

SECTION 11

RENTAL HOUSING

Section:

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7-11-1: PURPOSE AND INTENT: It is the purpose of this Ordinance to assure that rental housing in the City of Otsego is decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of rental residential properties is a business enterprise that entails certain responsibilities. Operators are responsible to take such reasonable steps as are necessary to assure that the citizens of the City who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from crimes and criminal activity, noise, nuisances or annoyances; free from reasonable fears about safety of persons and security of property; and suitable for raising children.

With respect to rental disputes and except as otherwise specifically provided by the terms of this Ordinance, it is not the intention of the City to intrude upon the fair and acceptable relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, or to act as an arbiter, or to be receptive of complaints from a tenant or landlord which are not specifically and clearly relevant to the provisions of this Ordinance. In the absence of such relevancy, with regard to rental disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the City.

7-11-2: APPLICABILITY: Every rental dwelling unit and its premises used whole or in part as a home or residence, for a family or person, shall conform to the requirements of this Ordinance irrespective of when such building was constructed,

altered or repaired. This Ordinance establishes minimum standards for erected rental dwelling units, accessory structures and related premises.

7-11-3: DEFINITIONS: The following words, terms and phrases, when used in this Ordinance, shall have to following meanings:

Accessory Structure: A subordinate detached building or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such main building or use.

Approved: When used in reference to the design and capabilities of physical systems of a dwelling, shall mean having passed the inspection of the Compliance official. The basis for passage of such inspection shall be an analysis of the effective state codes and an analysis of the degree to which the systems meet the standards established by such codes. It shall be the objective of the Compliance official, unless otherwise specified, to establish minimum qualifications for approval of such system, which qualifications can maintain substantial compliance with the effective state codes and can be achieved in a reasonably economical and practical manner.

Building: Any structure built for support, shelter or enclosure of persons, animals, chattel or movable property of any kind, and includes any structure.

Compliance Official: The City Building Official and his designated agents authorized to administer and enforce this article.

Dwelling: A building or portion thereof, designated exclusively for the residential occupancy, including one-family, two-family, multiple family dwellings and manufactured houses, but not including hotels, motels, or boarding houses.

Dwelling, Multiple (Apartment): A building designed with three (3) or more dwelling units exclusively for the occupancy of three (3) or more families living independently of each other, but sharing hallways, main entrances and exits. A two-family dwelling (duplex) shall be considered and classified as a multiple family dwelling.

Dwelling, Single-Family: A dwelling unit designed exclusively for occupancy by one (1) family.

1. Attached: A dwelling which is joined to another at one ore more sides by a party wall.
2. Detached: A dwelling unit not attached to another dwelling or structure or is entirely surrounded by open space.

Dwelling, Two-Family: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each. A two-family dwelling

(duplex) with a separate rooming unit(s) shall be considered and classified as a multiple family dwelling.

1. Double Bungalow: A two-family dwelling with two (2) units side-by-side.
2. Duplex: A two-family dwelling unit with one (1) unit above the other.

Dwelling Unit: A residential building or portion thereof intended for occupancy by one (1) or more persons with facilities for living, sleeping, cooking and eating but not including hotels, motels, nursing homes, seasonal cabins, boarding or rooming houses, resorts, tourist homes or trailers.

Family: An individual or two (2) or more persons related by blood, marriage, adoption or a group of not more than three (3) persons who need not be related by blood or marriage living together in a dwelling unit.

Garbage: Animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Habitable Building: Any building or part thereof that meets minimum standards for use as a home or place of abode by one or more persons.

Habitable Room: A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, unfinished basements (those without required ventilation, required electric outlets and required exit facilities), pantries, utility rooms of less than 50 square feet of floor space, foyers, communicating corridors, stairways, closets, storage spaces and workshops, hobby and recreation areas in parts of the structure belowground level or in attics.

Heated Water: Water heated to a temperature of not less than 120 degrees Fahrenheit, or such lesser temperature required by government authority, measured at the faucet outlet.

Kitchen: A space which contains a sink with counter working space, adequate space for installing cooking and refrigeration equipment and adequate space for the storage of cooking utensils.

Lease: An agreement to rent. For use as a verb, see Rent.

