



CHAPTER 1377

Basic Standards for Residential Occupancy

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CROSS REFERENCES

- Junk vehicles - see TRAF. 303.09, 303.10
- Duty to repair sidewalks - see GEN. OFF. 521.06
- Littering - see GEN. OFF. 521.12
- Weeds - see GEN. OFF. Ch. 557

1377.01 RENTING.

No owner, operator or agent shall maintain, rent or lease, or offer for rental or lease, any dwelling units, dwelling structures or any parts thereof which do not comply with the provisions of this Housing Code. (Ord. 76-57. Passed 4-6-76.)

1377.02 RUBBISH AND GARBAGE DISPOSAL

- a) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner placing it in approved receptacles or in other approved rubbish disposal facilities.
- b) Every occupant of a dwelling unit shall dispose of all his garbage and other waste, which might provide food for insects and rodents in a clean and sanitary manner by placing it in approved non-leakable, nonabsorbent, covered garbage storage receptacles or in other approved garbage disposal facilities. (Ord. 76-57. Passed 4-6-76.)

1377.03 MAINTENANCE RESPONSIBILITIES

- (a) Owner. The owner of every dwelling or his appointed agent or operator shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the premises. The owner, agent or operator shall be responsible for maintaining all areas of the property to conform to the regulations set forth in the Building, Housing and Zoning Codes at all times.
- (b) Occupant. The occupant of a dwelling unit in any dwelling structure shall be responsible for maintaining in a clean and sanitary condition that part of the dwelling unit, dwelling structure or premises, which he occupies and controls. The occupant shall be responsible for maintaining all areas of the property to conform to the regulations set forth in the Building, Housing and Zoning Codes at all times. (Ord. 2006-195. Passed 10-3-06.)



1377.04 GENERAL MAINTENANCE REQUIREMENTS

- (a) All dwelling structures and all parts thereof, shall be maintained in good repair and shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (b) All equipment and facilities appurtenant to a dwelling structure or dwelling unit shall be maintained in good and safe working order.
- (c) The interiors of any dwellings that are or have been vacant and unoccupied for a period of sixty days or more shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (d) Interior inspections shall be performed so that all minimum standards are complied with and in addition the following specific conditions shall be met:
 - 1. All interior walls and floors of every dwelling structure shall be maintained free of holes, large cracks, any loose or deteriorated materials and any evidence of vandalism.
 - 2. All floors within every bathroom or water closet compartment of a dwelling structure shall be maintained water resistant.
 - 3. All electrical, plumbing, heating, air conditioning, walls, floors, ceilings, windows and doors shall be maintained in good repair and capable of performing the function for which it was designed or intended to be used. (Ord. 2006-195. Passed 10-3-06.)

1377.05 MAINTAINING OF FOUNDATIONS

- (a) All foundations of every dwelling structure shall be maintained in structurally sound condition and in good repair.
- (b) All foundations of every dwelling structure shall be maintained in such condition as to prevent seepage or leakage of water into the space enclosed within such foundations.
- (c) All openings into the foundations of every dwelling structure shall be protected against the entrance of rodents.
- (d) Where parts of dwellings supported on masonry piers require substantial repair or replacement due to sagging, settling or failure of supporting piers, the same shall be replaced with a foundation conforming to the Building Code of the City. (Ord. 76-57. Passed 4-6-76.)

1377.06 MAINTENANCE OF ROOFS, GUTTERS AND DOWNSPOUTS

All roofs of every dwelling structure shall be maintained weather tight and roof drainage shall be handled by suitable collectors and downspouts connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or into other devices, provided that no excess water flows onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited. (Ord. 76-57. Passed 4-6-76.)

1377.07 MAINTENANCE OF EXTERIORS

- (a) All exterior walls of every dwelling structure shall be maintained weather tight and so as to resist decay or deterioration from any cause. (Ord. 76-57. Passed 4-6-76.)
- (b) Any dwelling structure or secondary or appurtenant structure whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor repair must be repaired or razed.
 - (1) All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railings, soffits, posts, sills, trim and their missing members must be replaced and put in good condition.
 - (2) All replacements must match and conform to original design and materials or be replaced completely.



- (3) All exterior wood or exterior unfinished surfaces must be sealed and painted, or the surface covered with other approved protective coating or treated to prevent rot and decay and conform to and match the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces must be properly protected against the weather. (Ord. 96-032. Passed 2-20-96.)
- (c) Any dwelling structure or secondary or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating or whose exterior surface has weathered with dirt and grime or has been impaired through peeling or flaking of the paint or other protective coating, shall be repaired, repainted or resurfaced.
 - (1) All exterior surfaces shall be replaced or repaired in good condition preparatory to painting or coating.
 - (2) All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner.
 - (3) All new or repaired bare surfaces shall be painted or coated. (Ord. 76-57. Passed 4-6-76.)
 - (4) No windows, doors or other openings into a dwelling structure or appurtenant structure, whether occupied or vacant, shall be removed or enclosed, covered or boarded up, unless treated as an integral part of the facade using materials and detailing compatible with the building facade and style in general. Any such window, door or dwelling opening alterations shall be approved in advance by the Architectural Board of Review. (Ord. 2011-068. Passed 4-19-11.)

1377.08 PEST CONTROL

All dwelling structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin, rodents, fowl, birds and moles. (Ord. 76-57. Passed 4-6-76.)

1377.09 EXTERIOR PROPERTY AREAS

No owner or operator of any premises shall maintain or permit to be maintained at or on the exterior areas of such premises any condition which deteriorates or defaces that appearance of the neighborhood, adversely alters the appearance, or which is a public nuisance or health hazard, including but not limited to the following:

