

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 2 OF 1982

A local law entitled, "Housing Code of the Village of Island Park"

Be it enacted by the Board of Trustees of the Village of Island Park as follows:

HOUSING CODE
VILLAGE OF ISLAND PARK
Part 1
General Provisions

H 1-101 TITLE

This Chapter shall be known and referred to as "Housing standards for Residential Premises."

H 1—102 PURPOSE

This Chapter provides basic and uniform standards, in terms of : performance objectives implemented by specific requirements, governing the facilities and condition; use, occupancy, arid maintenance of residential premises, to safeguard the safety, health, and welfare of the occupants and users thereof.

U 1-103 EFFECTIVE DATE

This Chapter shall take effect on the 1st. day of October 1982

H I—104 SCOPE

This Chapter shall apply to existing and to future residential premises, as follows:

a) Lots, plots, or parcels of land, which are vacant and which are located in districts zoned for residential use;

b) Lots, plots, or parcels of land, on which buildings devoted to residential use or occupancy, mixed occupancy buildings, or accessory structures, are located;

c) Buildings devoted to residential use or occupancy, including one-and two-family dwellings and multiple dwellings, mixed occupancy buildings, and accessory structures.

H I-105 NON-APPLICABILITY

a) This Chapter shall not apply to nursing, convalescent, and old—age homes, or similar institutional occupancies.

b) This Chapter shall not apply to fallout shelters constructed or installed to provide safety and security to occupants in accordance with specifications and standards contained in regulations or orders issued by the New York State Civil Defense Commission, or other analogous or successor body.

H 1-106 APPLICATION

The provisions of this chapter shall supplement State and local laws, ordinances, codes, or regulations. Where a provision of this Chapter is found to be in conflict with a provision of a State or local law, ordinance, code, or regulation, the more restrictive provision, shall prevail when legally permissible.

H I-107 STATE BUILDING CONSTRUCTION CODE

Installations, alterations, and repairs to residential premises, which are required to correct violations of the provisions of this Chapter, and materials, assemblies, and equipment utilized in connection therewith shall be safe to persons and property. Conformity of such work, materials, assemblies, or equipment with applicable requirements of the State Building Construction Code and generally accepted standards shall satisfy this requirement.

H I-108 . PARTIAL INVALIDITY .

If a term, part, provision, section, subdivisions or paragraph of this Chapter shall be adjudged unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of the terms, parts,

provisions, sections, subdivisions, or paragraphs.

H I-109 ABBREVIATIONS AND DEFINITIONS .

H. 1-109.1 General

a) Abbreviations, terms, phrases, words, and their derivatives used in this Chapter shall have the meanings stated in this section. Terms and words not defined shall have their ordinarily accepted meanings or such as the context may imply.

b- Words used in the singular include the plural, and the plural include the singular. Words used in the masculine gender include the feminine and neuter genders.

H 1-109.2 Abbreviations .

Btu British thermal unit. .

c. Centigrade

cfm Cubic feet per minute

F. Fahrenheit

ft. Foot or feet .

gal. Gallon or gallons

gpm Gallons per minute

in. Inch or inches

psf Pounds per square foot

psi Pounds per square inch

H 1-109.3 Definitions

accessory structure. A structure used or occupied as an adjunct of, or in conjunction with, the use or occupancy of premises, or building or buildings thereon, and which is located on the premises or adjacent thereto.

accessory use. A use or occupancy of premises in conjunction with, or for the service of, the residential use. Such accessory use may be located within a residential building or on the same or adjoining premises and may include, but not be limited to: a- offices for the, building management: b- public dining rooms, banquet rooms, public kitchens, and ballrooms: c—recreation and playgrounds: d— laundries for the use of occupants, provided by or in connection with the management and operation of a residential building; e— maintenance and workshops, storage rooms for linen, bedding, furniture, supplies, and occupants' equipment and effects: f- stores, rooms, or space for the sale or display of merchandise: g- garages used for the storage of motor vehicles.

ampacity. Current—carrying capacity expressed in amperes.

apartment. A dwelling unit in a multiple dwelling or mixed occupancy building.

apartment house. A building containing primarily apartments. See multiple

dwelling.

approved. Adjudged satisfactory, by the administrative officer pursuant to the regulations of this Chapter, by an authority designated by law or this Chapter, or, when used in connection with materials, appliances, equipment, or devices, by a testing agency recognized under the State Building Construction Code.

basement. That space of a building that is partly below grade, which has one—half or more of its height, measured from floor to ceiling, above the average finished grade.

bathroom. Enclosed space containing one or more bathtubs, showers, or both, and which may also contain water closets, lavatories, or fixtures serving similar purposes. See toilet room.

boatel. See Hotel.

building. A structure wholly or partially enclosed within exterior walls, or within exterior and party walls, and a roof. The term building, shall be construed as if followed by the phrase "or part thereof", unless otherwise indicated by the text.

cellar. That space of a building that is partly or entirely below grade, which has more than one-half of its height, measured from floor to ceiling, below the average finished grade. ..

central dining room. A room where meals are furnished or served.

central kitchen. A kitchen serving a central dining room.

combustible. Material or combination of materials which will ignite and support combustion when heated at any temperature up to 1382°F. (750°C.), during an exposure for 5 minutes.

communal dining room. A room designed and equipped for eating purposes for occupants.

communal kitchen. A kitchen available for common use of occupants.

convalescent home. A facility regulated by the State, and operated for the purpose of providing therein lodging, board, and bedside care or hygienic attention, but not including medical or nursing care, to sick, disabled, or convalescent persons.

dormitory unit. A room designed to be used for sleeping purposes only, only four or more occupants.

dwelling, one-family. A building containing only one dwelling unit, and occupied by only one family.

dwelling, two-family. A building containing only two dwelling units, and occupied by only two families.

dwelling unit. A complete self-contained residential unit, with living, sleeping, cooking, and sanitary facilities within the unit, for use by one family.

exit. A way of departure from the interior of a building or structure to the exterior, at a street, or to a yard, court, or passageway leading to a public open area, including doorways, passageways, hallways, corridors, stairways, ramps, fire escapes, and all other elements necessary for egress or escape.

fallout shelter. A building, structure, or other real property, or an area or portion thereof, constructed, altered, or improved to afford protection against radio—active fallout.

family. A single person; or two or more persons related by blood or, marriage, and maintaining a common household.

The term, family, does not include live-in household employees.

fire-resistance rating. Time in hours, or parts thereof¹ that a material, construction, or assembly will withstand fire exposure, as determined in a fire test made in conformity with generally accepted standards, or as determined by extension or interpretation of information derived there from.

flame-resistant material. Material which is flame resistant by nature or has been made flame resistant, in conformity with generally accepted standards.

flame-spread rating. The measurement of flame spread on the surface of materials or their assemblies, as determined by tests conducted in conformity with a generally accepted standard.

generally accepted standard. A specification, code, rule, guide, or procedure in the field of construction, or related thereto, recognized and accepted as authoritative, under the State Building Construction Code.

grade:

finished. Natural surface of the ground or surface of ground after completion of any change in contour.

average finished. The average elevation of the finished grade adjoining a building wall. Where two or more building walls are involved, the average shall be computed on the following basis: multiply the length of each building wall by the average elevation along the respective wall and add the products obtained to form a total; divide this total by the

sum of the lengths of the building walls.

ground cover.

(a) Vegetative. lawn, turf, or vegetative growth other than weeds, thistles, allergenics, drug derivatives, or similar plants.