Occupant: Any person (including the owner or operator) sleeping, cooking and eating in a dwelling unit or living and sleeping in a rooming unit.

Operator: The owner or his agent who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.

Owner: Any person who, alone, jointly, or severally with others, shall be in actual possession of, or have charge, care or control of, any dwelling, dwelling unit, or rooming unit within the city as title holder, as employee or agent of the title holder, or as trustee or guardian of the estate or person of the title holder. Any such person representing the actual title holder shall be bound to comply with the provisions of this article to the same extent as the title holder.

Party Wall: A common wall which divides two (2) independent structures by a fire wall.

Permissible Occupancy: The maximum number of persons permitted to reside in a dwelling unit or rooming unit.

Plumbing: All of the following supplied facilities and equipment in a dwelling: gas pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar fixtures and the installation thereof, together with all connections to water, sewer and gas lines.

Premises: A platted lot or part thereof or unplatted parcel of land occupied by any dwelling or non-dwelling structure, including any such building, accessory structure or other structure thereon.

Public Hall: A hall, corridor or passageway for providing egress from a dwelling unit to a public way and not within the exclusive control of one family.

Refuse: All organic and non-organic waste, including garbage and rubbish.

Rent: Consideration paid for the use of premises, including, but not necessarily limited to, money, services and property. As a verb, the term "rent" means to get or give the use of premises in return for such consideration or any combination thereof. The term "rent" does not include arrangements whereby a relative, as defined in Minn. Stats. § 273.124, subd. 1(c), occupies a dwelling for no consideration or for consideration that includes no more than maintenance of the dwelling or premises, and which arrangement is detailed and sworn to in affidavits filed by each adult occupant of the dwelling and each person who is an owner of the dwelling.

Rental Dwelling: A building or portion thereof let for rent or lease, designed or used predominantly for residential occupancy of a continued nature, including single-family dwellings, attached or detached, and multiple-family dwellings, but not including hotels and motels.

Rental Dwelling Unit: A single residential accommodation let for rent or lease which is arranged, designed, used or, if vacant, intended for use exclusively as a domicile for one family. Where a private garage is structurally attached, it shall be considered as a part of the building in which the dwelling is located.

Repair: To restore to a sound and acceptable state of operation, serviceability or appearance.

Rodent Harborage: Any place where rodents can live, nest or seek shelter.

Rubbish: Solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery and similar materials.

Substandard Dwelling: Any dwelling which does not conform to the minimum standards established by city ordinances.

Supplied: Paid for, furnished by, provided by or under the control of the owner, operator or agent of a dwelling. Whenever the terms "dwelling," "dwelling unit," "premises," and "structure" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Toilet: A toilet, with a bowl and trap made in one piece, which is connected to the city water and sewer system or other approved water supply and sewer supply.

7-11-4: LICENSE:

- A. License Required. No person, firm or corporation shall operate a rental dwelling unit without first having obtained a license to do so from the City as provided for in this Ordinance. Each license shall be issued annually and shall expire one (1) year following the issuance thereof. License renewals for the following years shall be filed not less than thirty (30) days prior to the license expiration date. (Ord. 2008-25, Dec. 8, 2008)
- B. Application. Applications for rental licenses shall be made in writing to the City by the owner of the rental dwelling unit(s) or his/her designated agent. The applicant shall supply:
 - 1. The name, address and telephone number of the dwelling owner, the owning partners if a partnership and/or that of the corporate officers if a corporation.
 - 2. The name, address and telephone number of the designated resident agent, if any.
 - 3. The name, address and telephone number of the management representative.
 - 4. The name, address and telephone number of the vendee, if the dwelling is being sold through a contract for deed.

5. The legal address of the dwelling.
6. The type of dwelling.
7. The type and number of dwelling units within the dwelling.
8. Number of occupants.
9. A description of the procedure through which tenant inquiries and complaints are to be processed.
10. An acknowledgement that the owner or designated agent has received a copy of this Ordinance.
11. Certification of Taxes and Utilities Paid: Prior to approving an application for a rental housing license, the property owner shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the rental housing license application relates.