- (a) Broken or dilapidated fences, walls or other structures.
- (b) Improperly maintained walks, including public sidewalks, or driveways, or driveway aprons, creating a hazardous condition.
- (c) Out-of-use or non-usable, dilapidated appliances, automobile or automobile parts.
- (d) Rags, rugs or other materials hung on lines or in other places on such premises, which materials are not being used for general household or housekeeping purposes; broken, dilapidated or unusable furniture, mattresses, or other household furnishing; plastic materials, paints, miscellaneous coverings and/or any other materials, including those described in this section placed at or on the premises in such a manner as to be patently unsightly, grotesque or offensive to the senses.
- (e) Lawns, landscaping and driveways shall also be maintained so as not to constitute a blighting or deteriorating effect in the neighborhood. Driveways shall be repaired and maintained with existing like material of either concrete or asphalt constructed in accordance with specifications prescribed by the Building Division. All sidewalks shall be repaired or replaced with concrete and the owner or operator of the premises shall be responsible therefore, irrespective of any municipally-financed sidewalk program which may eventually be implemented by the City at a later date.
- (f) No motor vehicle, motor home, recreational vehicle (RV), boat, or other recreational vehicle, item, or device shall be parked upon the premises except upon driveways, parking lots or in garages. No parking shall be allowed on any grass, earth, stone, or patio areas. No such vehicle that is unlicensed, seldom moved (as determined by the Code Official) or immovable shall be parked, kept or stored on any private or public property, and no such vehicle shall at any time be in a state of major disrepair, disassembly, or in the process of being stripped or dismantled, regardless of whether it has valid license plates, with the following exception: A vehicle of any type may be permitted to undergo major overhaul provided such work is performed inside a structure or similarly enclosed areas designed, titled or owned by the owner of the property, and approved by the City Fire Chief and the City Building Commissioner for such purpose.



- (g) No building materials or materials, earth, sand, or dirt intended for use in landscaping or gardening shall be left standing open or covered upon any premises for a period of time longer than six weeks.
- (h) All existing dirt and gravel driveways, at the point of sale or transfer of ownership or by reason of foreclosure of property, of a residential property within the City shall be replaced with a hard-surface concrete or asphalt driveway in accordance with specifications prescribed by the Building Division of the City. Each driveway shall be a minimum of nine feet wide and extend from the curb or street line to the front of the building line of the garage. The width of the paving shall match the opening of the garage within thirty (30) feet of the garage. All such driveways shall thereafter be maintained by using the same type of material (concrete or asphalt. Any widening or alteration of driveways shall be constructed of the same hard-surface material as the existing driveway. All driveways shall conform to the requirements set forth in Chapter 1181 of the Planning and Zoning Code. (Ord. 2004-167. Passed 11-16-04.)
- (i) Existing hard surface paved areas may be resurfaced with concrete or asphalt, in accordance with the "Recommended Specifications and Thickness Designs for Driveways, Parking Areas, Drive Aprons, and Sidewalks for Residential, Commercial and Industrial Areas" as prepared by the City Engineer, dated March 29, 2004. (Ord. 2005-078. Passed 5-3-05.)
- (j) All existing private septic systems, at the point of sale and transfer of ownership of a residential property within the City, shall be connected to the proper public sewer, in accordance with the provisions set out in Chapter 917, of the Codified Ordinances, within ninety days after date of official notice to do so, provided that such public sewer is accessible to the property. If no public sewer is available, the private septic system must be inspected and approved by the Cuyahoga County District Board of Health.
- (k) All driveway aprons shall be replaced with concrete in accordance with specifications prescribed by the City Building Division. All existing dirt, gravel, or asphalt aprons of a residential property shall be replaced with concrete at the point of sale or transfer of ownership or by reason of foreclosure of the property. Any dirt, gravel, or asphalt aprons to be widened or altered shall be entirely replaced with a hard-surface concrete apron. The aprons of driveways shall be maintained so as to prevent loose stones or gravel from spilling or falling over into or onto any public way, culvert, or storm ditch. Driveway Aprons shall be described as the area between the street edge or curb to the house side of the public sidewalk or a minimum of ten feet (10') if there are no public sidewalks.
- (l) Bag mix concrete shall be approved for use for exterior property areas within residential districts within the City only with the certification of concrete testing upon mixing by an independent company paid by the permit holder. (Ord. 2004-167. Passed 11-16-04.)

1377.10 SECONDARY OR APPURTENANT STRUCTURES

- (a) All secondary or appurtenant structures such as sheds, barns, garages, etc., shall either be maintained in good repair and free from health, accident and fire hazards or shall be removed from the premises. (Ord. 76-57. Passed 4-6-76.)
- (b) All roofs of every secondary or appurtenant structure exceeding 250 square feet of roof shall be equipped with gutters and downspouts connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or into other devices provided that no excess water flows onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited. (Ord. 90-82. Passed 5- 15-90.)
- (c) Where foundations of secondary or appurtenant structures have deteriorated or settled to the point where wall plates or studs are rotting, they shall be replaced with foundations as required for garages under the Building Code. (Ord. 76-57. Passed 4-6-76.)



1377.11 SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS

- (a) Required. The owner of all existing and future non-owner occupied dwelling units located in the City shall install and maintain smoke detectors and carbon monoxide (CO) detectors as provided in this section. "Smoke detector" means a device which is designed to detect the visible and invisible products of combustion and which is designed to emit an alarm upon such detection. "Carbon monoxide detector" means a device, which is designed to be capable of sensing the presence of carbon monoxide.
- (b) Criteria for Smoke Detectors.
- (1) The location and number of smoke detectors required shall be based upon NFPA 74-1975 as now existing and as from time to time amended hereafter, captioned "standard for the installation, maintenance and use of household fire warning systems".
 - (2) There shall be a smoke detector installed:
 - A. Within each story of each required family living unit, including basements but excluding crawl spaces and unfinished attics;
 - B. Within the immediate vicinity of all sleeping areas.
 - (3) No smoke detector shall satisfy the requirements herein unless it shall bear the label of a nationally recognized testing laboratory.
 - (4) All detectors shall be sensitive to both visible and invisible products of combustion and shall not be acceptable if such smoke detectors are sensitive to heat only.
- (c) Criteria for Carbon Monoxide Detectors.
- (1) At least one carbon monoxide (CO) detector shall be installed in the immediate vicinity of the sleeping area, as per manufacturer's specifications.
 - (2) The carbon monoxide (CO) detectors shall be approved by a recognized testing agency by the State of Ohio or NFPA and shall be capable of sensing the presence of carbon monoxide gas and providing a suitable alarm thereof when current applicable standards for low-level threshold concentrations of the gas are reached.
- (d) Sleeping Area Defined.
- (1) For purposes of this section, a sleeping area is defined as the area or areas of the family living unit in which the bedrooms or sleeping rooms are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas, such as kitchens or living rooms, but not bathrooms or closets, they shall be considered as separate sleeping areas for the purposes of this section.
 - (2) When bedroom or sleeping areas are not fully enclosed or separated from other living areas within a living or sleeping unit, the smoke detector and carbon monoxide (CO) detector shall be installed nearest the area designated for sleeping, as per the manufacturer's specifications.
- (e) Alternate Systems
- (1) As an alternate to self-contained smoke detectors, an approved fire detection system may be installed. Each fire detection system shall be individually approved by the Fire Chief. Where a carbon monoxide (CO) detector is required, a combination smoke detector / carbon monoxide (CO) detector may be used provided the unit meets all current codes and standards for each application and that the detector be tamper-proof in which a long-life battery pack, if so powered, is sealed within the detector. Such combination detectors shall be individually approved by the Fire Chief. (Ord. 97-126. Passed 8-19-97.)
- (f) Equipment and Installation.
- (1) All devices, combinations of devices and equipment required herein are to be installed in conformance with the Building Codes adopted by the City and this section and shall be of a type approved by the Fire Chief. A suitable type detector, specifically designed and marketed for the hearing impaired, which is equipped with an additional strobe-light alarm feature, shall be provided for residents so impaired, as required herein. For the purpose of installation and maintenance only, the applicable sections of the most current edition, NFPA 72, National Fire Alarm Code, shall be considered accepted engineering practice.