(b) Mechanical, crushed stone or other mechanically—applied materials which stabilize ground surface.

habitable space. Space used for living, sleeping, eating, or cooking. Kitchenettes shall not be deemed to be habitable space. see nonhabitable space, public space and exit.

hotel. A building containing primarily hotel units, for the purpose of furnishing lodging with or without meals, for transient occupancy; and with management maintaining a register, and providing daily housekeeping and other incidental services, including desk, telephone, or bellboy services. See multiple dwelling.

hotel unit. A room or group of rooms forming a single unit, used or intended to be used for living and sleeping purposes, with or without sanitary facilities, and having no cooking facilities. See dwelling unit.

infestation. The presence, within a building or structure, or on remises, of insects, rodents, vermin, or other pests.

interior finish. Material applied directly to walls or ceilings for acoustical correction, surface insulation, decorative treatment, or similar purposes, including, but not limited to, veneer, wainscoting, and paneling. Surface finishes of wallpaper or other materials not more than 1/28—inch thick having no greater fire hazard than wallpaper, shall not be deemed to be interior finish.

interior trim. Material generally not exceeding 12 inches in width, around openings or on wall or ceiling; including casings, stools, aprons, baseboards, chair rails, picture molds, cornice moldings, and moldings applied for decoration.

kitchen. Space, sixty square feet or more in floor area, designed and equipped for the purpose of cooking and preparation of food. See central kitchen, communal kitchen.

kitchenette. Space, less than sixty square feet in floor area, designed and equipped for the purpose of cooking and preparation of food.

mixed occupancy building. A building occupied in part for residential use and in part for some other no&-accessory use. See multiple dwelling.

multiple dwelling. Any of the following:

(a) A building designed or occupied for residential purposes by more than two families; or

(b) A series of attached, detached, or semi-detached buildings, which are provided as a group collectively with essential services and utilities, and which are located on a lot, plot, or parcel of land, under common ownership or

(c) The residential part of a mixed occupancy building. Regardless of the foregoing, any residential building, other than a one-or two—family dwelling on a single zoning lot, shall be deemed to be a multiple dwelling.

municipality. The Village.

noncombustible. Material or combination of materials which will not ignite and support combustion when heated at any temperature up to 1382°F.(750°c.), during an exposure for 5 minutes.

nonhabitable space. Space used for and including, but not limited to, kitchenettes, pantries, bath, toilet, laundry, rest, dressing, locker, storage, utility, heater, and boiler rooms, and other spaces for service and maintenance of the building or structure. See habitable space, public space, and exit.

nursing home. A facility regulated by the State, providing therein nursing care to sick, invalid, infirm, disabled, or convalescent persons, in addition to lodging and board.

old-age home. A facility regulated by the State, and operated for the purpose of providing therein care to adult persons who, though not requiring medical or nursing care, are in

such condition by reason of age as to require, in addition to lodging and board, personal services to assure their safety and comfort.

occupant. The person in occupancy, or in possession, or in control of premises, or using premises..

owner. The person exercising dominion or control over, or vested with title in, premises; a proprietor (legal owner, joint owner, part owner, record owner, equitable owner, reputed owner, or their successors in interest); or the respective agent of any of them.

plumbing system. The water supply system, drainage system, vent system, fixtures and traps, including their respective connections, devices, and appurtenances within property lines.

portable water. Water approved for drinking, culinary, and domestic purposes.

public space. Space within a building for public use, such as lobbies, lounges, reception, ball, meeting, lecture, and recreation rooms, banquet and dining rooms including appurtenant kitchens, and swimming pools.

property. Land, including buildings, structures, facilities, and improvements, used, or intended to be used, as residential accommodations or facilities.

residential premises. Property used, or intended to be used, for dwelling or related purposes.

sewage. Liquid waste containing animal or vegetable matter in suspension or solution, and which may include industrial wastes and liquids containing chemicals.

shall. As used in this Chapter, is always to be construed as mandatory.

shower room. See bathroom.

state building construction code. Rules and regulations relating to building construction, as promulgated by the State Building Code Council, and which collectively are known as the State Building Construction Code,

story. Portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one third of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is 6 or more feet above the average finished grade. A cellar shall not be deemed to be a story. An attic shall not be deemed to be a story, if unfinished and not used for human occupancy.

structure. An assembly of materials, forming a construction framed of component structural parts for occupancy' or use, including buildings.

toilet room. Enclosed space, containing one or more water closets, which may also contain one or more lavatories, urinals, and other plumbing fixtures. See bathroom.

ventilation. Supply to and removal of air from a space by natural or mechanical means:

natural. Ventilation by opening to outer air through windows, skylights, .doors, louvers, or stacks with or without wind—driven devices.

mechanical. Ventilation by power—driven devices.

Part 2

Space Requirements

H I-201 GENERAL REQUIREMENTS

Buildings used or occupied for residential use, as defined and classified in this Chapter, shall conform to the use, occupancy, size, light, ventilation, vertical travel, exit and egress requirements, to provide for a safe and healthful environment.

H I-202 OCCUPANCY CLASSIFICATION OF BUILDINGS

Buildings, for the purpose of this Chapter, shall be classified in respect to their uses or occupancies, as follows:

One— and Two—Family Dwellings

Multiple Dwellings—

Apartment houses, apartment hotels,

Hotels, motels, boatels, .

Lodging houses, rooming houses, boarding houses,

Clubs, dormitories, fraternity and sorority houses.

Mixed Occupancy Buildings-

Residential and accessory use parts shall be classified as multiple dwellings.

Non-residential parts shall be classified in accordance with their occupancy and use under the State Building Construction Code. Components of such parts including, but not limited to, structural elements, mechanical and electrical service equipment, and fire protection equipment shall be subject to applicable provisions of this Chapter and generally accepted standards of engineering and fire protection practice, so as to ensure the health, safety, and welfare of the residential occupants of the building. .

Accessory Structures.

H I-3 MAXIMUM OCCUPANCY

- a) In dwelling units-the maximum number of occupants of each such respective unit shall be limited to a number determined on the basis of the floor area of each habitable room, other than kitchens as follows:

One occupant per habitable room having a floor area of at least 80 but less than 120 square feet;

Two occupants per habitable room having a floor an of at least 120 but less than 180 -square feet;

Three occupants per habitable room having a floor area of 180, or more, square feet.

- b) In hotel units-the maximum of occupants shall be limited to the number determined on the same basis as for dwelling units.
- c) The maximum number of occupants permitted in hotel units shall be posted in a conspicuous place in each such unit.
- d) Communal dining rooms and central dining rooms shall contain at least 15 square feet of floor area per occupant. The maximum number of occupants permitted, at any particular time, shall, be posted in a conspicuous place in each such unit.
- e) Communal dining space in communal kitchens shall be exclusive of clear working space, at least 4 feet in front of kitchen equipment, and comply with the requirements for communal dining rooms.

H I-204 PROHIBITED USES

- a) It shall be prohibited to use for sleeping purposes any kitchen, non- habitable space, or public space.
- b) It shall be prohibited to prepare meals in hotel units.
- c) It shall be prohibited to use any cellar space as habitable apace.
- d) It shall be prohibited, in dwelling units, hotel units, lodging units, and dormitory units, to conduct a home occupation:
 - (1) for the teaching of more than four pupils simultaneously, or in the case of musical instruction, of more than a single pupil at a time;
 - or
 - (2) to which, is devoted, more than 25 per cent of the total floor area of the unit, and in no event more than 500 square feet of floor area;

or

- (3) which produces offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects.
- e) It shall be prohibited to occupy or use for residential purposes the residential part of a mixed occupancy building, if the non-residential part of such building is classified for use as a high hazard occupancy, or if the non—residential use is obnoxious or offensive to residential occupancy or use.