C. Fees.

1. Fees for renewal of licenses under this Section shall be due not less than thirty (30) days prior to the license expiration date. In cases of new unlicensed dwellings, license fees shall be due upon issuance of the certificate of occupancy. (Ord. 2008-25, Dec. 8, 2008)
2. The amount of license fees shall be as set forth in Section 2-4-2. The licensee shall not be entitled to a refund of any license fee upon revocation or suspension of the license. However, the licensee shall be entitled to a refund of any license fee, prorated monthly, upon proof of transfer of legal control or ownership.

D. Inspection Required. No license shall be issued or renewed under this Ordinance unless the rental dwelling and its premises conform to the ordinances of the City and the laws of the State. The City may require an inspection of such dwelling and premises to make that determination. Failure to schedule or allow such inspection shall be dealt with in the same manner as a violation of Section 5, Chapter 2 of the City Code.

E. Posting of License. Every licensee of a rental dwelling shall cause to be conspicuously posted in the main entryway of other conspicuous location therein the current license of the respective rental dwelling.

7-11-5: INSPECTION CRITERIA: The City may inspect any rental unit if it falls within one or more of the following criteria:

- A. Such a unit has been abandoned by the owner or the owner of such unit cannot be found.
- B. The rental dwelling unit license has been suspended, revoked or denied.
- C. Water, gas, or electric service to such unit has been discontinued as a result of nonpayment for more than thirty (30) continuous days.
- D. The unit is on a parcel of land which is on the list of delinquent taxes filed by the County Auditor with the court administrator of the district court pursuant to Minn. Stat. Section 279.05.
- E. The City has probable cause to believe that there exists within such unit one or more violations of the requirements of this ordinance.
- F. The unit of property within which the unit is located has, within the preceding six (6) months, renewed a license after suspension or revocation.
- G. The unit is the subject of a pending notice of the City's intent to suspend or revoke the rental license.
 - 1. The City Building Inspector is hereby authorized, in conformity with this Chapter, to inspect all rental dwelling units to enforce this section and all applicable safety codes.
 - 2. The City Building Inspector is authorized to inspect all rental dwelling units in dwellings, whether having a rental license hereunder or not. The inspection may include the building or structure containing the rental dwelling unit, the land upon which it is located and accessory uses or structures related to the rental dwelling unit. All inspections authorized by this section shall be limited to those which are done for the purpose of seeking compliance with the applicable safety codes, and shall take place only at reasonable hours or as may otherwise be agreed upon by the owner and the City Building Inspector.
 - 3. The City shall give notice to the owner of any violations of the applicable safety codes which are discovered during any inspection.

7-11-6: RESPONSIBILITIES OF OWNERS AND OCCUPANTS: No owner or other person shall occupy or let another person occupy any rental dwelling unit, unless the premises are clean, sanitary, fit for human occupancy and complies with all

applicable legal requirements of the State and the City, including the following requirements:

- A. License: The owner of a rental dwelling unit shall obtain and license and shall pass the required inspection prior to any occupancy of the rental dwelling unit.
- B. Maintenance:
 - 1. Shared or Public Areas: Every owner of a rental dwelling unit shall maintain in a clean, sanitary and safe condition, the shared or public areas of the building and premises thereof.
 - 2. Occupied Areas: All occupants of a rental dwelling unit shall maintain in a clean, sanitary and safe condition that part or those parts of the building and premises thereof that she/he occupies and controls.
- C. Storage and Disposal of Garbage and Rubbish:
 - 1. All occupants of a rental dwelling unit shall store and dispose of all their rubbish in a clean, sanitary and safe manner.
 - 2. All occupants of a rental dwelling unit shall store and dispose of all their garbage and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary and safe manner.
 - 3. Every owner of a rental dwelling unit shall supply facilities of adequate size for the sanitary and safe storage and disposal of rubbish and garbage.
- D. Pest Control:
 - 1. Pest Extermination: Every owner of a rental dwelling unit shall be responsible for the extermination of vermin infestations and/or rodents on the premises. Every occupant of a dwelling unit containing more than one dwelling unit or an occupant of a nonresidential building containing more than one unit shall be responsible for the extermination whenever his unit is the only one infested. Notwithstanding, however, whenever infestations caused by the failure of the owner to maintain a building in a reasonable rodent-proof or reasonable vermin-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the units in any building, extermination thereof shall be the responsibility of the owner. Whenever extermination is the responsibility of the owner, the extermination must be performed by a licensed pest control contractor.