(2) In new residential buildings and existing buildings where smoke detectors or carbon monoxide (CO) detectors have been tampered with or where major renovations are performed (major renovations is defined as renovations exceeding more than fifty (50%) percent of the value of the structure at the time of renovation), smoke detectors and carbon monoxide (CO) detectors, if required, shall be wired directly (hard-wired) to the building's power supply. In existing dwellings, it is preferred that smoke detectors and carbon monoxide (CO) detectors, if required, be wired directly to the power supply. However, smoke detectors may be powered by a self-monitoring battery or operated in a plug-in outlet provided the outlet is not controlled by any switch other than the main power supply. Any battery powered smoke detectors required and installed after the effective date of this section shall be of the tamper-proof type in which the long-life battery packs are sealed within the detector. Carbon monoxide (CO) detectors, which are not wired directly to the building's power supply must be operated in a plug-in outlet provided the outlet is not controlled by any switch other than the main power supply. Carbon monoxide (CO) detectors with a digital read out are preferred. Single use, battery-powered carbon monoxide (CO) detectors are not acceptable. (Ord. 97-163. Passed 11-4-97.)

(g) Permits and Fees.

(1) No smoke detector, carbon monoxide (CO) detector or alternative system shall be directly connected (permanently wired) to the electrical system of the structure unless an electrical permit shall have been first obtained from the Building Division and any applicable fee paid.

(h) Supplemental Standards.

(1) This chapter is intended to be used with and supplemented by the applicable provisions of the most current edition of NFPA 72, National Fire Alarm Code, which are hereby incorporated herein. However, if there shall be any conflict between this chapter and the supplemental standards, this chapter and any rules and regulations adopted pursuant thereto shall prevail.

(i) Enforcement.

(1) The Building Commissioner and Fire Chief shall have concurrent jurisdiction to inspect the installation of any smoke detector and/or carbon monoxide (CO) detector required to be installed by this chapter and any violations found to exist shall subject the property owners to the penalties set forth in Section 1379.99 of the Housing Code.

(j) Regulations.

- (1) No occupancy permit shall be issued unless smoke detectors as required herein have been installed in proper locations and have been demonstrated to be properly operating.
- (2) Compliance with this section shall be the responsibility of the owner of the dwelling unit who may designate the name and address of an authorized agent for this purpose in writing to the Building Division.
- (3) The Building Division shall be charged with the responsibility of enforcing this section only during the course of routine housing inspections, or when specifically or actually informed of a violation of this section. Neither the City nor any of its employees shall be held responsible for any death, personal injury or property damages suffered by reason of any failure to comply with this section.
- (4) This section shall not be construed to relieve any person, firm or corporation from any obligation otherwise imposed by it or other ordinances, regulations or statutes including, but not limited to, building and/or fire codes applicable to any structure.

(k) Tampering Prohibited.

(1) No person shall, without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a smoke detector or carbon monoxide (CO) detector required to be installed pursuant to the provisions of this chapter so as to destroy or diminish its effectiveness or availability for its intended purpose.



- (2) Any smoke detector or carbon monoxide (CO) detector found to be tampered with shall be replaced with a hard - wired device (missing or inoperable batteries shall not constitute tampering).
 - A. Any smoke detector, which is missing a battery or has an inoperable replacement battery shall be replaced by the responsible party with a tamper-proof smoke detector with a sealed battery.
 - B. On January 1, 2000, all battery-powered smoke detectors in the City shall be tamper-proof smoke detectors with a sealed battery. (Ord 97-126. Passed 8-19-97.)

1377.12 ESSENTIAL SERVICES REQUIRED

No dwelling or dwelling unit shall be considered habitable unless all essential services providing heat, potable water, light, ventilation and sanitary facilities, including natural gas (fuel oil), electric and water are provided and in working order. If these services are disconnected or otherwise rendered inoperable, any occupancy permit in effect shall be rendered null and void. (Ord. 90-84. Passed 5-15-90.)

1377.13 GROUND FAULT CURRENT INTERRUPTERS REQUIRED

Ground Fault Current Interrupters (GFCIs) shall be installed as required by the National Electrical Code in any existing receptacle(s), including but not limited to: those in bathrooms, kitchens, laundries, unfinished basements, exterior, and garages. (Ord. 2005-078. Passed 5-3-05.)

1377.14 SANITARY AND STORM SEWERS

- (a) All sanitary and storm sewers shall be free of cracks, debris, roots and/or miscellaneous items and properly connected and flowing.
- (b) All sewers shall be certified to be in good working condition by a State of Ohio certified plumbing contractor, registered with the City, or videotaped, supervised by the City, at the expense of the seller or their agent. This documentation shall be submitted to the Division of the Building by the seller prior to the transfer of title or lease of the property. Submitted documents shall be valid for one (1) year.
- (c) Properties with no repetitive exterior sewer maintenance reports will be exempt from this section. For purposes of this section, properties with repetitive exterior sewer maintenance reports shall be defined as properties that have had two or more exterior sewer maintenance reports in a calendar year in the four years prior to the sale of the property. (Ord. 2005-211. Passed 12-20-05.)