H I—205 HABITABLE SPACE

H 1—205.1 Size

- a) Habitable space shall have a minimum height of 7 feet 6 inches, measured from floor to ceiling. In habitable space with a sloping ceiling, the required minimum ceiling height of 7 feet 6 inches shall be provided in at least 50 per cent of the floor area, and the area where the ceiling height is less than 5 feet shall not be included in computing required floor area.
- b) A dwelling unit shall contain at least one habitable room having a minimum of 150 Square feet of floor area, with a minimum horizontal dimension of 10 feet.
- c) Kitchens shall have a minimum of 60 square feet of floor area, and other habitable spaces shall contain not less than 80 square feet of floor area, with a minimum horizontal dimension of 7 feet.
- d) An alcoves, except cooking spaces or foyers, to be deemed part of a habitable room shall conform with the following:
 - (1) An alcove less than 60 square feet in area shall be deemed part of the habitable room which it abuts, provided, the dividing partition between the alcove and the room has an Opening of at least 80 per cent of the wall area of such partition, measured on the alcove side, which wall area may not be less than 40 square feet, and the depth of such alcove does not exceed half its width.

- (2) The floor area of the alcove shall be added to the floor area of the habitable room, for the purpose of complying with the light and ventilation requirements of section II 1—205.3
- (3) An alcove with an area of 60 square feet or more, but less than 80 square feet, shall be deemed part of the habitable room which it abuts, provided, it meets the requirements of subparagraph(l) and is separately lighted and ventilated, as required for habitable space in section EI 1—205.3

I) 1-205.2 Location in Respect to Grade Level .

Habitable space located partially below grade shall conform to the definition of a basement, with the floor level of such space not more than 4 feet below the average finished grade.

H) 1-205.3 Light and Ventilation.

- a) Habitable space, exclusive of kitchens, shall have natural light , provided by means of one or more windows,skylights,transpat or translucent panels, or any combination thereof, that face directly on open spaces. The amount of light shall be equivalent to that transmitted through clear glass equal in area not less than 10 percent of the floor area of the habitable space. In computing the amount of light transmitted, only window or panel areas 6 inches or more above the adjoining finished grade shall be included in such calculation.
- b) Habitable space shall be provided with electric light appropriate for the intended use.
- c) Habitable space, exclusive of kitchens, shall have natural ventilation provided by means of openable parts of windows or other openings in exterior walls that face directly on open space, or through openable parts of skylights. Such openable parts shall have a total clear ventilation area equal to not less than 5 per cent of the floor area of the habitable space. In computing the total clear ventilation area, only openable parts, of windows or other openings, 6 inches or more above the adjoining finished grade shall be included in such calculation.

- d) Habitable space may also be provided with mechanical ventilation in addition to natural ventilation, but not in substitution thereof, except: kitchens may be provided with natural ventilation, conforming with paragraph c of this section, or with mechanical ventilation exhausting not less than 150 cfm..

H 1-205.4 OPEN SPACE

- a) Open space shall be of sufficient area, to permit required natural light and ventilation for habitable space.
- b) Windows, panels, and openings required to provide natural light or ventilation shall face directly on open space conforming to the following:
 - (1) where such open space is bounded on two sides by walls, with two open ends, and the vertical dimension of the lower wall is 30 feet or less, the horizontal dimension between walls shall be at least 8 feet. For each foot that the vertical dimension of the lower wall exceeds 30 feet, the horizontal dimension between walls, above the 30 foot level, shall be increased by at least 3 inches. Vertical dimension shall be measured from the floor level of the story containing required windows, panels, or openings to the top of the lower wall. Horizontal dimension shall be measured, at the same floor level, from the wall containing such windows, panels, or openings to the facing wall.
 - (2) Where such open space is bounded on three sides by walls addition to the requirements of subparagraph (1), the horizontal dimension from the open end of the open space to the wall opposite the open end shall not exceed 4 times the horizontal dimension between the facing walls.
 - (3) where such open space is bounded on four sides by walls, in addition to the requirements of subparagraph (1), the horizontal dimension between any two facing walls shall not exceed 2 times the horizontal dimension between the other two facing walls.

H 1-205.5 Miscellaneous Requirements

- a) Dwelling units shall be separate and apart from each other. Sleeping rooms shall not be used as the only means of access to other sleeping rooms or habitable spaces.
- b) Hotel units, lodging units, and dormitory units shall be designed to provide privacy, and be separate from other adjoining spaces.
- c) Communal kitchens and communal dining rooms shall be accessible only from a common hall or passageway.

H I—206 PUBLIC SPACE

H 1—206.1 Height

Public space shall have a minimum height of 7 feet 6 inches, measured from floor to ceiling.

H 1—206.2 Light and Ventilation

- a) Public lobbies and lounges shall be provided with electric light conforming to the requirements of section H 1-210.5.
- b) Public reception, ball, meeting, lecture, and recreation rooms, and similar public spaces, shall be provided with electric light appropriate for the intended use.
- c) Public spaces shall be provided with either natural ventilation, conforming to the requirements for habitable space, or with mechanical ventilation conforming to the requirements of table H 1—512.7e.

H I-207 NONHABITABLE SPACE

H 1—207.1 Height

In multiple dwellings—nonhabitable space, except crawl spaces and attics, shall have a minimum height of 7 feet, measured from floor to ceiling.

H 1-207.2 Toilet Rooms and Bathrooms

- a) Toilet rooms and bathrooms shall be designed and arranged to provide privacy.
- b) Toilet rooms and bathrooms shall not be used as a passageway to a hall, or other spaces, or to the exterior.
- c) A toilet room or bathroom in a dwelling unit shall be accessible from any sleeping room without passing through another sleeping room.
- d) Toilet rooms and bathrooms serving hotel units, lodging units, or dormitory units, unless located within such respective units, or directly connected thereto, shall be provided on the same story with such units, and be accessible only from a common hall or passageway.
- e) Toilet rooms for employees in multiple dwellings shall be separate for each sex where there are 5 or more employees, shall be readily accessible to such employees, and shall not open directly into any public kitchen or other public space used for the cooking or preparation of food.
- f) The entrance to every toilet room with facilities to serve more than one person at a time, and opening into a public space or passageway, shall be provided with a vestibule or fixed partition to screen the interior from view. The door of every such toilet room, with multiple facilities, shall have an effective self-closing device. Doors of toilet rooms, with facilities to serve one person at a time, shall be provided with an interior door lock.
- g) In one-and two-family dwellings—bathrooms and toilet rooms shall be provided with floors of moisture-resistant material.
- h) In multiple dwellings—floors of bathrooms, toilet rooms, and similar spaces shall be waterproof; such waterproofing shall extend 6 inches or more above floors, except at doors. Walls shall be constructed or covered with moisture-resistant material.

H 1-207.3 Light and ventilation

- a) Kitchenettes, bathrooms, and toilet rooms shall be provided with electric light of sufficient intensity and so distributed as to permit the maintenance of sanitary conditions, and the safe use of the space and the appliances, equipment, and fixtures.
- b) In one- and two-family dwellings, kitchenettes, bathrooms, and toilet rooms shall be provided with ventilation in accordance with either of the following:

Natural ventilation by openings which comply with the requirements of section H I.205.3c, except that minimum openings shall be 3 square feet for kitchenettes, and 1½ square feet for bathrooms and toilet rooms; or

Mechanical ventilation exhausting not less than 150 cfm for kitchenettes, and not less than 25 cfm for bathrooms and toilet rooms.

- c) In multiple dwellings—kitchenettes, bathrooms, and toilet rooms shall be provided with ventilation in accordance with either of the following:

Natural ventilation by openings which comply with the requirements of section II I-205.3c, except that minimum openings shall be 3 square feet for kitchenettes, and bathrooms and toilet rooms designed for private use, and 1 square foot per water closet or urinal, or 3 square feet, whichever is greater, for bathrooms and toilet rooms designed for public use; or

Mechanical ventilation exhausting not less than 150 cfm for kitchenettes, 25 cfm for bathrooms and toilet rooms designed for private use, and 40 cfm, per water closet or urinal, for bathrooms and toilet rooms designed for public use.