2. Rodents:
 - a. No occupant of a rental dwelling unit shall accumulate boxes, lumber, scrap metal, or any similar materials in such a manner that may provide a rodent harborage in or about any dwelling unit or building. Stored materials shall be stacked neatly.
 - b. No owner of a rental dwelling unit shall accumulate or permit the accumulation of boxes, lumber, scrap metal, or any other similar materials in such a manner that may provide a rodent harborage in or about shared or public areas of a building or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly.
 - c. No owner or occupant of a rental dwelling unit shall store, place or allow to accumulate, any materials that may serve as food for rodents in a site accessible to rodents.
- E. Sanitary Maintenance of Fixtures and Facilities: Every occupant of a rental dwelling unit shall keep all supplied fixtures and facilities therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- F. Minimum Heating Capability and Maintenance: In every rental dwelling unit, when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least sixty eight degrees Fahrenheit (68°F), or such lesser temperature required by government authority, shall be maintained at a distance of three feet (3') above the floor and three feet (3') from exterior walls in all habitable rooms, bathrooms and water closet compartments from September through May.
- G. Minimum Exterior Lighting: The owner of a rental building shall be responsible for providing and maintaining effective illumination in all exterior parking lots and walkways.
- H. Driveways and Parking Areas: One (1) off-street parking space must be provided for each tenant age of eighteen (18) years or older. The owner of a rental building shall be responsible for providing and maintaining in good condition paved and delineated parking areas and driveways for tenants consistent with Section 20-21-4 of the Zoning Ordinance.
- I. Yards: The owner of the building shall be responsible for providing and maintaining the yards of premises consistent with Section 20-16-7 of the Zoning Ordinance.

- J. Exterior Storage: Owners and occupants of rental dwelling units shall comply with the City's exterior storage requirements as regulated by Section 20-16-16 of the Zoning Ordinance.
- K. Public Nuisances: Owners and occupants of rental dwelling units shall comply with the City's public nuisance ordinance as provided for in Chapter 5 of the City Code.
- L. The property owner shall be responsible for payment of all property taxes, City utility fees, special assessments, and interest. Delinquent utility accounts shall be subject to Section 6-2-5 of the City Code. (Ord. 2007-18, Nov. 13, 2007)

7-11-7: MAXIMUM DENSITY: No person shall occupy nor permit or let to be occupied any rental dwelling unit for the purpose of living therein, which does not comply with the following requirements.

- A. With the exception of tenants occupying a respective dwelling unit prior to February 12, 2007, the maximum permissible occupancy of any dwelling unit shall be determined as follows:
 - 1. For the first occupant, one hundred fifty (150) square feet of habitable room floor space and for every additional occupant thereof, at least one hundred (100) square feet of habitable room floor space.
 - 2. In no event shall the total number of occupants exceed two (2) times the number of habitable bedrooms, less kitchen, in the dwelling unit.
- B. Occupancy of a rental dwelling unit by a single family as defined by Section 20-2-2 of the City Code shall be exempt from the provisions of Section 7-11-7.A of this Section. (Ordinance 2014-09, adopted April 28, 2014)

7-11-8: GENERAL REQUIREMENTS: No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit which does not comply with the following requirements, unless specifically exempt:

- A. Minimum Ceiling Height: In order to qualify as habitable, rooms shall have a clear ceiling height of not less than seven feet six inches (7'6"); except, that in attics or top half stories used for sleeping, study, or similar activities, the ceiling height shall be not less than seven feet six inches (7'6") over at least one-half (1/2) of the floor area. In calculating the floor area of such rooms in attics or top half stories, only those portions of the floor area of the room having a clear ceiling height of five feet (5') or more may be included.
- B. Access through Sleeping Rooms and Bathrooms: No dwelling unit containing two (2) or more sleeping rooms shall have a room arrangement such that access to a

bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be gained only by going through another sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement or cellar of any dwelling unit.

