodentproof, and shall be kept in sound working condition and good repair.

**305.11.2** Every exterior door shall be provided with properly installed hardware that is maintained to insure reasonable ease of operation to open, close and secure in an open or closed position, as intended by the manufacturer of the door and the attached hardware.

### **305.12 Exterior Door Frames**

**305.12.1** Exterior door frames shall be properly maintained and shall be affixed with weatherstripping and thresholds as required to be substantially weathertight, watertight and rodent and insect resistant when the door is in a closed position.

**305.12.2** Exterior door jambs, stops, headers and moldings shall be securely attached to the structure, maintained in good condition without splitting or deterioration that would minimize the strength and security of the door in a closed position.

### **305.13 Screens**

**305.13.1** Dwelling units which do not have a central air conditioning system shall have screens on all exterior openable windows and doors used or required for ventilation. Screens on windows and doors shall be stretched and fitted and maintained without open rips or tears.

**305.13.2** A closing device shall be installed on all screen doors.

### **305.14 Protective Treatment**

All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. All siding shall be weather resistant and water tight. All masonry joints shall be sufficiently tuck pointed to insure water and air tightness.

### **305.15 Accessory Structures**

Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

### **305.16 Interior Floors, Walls, And Ceilings**

**305.16.1** Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

**305.16.2** Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

### **305.17 Structural Supports**

Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render it incapable of carrying normal loads.

### **305.18 Protective Railings For Interior Stairs**

Interior stairs and stairwells more than four risers high shall have handrails located in accordance with the requirements of the Standard Building Code<sup>®</sup>. Handrails or protective railings shall be capable of bearing normally imposed loads and be maintained in good condition.

### **305.19 Firestopping And Draftstopping**

**305.19.1** Firestopping shall be maintained to cut off all concealed draft openings both horizontal and vertical and to form a fire barrier between floors and between the upper floor and the roof space.

**305.19.2** Draftstopping shall be maintained to cut off all concealed draft openings in floor/ceiling assemblies and in attics.

### **305.20 Interior Doors**

Every existing interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

### **305.21 Interior Door Hardware**

Every interior door shall be provided with proper hardware, securely attached and maintained in good condition. Hasp lock assemblies are not permitted on the exterior side of the door of habitable rooms.

### **305.22 Bathroom Doors**

Privacy of bathrooms shall be afforded by doors complete with privacy hardware intended by the manufacturer for that purpose.

### **305.23 Skirting**

**305.23.1** Existing skirting shall be maintained free from broken or missing sections, pieces or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

**305.23.2** Replacement or new skirting shall be constructed of materials intended for exterior use and properly sized and mounted to prevent free access to the crawl space of the structure. Crawl space access grille or door and ventilation grilles shall be sized according to local code requirements.

## **306 MINIMUM DWELLING SPACE REQUIREMENTS**

### **306.1 Required Space In Dwelling Unit**

Every dwelling unit shall contain at least 150 sq ft (13.9 m<sup>2</sup>) of floor space for the first occupant thereof and at least an additional 100 sq ft (9.3 m<sup>2</sup>) of floor area per additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

### **306.2 Required Space In Sleeping Rooms**

In every dwelling unit, every room occupied for sleeping purposes by one occupant shall contain at least 70 sq ft of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 sq ft (4.6 m<sup>2</sup>) of floor space for each occupant thereof.

### **306.3 Minimum Ceiling Height**

**306.3.1** Habitable (space) rooms other than kitchens, storage rooms and laundry rooms shall have a ceiling height of not less than 7 ft (2134 mm). Hallways, corridors, bathrooms, water closet rooms and kitchens shall have a ceiling height of not less than 7 ft (2134 mm) measured to the lowest projection from the ceiling.

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

### **306.4 Occupancy Of Dwelling Unit Below Grade**

No basement or cellar space shall be used as a habitable room or dwelling unit unless:

1. The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness, and
2. The total window area in each room is equal to at least the minimum window area size as required in 303.1, and
3. Such required minimum window area is located entirely above the grade of the ground adjoining such window area, and
4. The total of openable window area in each room is equal to at least the minimum as required under 303.2.1, except where some other device affording adequate ventilation is supplied.

## **307 SANITATION REQUIREMENTS**

### **307.1 Sanitation**

Every owner of a multiple dwelling shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and premises thereof.



### **307.2 Cleanliness**

Every tenant of a dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies or which is provided for his particular use.

### **307.3 Garbage Disposal**

Every tenant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste which might provide food for rodents and all rubbish in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage or rubbish storage containers.

### **307.4 Care Of Premises**

It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property for the open storage of any inoperable motor vehicle, ice box, refrigerator, stove, glass, building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the housing official.

### **307.5 Extermination**

Every occupant of a single dwelling building and every owner of a building containing two or more dwelling units shall be responsible for the extermination of any insects, rodents, or other pests within the building or premises.

EXCEPTION: Extermination of wood-destroying organisms shall, in all cases, be the responsibility of the building owner.

### **307.6 Use And Operation Of Supplied Plumbing Fixtures**

Every tenant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

## **308 ROOMING HOUSES**

### **308.1 Compliance Exceptions**

No person shall operate a rooming house, or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this code except the provisions of 301, 302 and 307.

### **308.2 License Required**

No person shall operate a rooming house unless he holds a valid rooming house license.

### **308.3 Water Closet, Lavatory And Bath Facilities**

At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located on the floor they serve within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

### **308.4 Water Heater Required**

Every lavatory basin and bathtub or shower shall be supplied with hot water at all times.

### **308.5 Minimum Floor Area For Sleeping Purposes**

Every room occupied for sleeping purposes by one person shall contain at least 70 sq ft (6.5 m<sup>2</sup>) of floor space and every room occupied for sleeping purposes by more than one person shall contain at least 50 sq ft (4.6 m<sup>2</sup>) of floor space for each occupant thereof.

### **308.6 Exit Requirements**

Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the building code of the applicable governing body.

### **308.7 Sanitary Conditions**

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for maintenance of a sanitary condition in every other part of the rooming house, and shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

## **309 DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE FOR CONDEMNATION**

### **309.1 Dangerous Structures**

Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and declared to be a nuisance and shall be so designated and placarded by the housing official.

1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public.
2. One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or the public.

### **309.2 Form Of Notice**

Whenever the housing official has declared a dwelling or multiple dwelling as unfit for human habitation and constituting a nuisance, he shall give notice to the owner of such declaration and placarding of the dwelling or multiple dwelling as unfit for human habitation. Such notice shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. State the time occupants must vacate the dwelling units; and
4. State that, if such repairs, reconstruction, alterations, removal, or demolition are not voluntarily completed within the stated time as set forth in

the notice, the housing official shall institute such legal proceedings charging the person or persons, firm, corporation, or agent with a violation of this code.

### **309.3 Service Of Notice**

Service of notice to vacate shall be as follows:

1. By delivery to the owner personally, or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion; or
2. By depositing the notice in the United States Post Office addressed to the owner at his last known address with postage prepaid thereon; or
3. By posting and keeping posted for 24 hours a copy of the notice in placard form in a conspicuous place on the premises to be vacated.

### **309.4 Vacating Of Condemned Building**

Any dwelling or dwelling unit condemned as unfit for human habitation, and so designated and placarded by the housing official, shall be vacated within 30 days after notice of such condemnation has been given by the housing official to the owner and/or occupant of the building.

### **309.5 Occupancy Of Building**

No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until approval is secured from and such placard is removed by the housing official. The housing official shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

### **309.6 Removal Of Placard Or Notice**

No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in 309.5.