- d) Stairs shall be provided with electric light to allow safe ascent and descent.
- e) Laundry rooms, furnace rooms, and similar nonhabitable spaces shall be provided with electric light appropriate for the intended use of such rooms.
- f) Spaces in multiple dwellings which contain central heat producing equipment, incinerator, or air conditioning equipment, shall be ventilated

directly to the outer air.

- g) Shower rooms, locker rooms, dressing rooms, and laundry rooms shall be provided with either natural ventilation, conforming to the requirements for habitable space, or with mechanical ventilation conforming to the requirements of table H 1-512.7e.
- h) Garages within or accessory to multiple dwellings shall be provided with electric light appropriate for the intended use of such spaces.
- i) Garage areas above grade, in excess of 1000 square feet, and all garage areas below grade shall be provided with mechanical ventilation, in conformity with table H 1.512.7e.

H I-208 ELEVATORS AND ESCALATORS

Elevators and escalators shall be maintained in good and safe operating condition, and adequately lighted at all times.

H I-209 . RAILINGS AND PARAPET WALLS

- a) Railings or parapet walls shall be provided at open sides of balconies, mezzanines, porches, accessible roofs, exit passageways, areaways, motor vehicle parking decks and ramps, and around floor openings.
- b) Railings or parapet walls shall be at least 3 feet 6 inches in height and designed to resist a lateral load, at the top, of at least 50 pounds per linear foot. Fixed openings in railings or parapet walls shall not exceed 6 inches in one dimension.
- c) Wheel bumper blocks shall be provided at perimeter and around floor openings of open motor vehicle parking decks and ramps. Wheel bumper blocks shall be continuous, at least 8 inches in height, fastened to the floor, and designed to resist a minimum linear load of 300 pounds per foot.

H I-10 EXITS

H 1-210.1 General

- a) Safe, continuous, and unobstructed exit shall be provided from the interior of a building or structure to the exterior, at a street, or to a yard, court, or passageway leading to a public open area.
- b) Exits shall be arranged, constructed, proportioned, and maintained so that occupants may escape safely from the building or structure in case of emergency. Width of exits shall conform to generally accepted standards
- c) Exits from dwelling units, hotel units, lodging units, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

H 1.210.2 One- and Two-Family Dwellings

- a) A fixed stairway shall be provided between stories, and between the first story and a basement or cellar.
- b) In two—family dwellings three stories or less in height, and in one-family dwellings, in addition to the primary exit there shall be provided an emergency exit from each story. Such emergency exit may be similar to the primary exit, or a fire escape, or an opening, such as a window or door, having at least 4 square feet of openable area with a minimum dimension of 18 inches, and with the bottom of the opening not more than 3 feet 6 inches above the floor.
- c) In two-family dwellings more than three stories in height, exit shall comply with any of the following:
 - (1) one interior stairway enclosed in construction having at least a 3/4 hour fire-resistance rating with openings in such enclosure protected by self-closing doors; or
 - (2) Two interior stairways with all doors opening upon such stairways equipped with a self-closing device; or

(3) One interior stairway with all doors opening upon such stairway equipped with a self-closing device, and one exterior stairway or fire escape providing exit from each dwelling unit on any story; or

(4) One interior stairway equipped with an automatic sprinkler system, with all doors opening upon such stairway equipped with a self-closing device.

II 1.210.3 Multiple Dwellings

- a) In multiple dwellings two stories or less in height, in addition to the primary exit from each dwelling unit, hotel unit, lodging unit, or dormitory unit, there shall be provided an emergency exit from each such unit, conforming with the requirements of section H1-210.2b,
- b) In multiple dwellings three stories or more in height, there shall be provided from each story at least two exits accessible to each dwelling unit, hotel unit, lodging unit, or dormitory unit. The primary exit shall be an interior public hall, stairway, lobby, vestibule, or any combination thereof. The secondary exit shall be another interior public hall, stairway, lobby, or vestibule, or any combination thereof, or a fire escape. Where the secondary exit is through the same public hall which provides access to the primary exit, the primary exit shall be separated from such public hall by construction having a fire—resistance rating of at least 3/4 hour.
- c) Public halls, stairways, lobbies, and vestibules serving as exits shall be enclosed with construction having a fire—resistance rating of at least 3/4 hour. Wood wainscoting in exits is prohibited. Combustible interior trim in exits is permitted only in buildings three stories or less in height. Openings, other than doors, in interior walls or partitions of exits shall be sealed, so as to maintain the required fire—resistance rating of the wall or partition.
- d) Doors from dwelling units, hotel units, lodging units, or dormitory units opening upon a public hall, and doors in stairway enclosures shall be self-closing. Doors from units opening upon public halls and doors in stairway

enclosures shall have a fire-resistance rating of at least 3/4 hour.

- e) Basement and cellar stairways shall be separated from stairways leading to or from upper stories, at the grade level story, by construction having a fire-resistance rating of at least 3/4 hour, with doors that are self-closing and have a fire-resistance rating of at Least 3/4 hour.

H 17210.4 Height

In multiple dwellings-passageways, corridors, hallways, and vestibules shall have a minimum height of 7 feet 6 inches, measured from floor to ceiling. In stairways, headroom over landing floors and tread nosings shall have a minimum height of 7 feet.

H 17210.5 Light and Ventilation

- a) In multiple dwellings-exits, including vestibules, stairways, passage-ways, corridors, and hallways, but excluding fire escapes, shall be lighted with natural or electric light at all times, so as to afford safe passage. Elective light shall conform to the following:
 - (1) A sufficient number of fixtures shall be provided so that the distance between fixtures is not more than 30 feet and so that no wall is more than 15 feet from a fixture.
 - (2) Incandescent lighting-not less than $\frac{1}{4}$ watt per square foot of floor area, except that each fixture shall have a lamp or lamps with a total of not less than 25 watts.
 - (3) Fluorescent lighting-not less than $\frac{1}{10}$ watt per square foot of floor area, except that each fixture shall have a lamp or lamps of a total of not less than 15 watts.
 - (4) Where under these formulas the calculated wattage does not correspond to that of a standard lamp, the next larger size shall be used.

- b) In multiple dwellings-stairways, passageways, corridors, and hall ways shall be provided with ventilation in accordance with either of the following:

Natural ventilation obtained by means of openings to the outer air, or by means of ducts connected to wind or gravity operated ventilators; or

Mechanical ventilation conforming to the requirements of table H 1—512.7e. .

H 1-210.6 Stairways

- a) Stairway treads, risers, and landings shall be arranged constructed, proportioned, and maintained to provide safe ascent and descent.
- b) Guard rails or balustrades, at least 33 inches in height above nosings and 36 inches in height above landings, shall be provided at open portions of stairways.
- c) Handrails shall be provided on at least one side of stairways.
- d) Where stairways provide access to roofs by means of scuttles or bulk head doors, such scuttles or doors shall be readily openable from the interior without the use of tools or keys.

H 1-210.7 Fire Escapes

- a) Fire escapes which serve as a secondary means of egress shall be of material having the properties of ferrous metal, other than cast iron, and conform to generally accepted standards. Fire escapes shall be maintained free of encumbrances.
- b) Access to fire escapes shall be through openable unobstructed doors, or windows conforming to the requirements of windows for emergency exit in section II I-2102b.
- c) In buildings more than three stories in height, fire escapes shall continue to the roof, except when the slope of the roof exceeds 15 degrees.

- d) The lowest balcony shall be provided with a drop ladder or counter balanced stair, if it is more than 5 feet above the ground.