CHAPTER 1387

Basic Standards for Residential Occupancy

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- 1387.02 Rubbish and garbage disposal.
- 1387.03 Maintenance responsibilities.
- 1387.04 General maintenance requirements.
- 1387.05 Maintenance of foundations.
- 1387.06 Maintenance of roofs, gutters and downspouts.
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- 1387.09 Pest control.
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- 1387.13 Habitable floor area defined.
- 1387.14 Habitable floor area standards.
- 1387.15 Smoke detectors and carbon monoxide detectors.
- 1387.16 Essential services required.
- 1387.17 Ground fault current interrupters required.

CROSS REFERENCES

- Littering - see GEN. OFF. 521.12
- Sidewalk maintenance - see GEN. OFF. 521.06
- Weeds and grass - see GEN. OFF. Ch. 557

1387.01 COMPLIANCE REQUIRED; REPORTING VIOLATIONS

- (a) No owner, operator or agent shall maintain for rent or lease, any dwelling units within multiple dwelling structures or any parts thereof which do not comply with the provisions of this Apartment Maintenance Code.
- (b) Any tenant may report a violation to the Building Commissioner concerning the interior of his dwelling unit and any person may report a violation to the Commissioner regarding a violation in the public areas of a multi-family dwelling. (Ord. 76-212. Passed 12-21-76.)

1387.02 RUBBISH AND GARBAGE DISPOSAL

- (a) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner placing it in approved receptacles or in other approved rubbish disposal facilities.
- (b) Every occupant of a dwelling unit shall dispose of all his garbage and other waste which might provide food for insects and rodents in a clean and sanitary manner by placing it in approved nonleakable, nonabsorbent, covered garbage storage receptacles or in other approved garbage disposal facilities.
- (c) In any case where the use of containers for the storage of garbage and/or rubbish or other waste materials, which containers are stored out-of-doors, the owner shall provide a masonry enclosure, constructed of materials which match the principal building or of such materials as are approved by the Architectural Board of Review, within which such containers shall be stored. The structure shall be constructed so as to allow sufficient ventilation to prevent the accumulation of odors, and to allow sufficient ease of access to permit entry to and cleaning thereof. (Ord. 76-212. Passed 12-21-76.)



1387.03 MAINTENANCE RESPONSIBILITIES

- (a) Occupant. The occupant of a rented or leased dwelling unit shall be responsible for maintaining in a clean and sanitary condition that part of the dwelling structure or premises which he occupies or controls. The occupant as a party to a rental agreement shall fulfill the obligations of a tenant as set forth in Ohio R. C. 5321.05. (Ord. 77-12. Passed 2-1-77.)
- (a) Owner. The owner or landlord of every "dwelling" or his appointed agent shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the premises. The owner of the dwelling or his appointed agent shall further fulfill the following obligations:
 - (1) Make all repairs and do whatever is reasonably necessary to put and keep the premises in a fit and habitable condition;
 - (2) Keep all common areas of the premises in a safe and sanitary condition;
 - (3) Maintain in good and safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, and air conditioning fixtures and appliances, and elevators, supplied or required to be supplied by him;
 - (4) Maintain in good and safe working order and condition all security systems, including but not limited to exterior door locking mechanisms, window locking mechanisms, and remote control locking and unlocking mechanisms;
 - (5) When he is a party to any rental agreement that covers four or more dwelling units in the same structure, provide and maintain appropriate receptacles for the removal of ashes, garbage, rubbish and other waste incidental to the occupancy of the dwelling unit, and arrange for its removal;
 - (6) Supply running water, reasonable amounts of hot water, and reasonable heat at all times, except where the dwelling unit is so constructed that heat or hot water is generated by an installation within the exclusive control of the tenant and supplied by a direct public utility connection. Prior to acquiring new tenants in the rental unit, the owner or his appointed agents shall fulfill responsibility for any corrections to that portion of the rental unit previously occupied or controlled by the tenants which are necessary to bring the unit in compliance with this chapter.
- (c) Fire lanes must be plowed to permit access for emergency vehicles. (Ord. 76-212. Passed 12-21-76.)

1387.04 GENERAL MAINTENANCE REQUIREMENTS

- (a) All multiple dwelling structures maintained for rental purposes and all parts thereof shall be maintained in good repair and shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (b) All equipment and facilities appurtenant to a dwelling structure or dwelling unit shall be maintained in good and safe working order. (Ord. 76-212. Passed 12-21-76.)
- (c) All heating equipment within a rented or leased dwelling unit shall be capable of maintaining a minimum constant temperature of 70 degrees. A minimum constant temperature of 65oF shall be maintained in all common areas outside of the dwelling unit. (Ord. 99-032. Passed 2-2-99.)



1387.05 MAINTAINING OF FOUNDATIONS

- (a) All foundations of every dwelling structure shall be maintained in structurally sound condition and in good repair.
- (b) All foundations of every dwelling structure shall be maintained in such condition as to prevent seepage or leakage of water into the space enclosed within such foundations.
- (c) All openings into the foundations of every dwelling structure shall be protected against the entrance of rodents.
- (d) Where parts of dwellings supported on masonry piers require substantial repair or replacement due to sagging, settling, or failure of supporting piers, the same shall be replaced with a foundation conforming to the Building Code of the City. (Ord. 76-212. Passed 12-21-76.)

1387.06 MAINTENANCE OF ROOFS, GUTTERS AND DOWNSPOUTS

All roofs of every dwelling structure shall be maintained weather tight and roof drainage shall be handled by suitable collectors and downspouts connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or into other devices, provided that no excess water flows onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited. (Ord. 76-212. Passed 12-21-76.)

1387.07 MAINTENANCE OF EXTERIORS

- (a) All exterior walls of every dwelling structure shall be maintained weather tight and so as to resist decay or deterioration from any cause.
- (b) Any dwelling structure or secondary or appurtenant structure whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor repair must be repaired or razed.
 - (1) All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railings, soffits, posts, sills, trim and their missing members must be replaced and put in good condition.
 - (2) All replacements must match and conform to original design or be replaced completely.
 - (3) All exterior wood or exterior unfinished surfaces must be sealed and painted, or the surface covered with other approved protective coating or treated to prevent rot and decay and conform to and match the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces must be properly protected against the weather.
- (c) Any dwelling structure or secondary or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating or whose exterior surface has weathered with dirt and grime or has been impaired through peeling or flaking of the paint or other protective coating, shall be repaired, repainted or resurfaced.
 - (1) All exterior surfaces shall be replaced or repaired in good condition preparatory to painting or coating.
 - (2) All bare exterior surfaces, which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner.
 - (3) All new or repaired bare surfaces shall be painted or coated and shall match the main structures or improve the appearance as an addition. (Ord. 76-212. Passed 12-21-76.)