- C. Foundations, Exterior Walls and Roofs: The foundation, exterior walls, and exterior roof shall be substantially watertight and protected against vermin and rodents and shall be kept in sound condition and repair. The foundation element shall adequately support the building at all points. Every exterior wall shall be free of deterioration, holes, breaks, loose or rotting boards or timbers, and any other condition which might admit rain or dampness to the interior portion of the walls or to the interior spaces of the building. The roof shall be tight and have no defects which admit rain, and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment. If the exterior surface is unpainted or determined by the compliance official to be paint blistered, the surface shall be painted. If the exterior surface of the pointing of any brick, block or stone wall is loose or has fallen out, the surface shall be repaired.
- D. Windows, Doors And Screens: Every window, exterior door, and other exterior openings shall be substantially tight and shall be kept in sound condition and repair. Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction as to completely exclude rain, wind, vermin and rodents from entering the building. Every operable window shall be supplied with 16 mesh screens during the insect season, and shall be equipped with an approved lock if located less than six feet (6') above adjacent grade.
- E. Floors, Interior Walls and Ceilings: Every floor, interior wall and ceiling shall be adequately protected against the passage and harborage of vermin and rodents, and shall be kept in sound condition and good repair. Every floor shall be free of loose, warped, protruding or rotted flooring materials. Every interior wall and ceiling shall be free of holes and large cracks and loose plaster and shall be maintained in a tight, weatherproof condition. Toxic paint and materials with a lasting toxic effect shall not be used. The floor of every toilet room, bathroom, and kitchen shall have a smooth, hard, nonabsorbent surface and shall be capable of being easily maintained in a clean and sanitary condition.
- F. Rodent proof: Every structure and the premises upon which it is located shall be maintained in a rodent free and rodent proof condition. All openings in the exterior walls, foundations, basements, ground or first floors, and roofs, which have a one-half inch (1/2") diameter or larger opening, shall be rodent proofed in an approved manner. Interior floors or basements, cellars, and other areas in contact with the soil shall be paved with concrete or other rodent impervious material.

- G. Fences: All fences shall consist of metal, wood, masonry, or other decay resistant material. Fences shall be maintained in good condition both in appearance and in structure. Wood material, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives. All fences shall be subject to the provision of Section 20-16-6 of the Otsego Zoning Ordinance.
- H. Grading And Drainage: During the period of May through October, every yard, court, passageway, and other portions of the premises on which a building stands shall be graded and drained so as to be free of standing water that constitutes a detriment to health and safety.
- I. Landscaping: Every yard of a premises on which a building stands shall be provided with lawn or combined ground cover of vegetation, garden, hedges, shrubbery, and related decorative materials, and such yard shall be maintained consistent with prevailing community standards. Nonresidential sites shall be maintained in accordance with an approved city landscape plan and shall be supplied with an irrigation system.
- J. Screening: All outside trash disposal facilities, recycling containers, and outside or rooftop mechanical equipment shall be screened from view by an opaque fence or wall high enough to completely screen the equipment.
- K. Safe Building Elements: Every foundation, roof, floor, exterior and interior wall, ceilings, inside and outside stair, every porch and balcony, and every appurtenance thereto, shall be safe to use and capable of supporting loads required by the occupancy.
- L. Facilities to Function: Every supplied facility, piece of equipment or utility required under city ordinances and every chimney and flue shall be installed and maintained and shall function effectively in a safe, sound, and working condition.
- M. Discontinuance of Service or Facilities: No owner, operator, or occupant shall cause any service, facility, equipment, or utility, which is required under this chapter, to be removed, shut off or discontinued from any occupied building or portion thereof, except for such temporary interruptions as may be necessary while actual repairs or alterations are in process, or during temporary emergencies.