H I-211 EXTERIOR LIGHTING

H 1—211.1 Multiple Dwelling Premises

- a) Exterior artificial lighting shall be provided at night to illuminate facilities used by pedestrians; including walks, driveways, parking spaces, and entrance ways to buildings.
- b) Exterior artificial lighting shall be of an approved type as to location and safety of installation.
- e) Exterior artificial lighting at or near front entranceways shall consist of at least one fixture with a lamp or lamps having a cumulative wattage of at least 50 watts, for a building with a frontage up to 25 feet. Where the frontage is in excess of 25 feet, at least two fixtures with lamps having a cumulative wattage of at least 100 watts shall be provided.

Part 3

Structural Requirements .

H 1-3 01 GENERAL REQUIREMENTS:

- a) Buildings and structures shall be structurally sound. Structural elements which conform to loading criteria specified in the State Building Construction Code, and stress limitations specified in generally accepted standards, shall be deemed structurally sound.
- b) Buildings and structures shall be maintained weather-resistant and in good condition.

U I-302 EXTERIOR PROTECTION

- a) Exterior walls, including foundations, shall be maintained so that ground and surface water does not penetrate into basements and cellars.
- b) Exterior doors, windows, skylights, and similar openings shall be maintained weathertight.
- c) Exterior stairs, porches, entrance platforms, fire escapes, and the railings thereon, shall be maintained in a safe and Sound condition.
- d) Roofs shall be maintained in a watertight condition.

H I-303 INTERIOR PROTECTION

- a) Structural members shall be protected and maintained to resist and prevent deterioration.
- b) Unheated attics, spaces below flat roofs, and owl spaces shall be ventilated, to minimize deterioration.
- c) Chimneys and flues shall be maintained safe, sound and smoketight.

- d) Ceilings, walls, floors, and stairways shall be maintained in a safe and sound condition.
- e) Toilet room, bathroom, and laundry room floors shall be maintained in a watertight condition.

Part4

Fire-Safety Requirements

H I-401 GENERAL REQUIREMENTS

Buildings and structures shall be constructed and maintained to prevent and avoid fire hazards, and in a manner conducive to fire safety.

H 1-402 PROHIBITED ACCUMULATIONS AND STORAGE

- a) No highly flammable or explosive matter, such as paints, volatile oils, and cleaning fluids, or combustible refuse, such as waste paper, boxes, and rags, shall be accumulated or stored on residential premises except in spaces in conformance with section H I—404d.
- b) Nothing shall be placed, accumulated, or stored on residential premises which obstructs egress from stairways, passageways, doors, windows, fire escapes, or other means of exit, or interferes with the use of fire—fighting equipment or performance by fire—fighting personnel.

R I-403 PREVENTION OF EXTERIOR FIRE SPREAD

Distance separations between buildings, between buildings and structures, and between buildings, structures and property lines shall conform to requirements of law or regulation of any governmental body having jurisdiction.

R 1-404 PREVENTION OF INTERIOR FIRE SPREAD

- a) Floors, walls, ceilings, soffits, and other components required to provide a fire-resistive enclosure or separation, and construction required to protect

structural members, shall be maintained so that the respective fire-resistance rating of the enclosure, separation, or construction is preserved.

- b) In buildings of mixed occupancy — nonresidential space shall be separated from residential space by fire separations having a fire—resistance rating of at least 1 hour.
- c) In multiple dwellings — floor construction above a cellar or basement shall have a fire-resistance rating of at least 1 hour, except such requirement shall not apply where the cellar or basement is completely protected by an automatic sprinkler system.
- d) In multiple dwellings - spaces used as carpenter, repair, or paint shops, and spaces where flammable or combustible materials are stored, shall be enclosed by construction having a fire—resistance rating of at least 1 hour.
- e) In multiple dwellings-central kitchens shall be separated from central dining rooms by construction having a fire-resistance rating of at least 1 hour.
- f) Self-closing devices of exit doors shall be maintained in good operating condition. Only approved-type magnetic hold-open devices connected to fire protection systems may be used to hold open exit doors, except that no devices or objects may be used to hold open exit doors in stairway enclosures at floor landings.
- g) Vending machines and other equipment or materials shall not be located in lobbies, corridors, or passageways if it constitutes a fire hazard or interferes with the exit facilities.
- h) A garage within, or attached to, a building containing a residential occupancy shall be separated from the residential portion of the building by construction capable of preventing the passage of fumes and vapors and having a fire-resistance rating as follows: for one— and two-family dwellings, at least $\frac{1}{2}$ hour; for multiple dwellings, at least 1 hour.

- i) Interior finish in enclosed exits shall have a flame—spread rating of not more than 75.
- j) Draperies and decorative materials located in enclosed exits or public spaces shall be noncombustible or flame-resistant.

H 1-405 FIREPLACES

- a) Fireplaces, and other construction and devices intended for use similar to a fireplace, shall be stable and structurally safe and connected to approved chimneys.
- b) Fireplaces and similar construction and devices shall be installed and maintained so that when in use adjacent combustible materials or construction will not be heated to a temperature exceeding 175 F; nor ignited by sparks or embers from the fire.

H 1-406 FIRE PROTECTION EQUIPMENT

- a) Fire protection equipment shall be provided in readily accessible locations, and clearly visible, as follows:
 - (1) In boiler or furnace rooms having fuel-burning equipment with a capacity of up to 1,000,000 Btu per hour of individual or combined rating, at least one approved multi-purpose dry chemical type portable fire extinguisher; in boiler or furnace rooms with fuel-burning equipment having a capacity in excess of 1,000,000 Btu per hour, at least two such portable fire extinguishers.
 - (2) In dormitory units, one approved Class A type portable fire extinguisher for each multiple of 1,250 square feet of floor area, or fraction thereof, in excess of 1,250 square feet of floor area.
 - (3) In central kitchens, one approved multi-purpose dry chemical type portable fire extinguisher for each multiple of 1,000 square feet of floor area, or fraction thereof.

(4) In public spaces, one approved Class A type portable fire extinguisher for each multiple of 2,500 square feet of floor area, or fraction thereof, in excess of 2,500 square feet of floor area.

(5) In garages serving multiple dwellings, one approved multipurpose dry chemical type portable fire extinguisher for each multiple of 2,500 square feet of floor area, or fraction thereof.

- b) Where an approved automatic fire extinguishing system is provided, portable fire extinguishers are not required.

Part5

Equipment Requirements

H 1-501 GENERAL REQUIREMENTS

- a) Plumbing, heating, electrical, ventilating, air conditioning, refrigerating, cooking, and fire protection equipment, elevators, dumbwaiters, escalators, and other mechanical additions, installations, or systems for the use of buildings and structures shall be installed¹ located and maintained so that such equipment and systems will operate satisfactorily, and not be a danger to safety, health, or welfare.
- b) X-ray equipment used for medical, dental, or other professional purposes, and shielding of the space where such equipment is used, shall be approved by the health authority having jurisdiction as conforming to the standards established by such authority.

II I-502 PLUNBING

H 1-502.1 General

Plumbing systems shall be maintained in good, safe, sanitary, and serviceable condition.

H 1-502.2 Water Supp4y

- a) Portable water from an approved source shall be available at all times. The domestic water supply system of the building shall be connected to such approved source, shall not be subject to contamination, and shall not be connected to unsafe water supplies.
- b) The source of water supply for a one- or two-family dwelling shall be public water supply system, when such system is within 100 feet of the premises on which the building is located, measured along a street, alley, or right of way, and a connection may lawfully be made thereto.
- c) The Source of water supply for a multiple dwelling shall be a public water supply system, when such system is within 500 feet of the premises on which the building is located, measured along a street, alley, or right of way, ad a connection may lawfully be made thereto.
- d) Water supply systems shall be installed and maintained to provide at all times a supply of water to plumbing fixtures, devices, and appurtenances in sufficient volume and at pressures adequate to enable them to function satisfactorily.
- e) Hot water supply systems shall be provided with safety devices designed to relieve hazardous pressures and excessive temperatures.