1387.08 MAINTENANCE OF INTERIOR WALLS AND FLOORS

- (a) All interior walls and floors of every structure shall be maintained free of holes, large cracks and any loose or deteriorated material.
- (b) The floors of all bathrooms and water closet compartments shall have a cove base at all walls and partitions. Floor surfaces and cove base shall be of nonabsorbent materials with moisture resistant joints. (Ord. 76-212. Passed 12-21-76.)



1387.09 PEST CONTROL

All dwelling structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin, rodents, fowl, birds and moles. (Ord. 76-212. Passed 12-21-76.)

1387.10 EXTERIOR PROPERTY AREAS

No owner, or operator of any premises shall maintain or permit to be maintained at or on the exterior areas of such premises any condition which deteriorates or defaces that appearance of the neighborhood, adversely alters the appearance, or which is a public nuisance or health hazard, including but not limited to the following:

- (a) Broken or dilapidated fences, walls or other structures.
- (b) Improperly maintained walks, excluding public sidewalks, or driveways creating a hazardous condition.
- (c) Out-of-use or non-usable, dilapidated appliances, automobiles or automobile parts.
- (d) Rags, rugs or other materials hung on lines or in other places on such premises, which materials are not being used for general household or housekeeping purposes; broken, dilapidated or unusable furniture, mattresses or other household furnishings; plastic materials, paints, miscellaneous coverings and/or any other materials, including those described in this section placed at or on the premises in such a manner as to be patently unsightly, grotesque or offensive to the senses.
- (e) Lawns, landscaping and driveways shall also be maintained so as not to constitute a blighting or deteriorating effect in the neighborhood. The aprons of driveways shall be maintained so as to prevent loose stones or gravel from spilling or falling over into and onto any public way, culvert or storm ditch. All driveway aprons shall be replaced in concrete. Resurfacing of aprons in asphalt shall be prohibited. Driveways and parking areas shall be repaired, replaced or maintained with like materials or either concrete or asphalt.
- (f) No motor vehicle shall be parked upon the premises except upon driveways, parking lots, in garages or on area improved for vehicular use.
- (g) No building materials or materials, earth, sand or dirt intended for use in landscaping or gardening shall be left standing open or covered upon any premises for a period of time longer than six months. (Ord. 2004-201. Passed 12-21-04.)

1387.11 SECONDARY OR APPURTENANT STRUCTURES

- (a) All secondary or appurtenant structures such as sheds, barns, garages, etc. shall either be maintained in good repair and free from health, accident and fire hazards or shall be removed from the premises.
- (b) All roofs of every secondary or appurtenant structure exceeding fifty square feet of roof shall be equipped with gutters and downspouts connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or into other devices provided that no excess water flows onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited.
- (c) Where foundations of secondary or appurtenant structures have deteriorated or settled to the point where wall plates or studs are rotting, they shall be replaced with foundations as required for garages under the Building Code. (Ord. 76-212. Passed 12-21-76.)



1387.12 BURGLARY PREVENTION REGULATIONS

- (a) Definitions. For purposes of this section, certain words and phrases shall have the following meanings:
- (1) "Activate" means to make a locking device effective in preventing unauthorized entry through the door, window or other access point to which the locking device is attached.
 - (2) "Access point" means any opening in the exterior of a building or structure including skylights and vents which has a glass or open area of ninety-six square inches (619 square centimeters) or more, and which has its smallest dimension in excess of six inches (15.24 centimeters).
 - (3) "Accessible" means any access point within either eighteen feet (5.49 meters) of the ground or of the roof of an adjoining building or structure; or within fourteen feet (4.27 meters) of the same when the facade faces directly on a public street; or within three feet (0.91 meters) of an access point, fire escape, or ledge in or projecting from the same or an adjacent wall and leading to another building or structure.
 - (a) A roof is any surface of a building or structure which provides a horizontal supporting surface of six feet (1.83 meters) or more in width.
 - (4) "Approved as applied to a given material", "mode of construction", "piece of equipment", or "device" means meeting the requirements of this section.
 - (5) "Control device" means a key or similar mechanical implement that is normally used by authorized persons to activate or deactivate a locking device.
 - (6) "Exterior" means that portion of a building or structure which is accessible to the public.
 - (7) "Locking device" means a mechanical implement or combination of mechanical implements attached to a door, window, or other access point of a building or structure and designed to prevent unauthorized persons from entering the building or structure through that door, window or other access point when the locking device is activated.
- (b) Security Requirements; Applicability. All existing and future buildings used as multiple dwelling structures shall at all times be so secured as to prevent unauthorized entry and to provide the maximum possible security to the permanent transient occupants, in accordance with the specifications provided in this section.
- (c) Responsibility for Enforcement. The Building Commissioner is authorized and directed to administer and enforce the provisions of this section, except where otherwise provided.
- (d) Responsibility for Compliance. Responsibility for compliance with the provisions of this section shall be as follows:
- (1) The Building Commissioner or his assistant shall make inspections as follows:
 - A. All buildings and structures shall be inspected at least once a year;
 - B. Buildings and structures in the process of construction shall be periodically inspected during the process of construction, additions, alterations, or repairs and shall be inspected at least once a year thereafter;
 - C. Inspections shall be made to determine whether the required mechanical devices have been properly installed and are properly functioning.
 - (2) When an inspection reveals that the building or structure does not meet the requirements of this section the following procedure shall be followed:
 - A. Written notice of the deficiencies discovered during the inspection shall be given the person responsible for compliance or his designated agent.
 - B. Such notice shall set forth the amount of time within which such deficiencies are to be corrected.
 - C. Upon correcting such deficiencies, the person responsible for compliance or his designated agent shall notify the Building Commissioner that the deficiencies have been corrected.
 - D. The Building Commissioner shall upon receipt of notice of correction again inspect the building or structure, and either approve the corrections or disapprove them. The Building Commissioner may grant an extension of time to correct deficiencies if the owner or his designated agent has made a good faith attempt to correct the deficiencies.