7-11-9: MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES:
No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit for the purposes of living, sleeping, cooking and eating therein which do not comply with the following requirements:

A. Kitchen Facilities:

1. Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which is connected to an approved sewer system.
2. Every dwelling unit shall have an approved kitchen sink in good working condition and properly connected to an approved water supply system, and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to an approved sewer system.
3. Every dwelling unit shall have cabinets and/or shelves for the storage of eating, drinking, and cooking equipment and utensils and of food that does not require refrigeration for safekeeping, and a counter or table for food preparation. Said cabinets and/or shelves and counter or table shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction and furnished with surfaces that are easily cleaned and that will not impart any toxic or deleterious effect to food.
4. Every dwelling unit shall have a stove or similar device for cooking food, and a refrigerator or similar device for the safe storage of food at or below forty degrees Fahrenheit (40°F), which are properly installed with all necessary connections for safe, sanitary and efficient operation. Provided, that such stove, refrigerator or similar device need not be installed when a dwelling unit is not occupied or when the occupant is expected to provide same upon occupancy, in which case, sufficient space and adequate connections for the installation and operation of said stove, refrigerator or similar device must be provided.

B. Toilet Facilities: Within every rental dwelling unit there shall be an uninhabitable room which is equipped with an approved toilet in good working condition. Such room shall have an entrance door which affords privacy. Said toilet shall be equipped with easily cleaned surfaces, shall be connected to an approved water system that at all times provides an adequate amount of running water under pressure to cause the toilet to be operated properly, and shall be connected to an approved sewer system.

C. Lavatory Sink: Within every rental dwelling unit there shall be an approved lavatory sink. Said lavatory sink may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which the said water closet is located. The lavatory sink shall be in good working condition and shall be properly connected to an approved water supply system and shall provide at all times an adequate amount of heated and unheated running water under pressure, and shall be connected to an approved sewer system.

- D. **Bathtub or Shower:** Within every rental dwelling unit there shall be an uninhabitable room which is equipped with an approved bathtub or shower in good working condition. Such room shall have an entrance which affords privacy. Said bathtub or shower may be in the same room as the flush water closet, or in another room, and shall be properly connected to an approved water supply system and shall provide at all times an adequate amount of heated and unheated water under pressure, and shall be connected to an approved sewer system.
- E. **Stairways, Porches and Balconies:** Every stairway inside or outside of a rental dwelling and every porch or balcony shall be kept in safe condition and sound repair. Stairs, handrails and guards shall conform to the IRC/IBC.
- F. **Access to Rental Dwelling Unit:** Access to or egress from each rental dwelling unit shall be provided without passing through any other rental dwelling unit.
- G. **Door Locks:** No owner shall occupy nor let to another for occupancy any rental dwelling or rental dwelling unit unless all exterior doors of the dwelling or dwelling unit are equipped with safe, functioning locking devices as follows:
 - 1. **Building Entrances:** For the purpose of providing a reasonable amount of safety and general welfare for persons occupying multiple-family dwellings, an approved security system shall be maintained for each multiple-family building to control access. The security system shall consist of locked building entrance or foyer doors, and locked doors leading from hallways into individual dwelling units. Dead-latch type doors shall be provided with lever knobs (or doorknobs) on the inside of building entrance doors and with key cylinders on the outside of building entrance doors. Building entrance door latches shall be of a type that are permanently locked from the outside and permanently locked from the inside.
 - 2. **Interior Dwelling Unit Entrances:** Every door that is designed to provide ingress or egress for a dwelling unit within a multiple-family building shall be equipped with an approved lock that has a deadlocking bolt that cannot be retracted by end pressure; provided, however, that such door shall be openable from the inside without the use of a key or any special knowledge or effort.