H 1-502.3 Sewage Drain age

- a) Plumbing fixtures shall drain to a sewage system connected to a public sewer or approved system of sewage disposal.
- b) The means of sewage disposal for a one— or two-family dwelling shall be a public sanitary or combined sewer system, when it is within 100 feet of the premises on which the building is located, measured along a street, alley, or right of way, and a connection may lawfully be made thereto.
- c) The means of sewage disposal for a multiple dwelling shall be a public sanitary or combined sewer system, when it is within 500 feet of the premises on which the

building is located, measured along a street, alley, or right of way, and a connection may lawfully be made thereto.

- d) No sewage from a plumbing system shall be discharged into the waters of the State of New York (as defined in State law), unless specifically approved by the authority having jurisdiction, under and in accordance with State Law.
- e) Adequate cleanouts shall be provided and maintained so that pipes may be readily cleaned.

H 1-502.4 Storm Drainage

- a) An approved system of storm water disposal shall be provided for the safe and efficient drainage of roofs and paved areas, yards and courts, and other open areas on the premises.
- b) The means for storm water disposal for a one— or two-family dwelling shall be a public storm or combined sewer system, when it is within 100 feet of the premises on which the building is located, measured along a street, alley, or right of way, and a connection may lawfully be made thereto.
- c) The means for storm water disposal for a multiple dwelling shall be a public storm or combined sewer system, when it is within 500 feet of the premises on which the building is located, measured along a street, alley, or right of way, and a connection may lawfully be made thereto.
- d) No storm water shall be drained into sewers intended for sewage only, nor be discharged onto public sidewalks.

H 1-502.5 Plumbing Facilities

- a) Buildings and structures shall be provided with plumbing systems designed to dispose of the sewage from all fixtures and to furnish cold water to every water closet and urinal, and hot and cold water to every sink, lavatory, bathtub, and shower, required therein.

b) In one-and two-family dwellings not wholly owner occupied, and in all multiple dwellings—hot water shall be furnished within a temperature range of 130 F. to 140 F from 6:00 a.m. to midnight.

c) There shall be provided within each dwelling unit, plumbing fixtures consisting of at least:

One kitchen sink,

One water closet,

One bathtub or shower, and

One lavatory.

d) In multiple dwellings—each communal kitchen shall contain at least one kitchen sink, as provided in table H 1—510.3

e) In multiple dwellings—where hotel units or lodging units are not provided with sanitary facilities therein, for each multiple of six male or six female occupants to be accommodated, or fractions thereof, there shall be provided, in separate rooms for each sex, plumbing fixtures consisting of at least:

One water closet,

One bathtub or shower, and

One lavatory.

f) In multiple dwellings—where sleeping accommodations are arranged as dormitory units, for each multiple of ten male or eight female occupants to be accommodated, or fractions thereof, there shall be provided, in separate rooms for each sex, plumbing fixtures consisting of at least:

One water closet,

One bathtub or shower, and

One lavatory

- g) Urinals may be substituted in a men's toilet room for not more than one third of the required number of water closets.
- h) Privies are prohibited on residential premises.

H 1-502.6 Plumbing Fixtures

- a) Plumbing fixtures shall be made of smooth nonabsorbent material, and free from concealed fouling surfaces.
- b) Plumbing fixtures shall be spaced to be readily accessible for their intended use.
- c) Plumbing fixtures shall be located in spaces that are accessible, lighted, and ventilated.

H 1-502.7 Swimming Pools

- a) Swimming pools shall be designed and maintained in accordance with generally accepted standards.
- b) Drains shall be provided so that the pool can be safely and adequately drained.
- c) Filtering, sterilizing, and auxiliary equipment shall be adequate to maintain the sanitary quality of water during each period the pool is in use. Equipment containing gases or disinfectants capable of giving off irritating, toxic, or flammable fumes shall be located in ventilated rooms.
- d) The installation shall be designed and maintained to prevent dirt, sand, or other foreign matter from entering the bathing area.
- e) An approved enclosure, at least 4 feet in height, shall be provided around outdoor swimming pools, so that such pools are inaccessible to small children. The

enclosure may surround either the pool area or the property.

H 1-502.8 Water Supply Tanks

- a) Water supply tanks shall be maintained watertight, vermin-proof, rodent—proof and resistant to corrosion.
- b) Supports for tanks shall be of noncombustible construction.
- c) Tanks and their supports shall not be used to support equipment or structures other than for tank use, except where specially designed for such other use.
- d) Means for emptying water supply tanks shall be maintained in proper working condition.
- e) Potable water supply tanks for domestic supply and standpipe or automatic sprinkler systems shall be maintained to furnish water in sufficient quantity and pressure for such systems.

H 1-503 FUEL GAS

H 1-503.1 General

- a) Fuel gas piping systems shall be installed and maintained gastight, safe, and operative under conditions of use.
- b) Fuel gas piping systems shall provide a supply of gas sufficient to meet the maximum expected demand of gas-burning equipment and appliances connected thereto.

H 1-503.2 Shutoff Valves

- a) In one- and two-family dwellings— gas piping systems shall have at least one accessible valve for shutting off all gas supply, except that systems supplied with gas at pressures exceeding 1 psi gage shall have at least two accessible valves for shutting off all gas supply. Where two valves are required, one valve shall be located outside at a safe distance from the building, and shall be suitably protected

against unauthorized use, and the other shall be located ahead of the meter and as close as practicable to the point of service entrance.

- b) In multiple dwellings -gas piping systems supplied from utility mains shall have at least two accessible valves for shutting off all gas supply. One valve shall be located outside and at a safe distance from the building, and shall be suitably protected against unauthorized use, and the other shall be located ahead of the meter and as close as practicable to the point of service entrance.
- c) An easily accessible shutoff valve, or cock, shall be provided in the piping in close proximity to, and ahead of every gas appliance, or outlet for a gas connection.

H 1-503.3 Service Equipment for Gas Supplies from Utility Means

- a) Gas meters shall be located in spaces that are dry, ventilated, and accessible. Gas meters shall be located near the point of entry of the gas service, and remote from open flame, heat producing equipment, or other heat sources.
- b) Gas services, gas meters, and gas pressure regulators shall be located so that they are protected from damage and tampering by unauthorized personnel.

H 1-503.4 High Pressure Gas

Any service connection supplying gas at a pressure in excess of 1 psi gage shall be provided with a device to reduce such pressure to not more than ½ psi gage prior to entering the meter.

H 1-503.5 Liquefied Petroleum Gas

- a) Liquefied petroleum gas in liquid form shall not be stored in buildings.
- b) Liquefied petroleum gas shall not be vaporized by devices utilizing open flame or open electrical coil.
- c) Where two or more containers are installed, connection shall be arranged so that containers can be replaced without shutting off the flow of gas to equipment.

- d) Containers shall be protected against physical damage, and located so as not to be a hazard to the premises served. Nonportable containers shall rest on stable noncombustible supports,
- e) Liquefied petroleum gas shall be odorized, so that the presence of gas will be recognizable by a distinctive odor.
- f) Systems shall be provided with safety devices to relieve excessive pressures to the outer air, at a safe distance from building openings.
- g) Systems supplied from containers not exceeding 125 gallons of capacity shall have at least one accessible valve for shutting off the gas. Such valve shall be located outside the building.
- h) Systems supplied from containers exceeding 125 gallons of capacity shall have at least two accessible valves for shutting off the main gas supply. Shutoff valves shall be located in conformity with the requirements of section 11 t-503.2a and b.