- (3) The Building Commissioner or his assistant shall have the right to enter any building or structure subject to the provisions of this section during business hours, for the purpose of inspecting the premises to ascertain the degree of compliance with the provisions of this section. If, after oral notification and the presentation of evidence of identity and authority to the person responsible for compliance or his designated agent, the right to enter the building or structure is refused, the enforcing authority shall have the right to apply to a court of competent jurisdiction for an appropriate order.
- (e) Alternate Security Requirements. The provisions of this section are not intended to prevent the use of other devices or methods of construction than those provided herein, provided such other devices or mode of construction provide the same or greater degree of security than the minimum requirements of this section. The Building Commission may require the person responsible for compliance to submit the device or mode of construction to tests to determine if it meets or surpasses the requirements of this section. Such tests shall not be at the City's expense.
- (f) Life Safety Factors. No portion of this section shall supersede any local, State or Federal laws, regulations or codes dealing with life safety factors, with particular reference to City and State Fire Prevention Codes.
- (g) Control of Public Entry. Within ninety days of the effective date of this legislation all newly constructed and existing buildings used for apartment rental shall install all necessary equipment to prevent entry from the outside of the building by unauthorized individuals, guests or delivery persons to any common area without a duly issued key or admission by a tenant of the building through an electrical unlocking device, intercommunication system, or other method approved by the Building Commissioner.
- (h) No Liability. The purpose of this section is to regulate for the benefit of the public at large, and neither the City nor any City officer or employee shall be liable to any person for any omission or alleged omission under this section. (Ord. 85-49. Passed 4-2-85.)

1387.13 HABITABLE FLOOR AREA DEFINED

"Habitable floor area" means the floor area in any room in any multiple dwelling, which floor area is to be contained within such multiple dwelling or part thereof, in order to meet the minimum requirements of this Code. No floor area shall be considered habitable unless such area meets the requirements set forth in Section 1383.12. (Ord. 89-28. Passed 2-21-89.)

1387.14 HABITABLE FLOOR AREA STANDARDS

No floor area, in any dwelling or part thereof, shall be considered as constituting "habitable floor area" unless such floor area meets at least the following minimum standards:

- (a) In a one-floor dwelling or in the first floor area of any other dwelling, clear ceiling height shall be seven feet six inches.
- (b) In the second or higher floor area of any dwelling, a clear ceiling height of seven feet in at least two-thirds of such floor area and a clear ceiling height of not less than five feet in the remaining one-third of such floor area.
- (c) No portion of any room which is less than seven feet in width shall be included in determining habitable floor area.
- (d) Every dwelling unit in a multiple dwelling structure shall contain at least 200 square feet of habitable floor area for the first occupant thereof and at least 150 additional square feet of habitable floor area for every additional occupant thereof, but in no case shall any such dwelling unit contain less than the minimum number of square feet of habitable floor area as required by other provisions of this Code or the Building or Zoning Codes of the City. (Ord. 91-159. Passed 9-3-91.)



- (e) No multiple dwelling unit may be occupied by a number of occupants which exceeds the standards set forth in this section and Section 1383.10 as to the definition of "family" except:
- (1) Occupants who are otherwise in compliance with this section, and who become in violation of this section because of the addition of a new family member, may remain in violation without penalty for a period of six months from the date of the addition of the new family member or until the expiration of a written lease (excluding extensions, options or renewals), whichever is longer. (Ord. 96-033. Passed 2-20-96.)

1387.15 SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS

- (a) Required. The owner of all existing and future non-owner occupied dwelling units located in the City shall install and maintain smoke detectors and carbon monoxide (CO) detectors as provided in this section. "Smoke detectors" means a device which is designed to detect the visible and invisible products of combustion and which is designed to emit an alarm upon such detection. "Carbon monoxide detector" means a device which is designed to be capable of sensing the presence of carbon monoxide.
- (b) Criteria for Smoke Detectors.
- (1) The location and number of smoke detectors required shall be based upon NFPA 74-1975 as now existing and as from time to time amended hereafter, captioned "standard for the installation, maintenance and use of household fire warning systems".
 - (2) There shall be a smoke detector installed:
 - A. Within each story of each required family living unit, including basements but excluding crawl spaces and unfinished attics;
 - B. Within the immediate vicinity of all sleeping areas.
 - (3) No smoke detector shall satisfy the requirements herein unless it shall bear the label of a nationally recognized testing laboratory.
 - (4) All detectors shall be sensitive to both visible and invisible products of combustion and shall not be acceptable if such smoke detectors are sensitive to heat only.
- (c) Criteria for Carbon Monoxide Detectors.
- (1) There shall be a carbon monoxide (CO) detector installed in each new and existing occupied rental dwelling unit and rooming unit which is heated by an individual gas-fired furnace or boiler, serving six or less dwelling units and all suites in all buildings abutting the boiler room, furnace room and enclosed motor vehicle parking garages.
 - (2) When required for purposes of this chapter, at least one carbon monoxide (CO) detector shall be installed in the immediate vicinity of the sleeping area, as per manufacturer's specifications.
 - (3) The carbon monoxide (CO) detectors shall be approved by a recognized testing agency by the State of Ohio or NFPA and shall be capable of sensing the presence of carbon monoxide gas and providing a suitable alarm thereof when current applicable standards for low-level threshold concentrations of the gas are reached.
- (d) Sleeping Area Defined.
- (1) For purposes of this section, a sleeping area is defined as the area or areas of the family living unit in which the bedrooms or sleeping rooms are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas, such as kitchens or living rooms, but not bathrooms or closets, they shall be considered as separate sleeping areas for the purposes of this section.
 - (2) When bedroom or sleeping areas are not fully enclosed or separated from other living areas within a living or sleeping unit, the smoke detector and carbon monoxide (CO) detector shall be installed nearest the area designated for sleeping, as per the manufacturer's specifications.



(e) Alternate Systems.

- (1) As an alternate to self-contained smoke detectors, an approved fire detection system may be installed. Each fire detection system shall be individually approved by the Fire Chief. Where a carbon monoxide (CO) detector is required, a combination smoke detector / carbon monoxide (CO) detector may be used provided the unit meets all current codes and standards for each application and that the detector be tamper-proof in which a long-life battery pack, if so powered, is sealed within the detector. Such combination detectors shall be individually approved by the Fire Chief. (Ord. 97-126. Passed 8-19-97.)