7-11-10: MINIMUM STANDARDS FOR LIGHT AND VENTILATION: No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. Habitable Room Light and Ventilation: Except where there is supplied some other device affording adequate ventilation and approved by the compliance official, every habitable room shall have at least one window facing directly outdoors which can be opened easily. The minimum total of openable window area in every habitable room shall be the greater of ten percent (10%) of the floor area of the room or ten (10) square feet. One-half (1/2) of the required window area shall be openable.
- B. Uninhabitable Room Ventilation: Every bathroom and water closet compartment, and every laundry and utility room shall contain at least fifty percent (50%) of the ventilation requirement for habitable rooms contained in subsection A of this section; except, that no windows shall be required if such rooms are equipped with a ventilation system which is approved by the compliance official.
- C. Electric Service, Outlets and Fixtures: Every rental dwelling unit and all public and common areas shall be supplied with electric service, functioning over current protection devices, electric outlets, and electric fixtures which are properly installed, which shall be maintained in good and safe working condition, and which shall be connected to a source of electric power in a manner prescribed by the ordinances, rules, and regulations of the City and by the laws of the State. The minimum capacity of such electric service and the minimum number of electric outlets and fixtures shall be as follows:
1. Rental dwellings containing one (1) or two (2) rental dwelling units shall have at least the equivalent of sixty (60) ampere, 3-wire electric service per dwelling unit.
 2. Rental dwelling units shall have at least one branch electric circuit for each six hundred (600) square feet of dwelling unit floor area.
 3. Every habitable room shall have at least one floor or wall type electric convenience outlet for each sixty (60) square feet or fraction thereof of total floor area and, in no case, less than two (2) such electric outlets; provided, however, that one ceiling or wall type fixture may be supplied in lieu of one required electric outlet.
 4. Every bathroom, kitchen, laundry room, and furnace room shall contain at least one (1) supplied ceiling or wall type electric light fixture, and every bathroom, kitchen, and laundry room shall contain at least one (1) electric convenience outlet.
 5. Every public corridor and stairway in every rental dwelling shall be adequately lighted by natural or electric light at all times so as to provide effective illumination in all parts thereof. Every public corridor and stairway in structures containing not more than two (2) dwelling units may be supplied with conveniently located light switches controlling an adequate

lighting system which may be turned on when needed, instead of full time lighting.

6. A convenient switch or equivalent device for turning on a light in each rental dwelling unit shall be located near the point of entrance to such unit.

D. Smoke and Carbon Dioxide Protection: (Ord. 2008-15, July 14, 2008)

1. Every rental dwelling unit shall have smoke detector devices as follows:
 - a. One (1) per level.
 - b. One (1) per bedroom.
 - c. One (1) per hallway leading to bedrooms.
2. Every level of every rental dwelling unit shall have a carbon monoxide detection device located within ten (10) feet of any bedrooms.

7-11-11: DWELLINGS UNFIT FOR HUMAN HABITATION:

- A. Any rental dwelling or rental dwelling unit which is damaged, decayed, dilapidated, unsanitary, unsafe, or vermin or rodent infested, or which lacks provision for basic illumination, ventilation or sanitary facilities to the extent that the defects create a hazard to the health, safety or welfare of the occupants or of the public may be declared unfit for human habitation. Whenever any rental dwelling, rental dwelling unit or rooming unit has been declared unfit for human habitation, the compliance official shall order the dwelling, dwelling unit or rooming unit vacated within a reasonable amount of time and shall post a placard on the dwelling, dwelling unit or rooming unit indicating that it is unfit for human habitation and any operating license previously issued for such dwelling shall be revoked.
- B. It shall be unlawful for such rental dwelling or rental dwelling unit to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the compliance official. It shall be unlawful for any person to deface or remove the declaration placard from any such rental dwelling or rental dwelling unit.
- C. The owner of any rental dwelling or rental dwelling unit which has been declared unfit for human habitation, or which is otherwise vacant for a period of sixty (60) days or more, shall make the dwelling or dwelling unit safe and secure so that it is not hazardous to the health, safety and welfare of the public and does not constitute a public nuisance. Any vacant dwelling open at doors or windows, if unguarded, shall be deemed to be a hazard to the health, safety and welfare of the public and a public nuisance within the meaning of this ordinance.

- D. If a rental dwelling unit has been declared unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and treated consistent with the provisions of State statutes.

7-11-12: PENALTIES AND VIOLATIONS: Any person who violates any provision of this Section shall be guilty of a misdemeanor, punishable as prescribed by State law. The City may elect alternative enforcement through civil penalties or through the City's administrative enforcement proceedings as authorized in Chapter 2, Section 5 of the City Code.

Every license issued under the provisions of this Section is subject to suspension or revocation by the City should the licensed owner or the owner's duly authorized agent fail to operate or maintain a licensed dwelling or unit therein consistent with the provisions of the ordinances of the City and the Laws of the State. The City shall appoint a person responsible for administration of this section who shall have the authority to investigate licensees and to suspend or revoke licenses. The procedures for appealing a revocation or suspension of a license shall follow the City's administrative enforcement proceedings as authorized by Chapter 2, Section 5 of the City Code.