H I-504 FUEL OIL

H I-S04.1 General

Fuel oil shall be received, stored, and conveyed by means of fixed liquid-tight equipment.

H 1-504.2 Storage Tanks

- a) Fuel oil storage tanks shall rest on noncombustible supports.
- b) Tanks subject to damage by vehicles shall be protected against such damage.
- c) Tanks shall be installed and maintained so as not to be a hazard to the premises served.

H 1-504.3 Storage Tanks Inside Buildings

- a) Fuel oil storage tanks inside buildings shall be provided with liquid-level indicating devices of fixed vapor-tight construction.
- b) The maximum capacity of an individual fuel oil storage tank unenclosed inside a building shall be 550 gallons, and such tank shall not be less than 5 feet horizontally from any fuel burning equipment.
- c) Unenclosed fuel oil storage tanks shall not be located in garages exceeding 100 square feet in area.

H 1-504.4 Piping

- a) Automatically operated boilers and furnaces using fuel oil shall be provided with remote control to stop the flow of oil during fire or other-emergency. Such control shall be located outside the boiler room, or inside the boiler room at the entrance.
- b) Filling, emptying, and venting of tanks shall be by means of fixed piping. Pipes to underground tanks shall be pitched toward tanks. Terminals of fill and vent pipes shall be located outside buildings at a safe distance from building openings.
- c) Pipes for fuel oil entering buildings shall be protected from damage by settlement or corrosion.

H 1-5 05 PROHIBITED FUEL

Gasoline shall be prohibited as fuel for heating and cooking.

H I-506 HEATING

H 1-506.1 General

- a) Buildings and structures intended or used for residential occupancy, during the period set forth in paragraph b of this section, shall be provided with heating equipment, of an approved fixed type, capable of producing and providing an indoor temperature of 70°F., measured at a distance of 3 feet and more from exterior walls, and at a level of 5 feet above the floor.

b) In one- and two-family dwellings, not wholly owner occupied, and in all multiple dwellings, heat shall be provided whenever occupied during the period from October 1st to May 31st (see table H I—506.Ib). Temperatures shall be maintained in habitable spaces, kitchenettes, toilet rooms, and bathrooms, as follows:

- (1) From 6:00 a.m. to 11:00 p.m., not less than 70°F when the outside temperature falls below 55°F and
- (2) From 11:00 p.m. to 6:00 a.m., not less than 55°F when the outside temperature falls below 40 F.

Table H I-506.Ib—Heating periods

Column I	Column II	Column III
From October 1 st to May 31 st	From Sept. 15 th to May 31 st	From Sept. 1 to June 15 th
Counties having less than 5700 annual heating degree Days: New York Bronx Kings Queens Richmond Nassau Suffolk Westchester	Counties having 5700-8000 annual heating degree days: all counties except those listed in Columns I and II	Counties having more than 8000 annual heating degree days: Clinton Essex Franklin Hamilton Herkimer St. Lawrence

- See following page for footnote marked 1

- i) Based on 1931-1960 data compiled by Weather Bureau stations in New York State and published by the United Stat Weather Bureau. Figures are approximate for counties listed. For certain county areas which do not conform to annual heating degree days shown in column, consult nearest Weather Bureau station and adjust heating period accordingly. Annual heating degree days, is defined as: the yearly total of the daily difference between 65°F. and the mean outdoor temperature below 65°F.0 during the period from July 1st through June 30th of the following year.

H 1-506.2 Air Pollution

Contaminants emitted into the atmosphere from fuel-burning equipment shall not violate air pollution control regulations promulgated pursuant to State Law, nor that of any other governmental authority having jurisdiction.

H 1-506.3 Warm Air Heating

Ducts and air handling equipment used for heating shall conform to the requirements of Sections II 1—512.5, H 1—512.6, and H 1—512.7e.

H 1-506.4 Prohibited Heat Producing Equipment

- a) Portable heating equipment using kerosene or other f laminable liquids shall be prohibited.
- b) Unvented fuel—burning space heaters shall be prohibited.
- c) Fuel-burning heat producing equipment shall not be located in exits.
- d) Fuel-burning water heaters shall not be located in sleeping rooms, bathrooms, or toilet rooms.

H 1-506.5 Fuel Supply Connection

Fuel-burning equipment shall be permanently fastened and connected in place. Fuel supply connection to such equipment shall be made with pipe or tubing of solid metal, or

approved appliance connector.

H 1—506.6 Installation and Clearance

Where heat producing or cooking equipment is installed on, or adjacent to, combustible materials, the location, insulation, clearance, and the control of the equipment shall be such that the temperature on the surface of the combustible materials will not exceed 175°F.

H 1-506.7 Air Supply

- a) Fuel-burning heating equipment and the enclosure in which it is located shall be provided with a supply of air adequate both, for complete combustion at the rated gross output of the equipment, and for the ventilation of the enclosure.
- b) Rooms containing fuel-burning equipment shall have such air supply provided by one or more openings to the exterior, or by fixed openings to interior spaces which open to the exterior.

H 1-506.8 Removal of Products of Combustion

- a) Equipment for burning solid or liquid fuel shall be connected to suitable chimneys or flues, and shall not be connected to gas vents,
- b) Gas fired equipment shall be connected to a suitable chimney, flue, or gas vent. Where a gas vent is used, a permanent sign stating the type of heating equipment which may be connected to the gas vent shall be provided, and located where the gas vent passed through the wall or ceiling.

1 1—506.9 Safety Devices

- a) Equipment capable of developing hazardous pressures or temperatures shall be provided with devices to relieve safely such pressures and temperatures.
- b) Controls for the safe operation of automatically operated heat producing equipment shall be provided to function as follows:

When failure or interruption of flame or ignition occurs, the fuel supply shall be cut off.

When a predetermined temperature or pressure is exceeded, the input of additional heat shall be prevented or reduced to a safe rate.

When the water level in a steam boiler drops below a predetermined level, the fuel supply shall be cut off.

When failure or interruption of pilot light or main burner of liquefied petroleum gas equipment occurs, the fuel supply to each pilot light and main burner shall be cut off.

- c) Fuel-burning space heaters located in bathrooms or toilet rooms less than 100 square feet in area, or in sleeping rooms, shall be provided with controls to cut off the fuel supply upon the failure or interruption of the flame or ignition, or whenever a predetermined temperature or pressure is exceeded. .

H 1-506.10 Expansion Tanks

Hot water heating systems shall be provided with expansion tanks.

H 1—506.11 Heating of Garages

- a) Fuel-burning equipment for garages shall be located in heater rooms, except that equipment burning gas or liquid fuel, located in the vehicle storage space, shall be permitted in stories at or above grade where elevated as follows:

Suspended heaters shall be at least 8 feet above the floor level. Floor mounted heaters shall be installed on a noncombustible platform not less than 18 inches above the floor level, and shall be protected against physical damage.

- b) Garages heated by recirculated air shall be provided with a mechanical means of air handling designed to introduce a sufficient quantity of fresh air to prevent the accumulation of vapors or gases near the floor. Recirculated air shall not be taken from stories below grade level. For stories above grade level, openings for return

air shall be at least 18 inches above floors.