(f) Equipment and Installation.

- (1) All devices, combinations of devices and equipment required herein are to be installed in conformance with the Building Codes adopted by the City and this section and shall be of a type approved by the Fire Chief. A suitable type detector, specifically designed and marketed for the hearing impaired, which is equipped with an additional strobe-light alarm feature, shall be provided for residents so impaired, as required herein. For the purpose of installation and maintenance only, the applicable sections of the most current edition, NFPA 72, National Fire Alarm Code, shall be considered accepted engineering practice.
- (2) In new residential buildings and existing buildings where smoke detectors or carbon monoxide (CO) detectors have been tampered with or where major renovations are performed (major renovations is defined as renovations exceeding more than fifty percent (50%) of the value of the structure at the time of renovation), smoke detectors and carbon monoxide (CO) detectors, if required, shall be wired directly (hard-wired) to the building's power supply. In existing rooming units and multiple family dwellings, it is preferred that smoke detectors and carbon monoxide (CO) detectors, if required, be wired directly to the power supply. However, smoke detectors may be powered by a self-monitoring battery or operated in a plug-in outlet provided the outlet is not controlled by any switch other than the main power supply. Any battery-powered smoke detectors required and installed after the effective date of this subsection shall be of the tamper-proof type in which the long-life battery packs are sealed within the detector. Carbon monoxide (CO) detectors which are not wired directly to the building's power supply must be operated in a plug-in outlet provided the outlet is not controlled by any switch other than the main power supply. Carbon monoxide (CO) detectors with a digital read out are preferred. Single use, battery-powered carbon monoxide (CO) detectors are not acceptable. (Ord. 97-163. Passed 11-4-97.)

(g) Permits and Fees.

- (1) No smoke detector, carbon monoxide (CO) detector or alternative system shall be directly connected (permanently wired) to the electrical system of the structure unless an electrical permit shall have been first obtained from the Building Division and any applicable fee paid.

(h) Supplemental Standards.

- (1) This chapter is intended to be used with and supplemented by the applicable provisions of the most current edition of NFPA 72, National Fire Alarm Code, which are hereby incorporated herein. However, if there shall be any conflict between this chapter and the supplemental standards, this chapter and any rules and regulations adopted pursuant thereto shall prevail.

(i) Enforcement.

- (1) The Building Commissioner and Fire Chief shall have concurrent jurisdiction to inspect the installation of any smoke detector and/or carbon monoxide (CO) detector required to be installed by this chapter and any violations found to exist shall subject the property owners to the penalties set forth in Section 1379.99 of the Housing Code.



(j) Regulations.

- (1) No occupancy permit shall be issued unless smoke detectors as required herein have been installed in proper locations and have been demonstrated to be properly operating.
- (2) Compliance with this section shall be the responsibility of the owner of the dwelling unit who may designate the name and address of an authorized agent for this purpose in writing to the Building Division.
- (3) The Building Division shall be charged with the responsibility of enforcing this section only during the course of routine housing inspections, or when specifically or actually informed of a violation of this section. Neither the City nor any of its employees shall be held responsible for any death, personal injury or property damages suffered by reason of any failure to comply with this section.
- (4) This section shall not be construed to relieve any person, firm or corporation from any obligation otherwise imposed by it or other ordinances, regulations or statutes including, but not limited to, building and/or fire codes applicable to any structure.

(k) Tampering Prohibited.

- (1) No person shall, without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a smoke detector or carbon monoxide (CO) detector required to be installed pursuant to the provisions of this chapter so as to destroy or diminish its effectiveness or availability for its intended purpose.
- (2) Any smoke detector or carbon monoxide (CO) detector found to be tampered with shall be replaced with a hardwired device (missing or inoperable batteries shall not constitute tampering).
 - A. Any smoke detector, which is missing a battery or has an inoperable replacement battery shall be replaced by the responsible party with a tamper-proof smoke detector with a sealed battery.
 - B. On January 1, 2000, all battery-powered smoke detectors in the City shall be tamper-proof smoke detectors with a sealed battery. (Ord. 97-126. Passed 8-19-97.)

1387.16 ESSENTIAL SERVICES REQUIRED

No dwelling or dwelling unit shall be considered habitable unless all essential services providing heat, potable water, light, ventilation and sanitary facilities, including natural gas (fuel oil), electric and water are provided and in working order. If these services are disconnected or otherwise rendered inoperable, any occupancy permit in effect shall be rendered null and void. (Ord. 90-84. Passed 5-15-90.)

1387.17 GROUND FAULT CURRENT INTERRUPTERS REQUIRED

Ground Fault Current Interrupters (GFCIs) shall be installed as required by the National Electrical Code in any existing receptacle(s), including but not limited to: those in bathrooms, kitchens, laundries, unfinished basements, exterior and garages. (Ord. 2005-078. Passed 5-3-05.)



CHAPTER 1393

Basic Maintenance Standards

- 1393.01 Maintenance responsibilities.
- 1393.02 General maintenance requirements.
- 1393.03 Maintenance of foundations.
- 1393.04 Maintenance of roofs, gutters and downspouts.
- 1393.05 Maintenance of exteriors.
- 1393.06 Maintenance of interior walls and floors.
- 1393.07 Pest control.
- 1393.08 Exterior property areas.
- 1393.09 Secondary or appurtenant structures.
- 1393.10 Rubbish and garbage disposal.
- 1393.11 Renting.

CROSS REFERENCES

- Sidewalk maintenance - see GEN. OFF. 521.06
- Weeds - see GEN. OFF. Ch. 557
- Toilet rooms - see BLDG. 1303.98

1393.01 MAINTENANCE RESPONSIBILITIES

- (a) Owner. The owner of every building or structure or his appointed agent shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the premises.
- (b) Occupant. The occupant of any building or structure shall be responsible for maintaining in a clean and sanitary condition that part of the premises, which he occupies and controls. (Ord. 75-82. Passed 9-2-75.)

1393.02 GENERAL MAINTENANCE REQUIREMENTS

- (a) All structures and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which such structure or part or any feature thereof was designed or intended to be used.
- (b) All equipment and facilities appurtenant to a structure shall be maintained in good and safe working order. (Ord. 75-82. Passed 9-2-75.)

