

ARTICLE IV Habitable Buildings (§ 569-34 — § 569-35)**§ 569-34 Sanitation, occupancy and heating.**

Every habitable public or private building hereafter constructed and all existing habitable buildings, at the discretion of the Director, shall comply with the following requirements. These requirements shall not apply however to premises regulated by Chapters VII and XV of the State Sanitary Code.

A.

Each and every plumbing fixture, pipe, drain, sewer and sewer connection shall be properly plumbed, of sanitary design and construction, maintained in good repair and in a sanitary condition. No person shall occupy any building, dwelling, trailer or vehicle as a place of habitation unless a safe and adequate supply of water is readily available and unless adequate and sanitary facilities for the disposal of sewage shall have been provided therefor.

B.

Every habitable building intended for or occupied as a home or place of residence shall be provided with at least one toilet, one bathtub or shower, one lavatory and one kitchen sink for each single-family dwelling unit or, if more than one family, for each eight persons inhabiting such structure. Every habitable room in any such building shall be so constructed and maintained as to provide protection from the elements, freedom from excessive moisture, freedom from rodent and insect infestation, adequate ventilation, adequate natural lighting and shall be capable of being kept and shall be kept in a clean and sanitary condition.

C.

Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 square feet of floor space for every additional occupant thereof, calculated on the basis of total habitable room area. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof. At least 1/2 of the floor area of every habitable room shall have a ceiling height of at least seven feet. The floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area of the room for the purposes of determining the maximum permissible occupancy thereof.

D.

Every dwelling shall have heating facilities which are properly installed, are maintained in a safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 70° F. at a distance of three feet above the floor level, under ordinary winter weather conditions. All heating devices shall be properly and adequately vented and shielded.

§ 569-35 Insanitary buildings.

A.

Whenever any building, dwelling or a part thereof shall become insanitary so as to be unfit for human habitation or whenever occupancy of a building or dwelling shall cause an insanitary condition on or adjacent to the premises thereof and such condition shall be determined, by the Director after due notice to the owner and a hearing thereon, to constitute a nuisance or condition detrimental to life or health, the Director may issue an order requiring the owner thereof to abate said nuisance or condition by placing said building or dwelling in a sanitary or habitable condition within a time specified in said order.

B.

Upon the failure of such owner to comply with the order provided for in § 569-35A herein, the Director may issue a further order, to be affixed conspicuously upon such building or dwelling and served upon the occupant or lessee thereof and upon the owners thereof or his agent, requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order and until such time as the building or dwelling shall be placed in a sanitary or habitable condition and the nuisance abated. Whenever such building or dwelling has been vacated in accordance with this section, it shall not be reoccupied except by written permission of the Director.

Editor's Note: Original Article V, Meat Inspection, which immediately followed this section, was repealed 2-1-63, by Res. No. 50-1963.