1393.03 MAINTENANCE OF FOUNDATIONS

- (a) All foundations of every structure shall be maintained structurally sound and in good repair.
- (b) All foundations of every structure shall be maintained in such condition as to prevent seepage or leakage of water into the space enclosed within such foundations.
- (c) All openings into the foundations of every structure shall be protected against the entrance of rodents.
- (d) Where parts of structures supported on masonry piers need substantial repair or replacement due to sagging, settling or failure of supporting piers, the same shall be replaced with a foundation conforming to the Building Code. (Ord. 75-82. Passed 9-2-75.)



1393.04 MAINTENANCE OF ROOFS, GUTTERS AND DOWNSPOUTS

All roofs of every structure shall be maintained weather tight and shall be equipped with gutters and downspouts connected to a public storm sewer. (Ord. 75-82. Passed 9-2-75.)

1393.05 MAINTENANCE OF EXTERIORS

- (a) All exterior walls of every structure shall be maintained weathertight and shall be maintained so as to resist decay or deterioration from any cause.
- (b) Any structure or secondary or appurtenant structure whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor repair must be repaired or razed.
 - (1) All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railings, soffits, posts, sills, trim and their missing members must be replaced and put in good condition.
 - (2) All replacements must match and conform to original design or be replaced completely.
 - (3) All exterior wood or exterior unfinished surfaces must be sealed and painted, or the surface covered with other approved protective coating or treated to prevent rot and decay, and conform and match the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces must be properly protected against the weather, where such are defective or lack weather protection, including lack of paint or surface covering, or have weathered due to lack of proper protective covering.
- (c) Any structure or secondary or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating, or whose exterior surface has weathered with dirt and grime or has been impaired through peeling or flaking of the paint or other protective coating, shall be repaired, repainted or resurfaced.
 - (1) All exterior surfaces shall be replaced or repaired in good condition preparatory to repainting or coating.
 - (2) All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner.
 - (3) All new or repaired bare surfaces shall be painted or coated. (Ord. 75-82. Passed 9-2-75.)
 - (4) No windows, doors or other openings into a dwelling structure or appurtenant structure, whether occupied or vacant, shall be removed or enclosed, covered or boarded up, unless treated as an integral part of the facade using materials and detailing compatible with the building facade and style in general. Any such window, door or dwelling opening alterations shall be approved in advance by the Architectural Board of Review. (Ord. 2011-070. Passed 5-3-11.)

1393.06 MAINTENANCE OF INTERIOR WALLS AND FLOORS

- (a) All interior walls and floors of every structure shall be maintained free of holes, large cracks and any loose or deteriorated material.
- (b) The floors of all bathrooms and water closet compartments shall have a cove base at all walls and partitions. Floor surfaces and cove base shall be of nonabsorbent materials with moisture-resistant joints. (Ord. 75-82. Passed 9-2-75.)

1393.07 PEST CONTROL

All structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin or rodents. (Ord. 75-82. Passed 9-2-75.)



1393.08 EXTERIOR PROPERTY AREAS

Exterior property areas of all premises shall be kept free of any debris, objectionable material or condition, which may create a health, accident or fire hazard, which is a public nuisance, or which constitutes a blighting or deteriorating influence on the neighborhood. Lawns, landscaping, tree lawns, sidewalks, and parking lots or parking areas, driveways and driveway aprons shall also be maintained in a state of good repair or growth free from holes, cracks, bumps or bare spaces, as the case may be, so as not to constitute a blighting or deteriorating effect on the neighborhood and shall be further constructed and maintained in accordance with Section 1181.07. All driveway aprons shall be replaced in concrete. Resurfacing of aprons in asphalt shall be prohibited. Driveways and parking areas shall be repaired, replaced or maintained with like materials or either concrete or asphalt. (Ord. 2004-201. Passed 12-21-04.)

1393.09 SECONDARY OR APPURTENANT STRUCTURES

- (a) All secondary or appurtenant structures such as sheds, barns, garages, etc. shall either be maintained in good repair and free from health, accident and fire hazards or shall be removed from the premises.
- (b) All roofs of every secondary or appurtenant structure shall be equipped with gutters and downspouts connected to a public storm sewer.
- (c) Where foundations of secondary or appurtenant structures have deteriorated or settled to the point where wall plates or studs are rotting, they shall be replaced with foundations as required for garages under the Building Code. (Ord. 75-82. Passed 9-2-75.)

1393.10 RUBBISH AND GARBAGE DISPOSAL

- (a) Every occupant of a business structure shall dispose of all his rubbish in a clean and sanitary manner by placing it in approved receptacles or in other approved rubbish disposal facilities.
- (b) Every occupant of a business structure shall dispose of all his garbage and other waste which might provide food for insects and rodents, in a clean and sanitary manner by placing it in approved non-leakable, nonabsorbent, covered garbage storage receptacles or in other approved garbage disposal facilities.
- (c) Every occupant of a business structure shall make necessary arrangements for the pick-up and removal of rubbish and garbage so as not to overload the containers or receptacles. (Ord. 75-82. Passed 9-2-75.)
- (d) In any case where the use of containers for the storage of garbage and/or rubbish or other waste materials, which containers are stored out-of-doors, the occupant shall provide an enclosure, constructed of masonry materials which match the principal building or wooden board on board as approved by the Building Commissioner, within which such containers shall be stored. Such structure shall be constructed to allow sufficient ventilation to prevent the accumulation of odors, and to allow sufficient ease of access to permit entry to and cleaning thereof.
 - (1) Every person required by this section to erect such a structure shall submit plans and specifications to the Building Commissioner at the time of application as will permit him to determine the adequacy of the structure for the proposed use prior to obtaining a building permit.
 - (2) In the event there is more than one commercial enterprise on the property, the property owner, person, firm or corporation required by this section to erect an enclosure, may upon the approval of the Building Commissioner, jointly erect an enclosure that may be used to store the containers for more than one commercial enterprise. (Ord. 82-122. Passed 6-1-82.)

1393.11 RENTING

No owner, operator or agent shall rent or lease, or offer for rental or lease, any business units, structures or any parts thereof which do not comply with the provisions of this Business Maintenance Code. (Ord. 75-82. Passed 9-2-75.)