H I-507 CHIMNEYS, FLUES, AND GASVENTS

H 1—507.1 General

- a) Chimneys, smokestacks, flues, gas vents, smoke pipes, and connectors shall be structurally safe, durable, smoke-tight, and noncombustible. Supports shall be structurally safe and of noncombustible construction.
- b) Such facilities shall effectively convey the products of combustion to the outer air.
- c) Masonry chimneys shall have noncombustible foundations.
- d) Chimneys and metal smokestacks shall have sufficient clearance from building construction, in accordance with generally accepted standards.
- e) No flue shall have smoke pipe or gas vent connections in more than one story of a building.
- f) Fireplaces and fuel-burning equipment located in different dwelling units shall not be connected to the same flue.
- g) A single-wall metal smoke pipe -or connector shall not pass through a floor, attic, inside wall, partition, or concealed space .
- h) A single-wall metal smoke pipe or connector passing through an exterior wall or a roof shall be guarded at the point of passage by a suitable metal collar.
- i) Incinerator flues equipped with service openings shall not be used as flues for other fuel-burning equipment.
- j) Chimneys and flues connected to equipment burning solid or liquid fuel shall have a suitable soot pocket and cleanout door at the base.

H 1 1—507.2 Draft

Chimneys, flues and gas vents shall be installed and maintained to provide sufficient draft.

H 1 1-501.3 Fire Safety

Chimneys, flues, and gas vents shall be installed and maintained so that the surface temperature of adjacent combustible construction does not exceed 750F.

H-507.4 Spark Arresters

A chimney or flue connected to an incinerator, and a chimney or flue which limits sparks, shall be provided with a spark arrester of noncombustible construction. Spark arresters shall have sufficient total clear area to permit unrestricted passage of flue gases.

Openings in spark arresters shall be of such size as to prevent passage of embers and to minimize clogging by soot.

H 1-5 08 INCINERATORS

H 1-508.1 General.

- a) Contaminants emitted into the atmosphere from incinerators shall not violate air pollution control regulation promulgated pursuant to State Law, nor that of any other governmental authority having jurisdiction.
- b) Incinerators shall be of adequate capacity for the intended use.
- c) Flue-fed incinerators shall be provided with piping and equipment for burning auxiliary fuel in sufficient quantity to assure complete combustion of refuse.
- d) A flue serving an incinerator shall be provided with a substantially constructed spark arrester.
- e) Incinerators shall be connected to a suitable noncombustible chimney smokestack, or flue.
- f) Incinerator flues used also for dropping refuse shall be vertical, of noncombustible construction, shall have a smooth finish on the inside, and shall be arranged to

provide free passage of refuse without clogging.

H 1-508.2 . Service Opening

- a) Service openings shall be readily accessible to the building occupants.
- b) Service openings shall be equipped with metal, self-closing charging devices. An incinerator flue used also for dropping refuse shall have charging devices constructed so that Openings to the flue are closed while the charging devices are in the open position. No part of the charging devices shall project into a refuse chute or incinerator flue.
- c) Durable signs, with plainly legible letters, shall be inconspicuously posted at service openings, stating;

THROWING LIGHTED MATCHES, CIGARS OR CIGARETTES, CARPET SWEEPINGS, APHTHALENE, CAMPHOR BALLS OR FLAKES, FLOOR SCRAPINGS, OIL SOAKED RAGS, PAINT CANS, AEROSOL CONTAINERS, OR ANY OTHER FLAMMABLE OR HIGHLY COMBUSTIBLE OR EXPLOSIVE SUBSTANCE IWPO INCINERATOR CHUTES IS UNLAWFUL AND SUBJECTS THE OFFENDER TO A PENALTY.

H I-508.3 Incinerator Rooms and Refuse Rooms

In incinerator rooms and refuse rooms, openings for charging refuse directly into incinerators shall be provided with charging doors, deigned to minimize the heat transmitted to the incinerator or refuse rooms, and equipped with locks or safety devices to prevent tampering by unauthorized persons.

H I-509 ELECTRICAL

H 509.1 General

- a) Electrical systems shall be properly installed, connected to an approved source of supply, and maintained free of hazards.

- b) Electrical wiring and equipment shall be firmly secured to the surface on which it is mounted.
- c) Electrical wiring and equipment in damp or wet locations, or exposed to explosive or flammable gases, or excessive temperatures, shall be of an approved type for the purpose and location.
- d) Electrical wiring and equipment shall be protected against excessive current by approved, properly rated overcurrent protection devices. Overcurrent protection devices, of ratings higher than the ampacities of the conductors to be protected, shall not be used, except where expressly permitted by generally accepted standards. Where a circuit has been over fused, the Edison-base plug fuse, shall be replaced with type S plug fuse, of the proper rating, with a suitable fuse adapter.
- e) Electrical service equipment and overcurrent protection devices shall be installed in a readily accessible location, and access to such location shall be kept unobstructed.
- f) Electrical equipment shall be grounded, or otherwise protected by insulation, isolation or guarding.
- g) Parts of electrical equipment, which in ordinary operation produce arcs or sparks, shall be enclosed, unless separated and isolated from combustible material.
- h) Flexible cord shall not be: run through holes in walls, ceilings, or floors; or run through doorways, windows, or similar openings; or attached to building surfaces; or concealed behind building walls, or above ceilings, or under floors or floor coverings.

H 1—509.2 Facilities

- a) A dwelling unit shall be supplied with at least one 15-ampere lighting branch circuit for each multiple of 400 square feet of floor area, or fraction thereof.
- b) Motel units, lodging units, and dormitory units shall be supplied with at least one 15-ampere lighting branch circuit for each multiple of 600 square feet of cumulative

floor area, or fraction thereof.

- c) Habitable spaces, except kitchens, shall be provided with at least one receptacle outlet for each multiple of 20 feet, or fraction thereof, or the total distance around the room, measured horizontally along the wall at the floor line. An electric light outlet and fixture may be substituted for only one receptacle outlet. ..
- d) Kitchens and kitchenettes shall be provided with at least two receptacle outlets served by at least one -15-ampere small appliance branch circuit. In addition, one electric light outlet and fixture shall be provided.
- e) Bathrooms, toilet rooms, and laundry rooms shall be provided with at least one electric light outlet and fixture, and one receptacle outlet. Furnace rooms, storage rooms, workshops, and similar service rooms shall be provided with at least one electric light outlet and fixture.
- f) Light switches or other devices, for controlling lights which illuminate entrances, shall be provided at points of entrance to dwelling units, hotel units, lodging units, and dormitory units.

H 1-509.3 Exit and Directional Signs

- a) Exits in multiple dwellings shall be provided with exit and directional signs, visible from the approach to the exits, except that such signs shall not be required in an apartment house, or in those portions of a multiple dwelling where exit from dwelling units, hotel units, lodging units, or dormitory units is directly to the outside.
- b) Directional signs shall be provided at locations from which the exit doorway is not readily discernible.
- c) Signs shall be worded in plainly legible block letters with the word EXIT for exit signs and the words TO EXIT with a suitable pointer or arrow indicating the direction of exit, for directional signs.
- d) Any door, passageway, stair, or other means of communication that is not an exit, or that is not a way to an exit, but is so located as to be mistaken for an exit, shall be identified with a sign reading NOT AN EXIT, or identified by a sign indicating its

use or purpose, or provided with a directional sign.

- e) Letters for signs shall be conspicuous, readily discernible, and at least 8 inches high, except that for internally illuminated signs the height of such letters shall be at least 4½ inches.
- f) Signs shall be illuminated either externally or internally by electric lights, and be kept illuminated at all times when the building is occupied. Such electric lights shall be supplied with current from a separate circuit, or circuits which supply no other outlets.

H 1-509.4 Overhead Conductors

- a) Overhead electrical conductors, rated 600 volts or less, shall clear on—premises areas as follows:

<u>Location</u>	<u>Clearance</u>
Above streets, driveways, parking spaces and other use areas where motor vehicles are permitted	18 feet

H 1-5 11 AIR CONDITIONING AND MECHANICAL VENTILATION IN ONE-AND TWO-FAMILY DWELLINGS.

Air conditioning and mechanical ventilation equipment and systems shall conform to the requirements of section H I-512, except that concealed spaces within the structure may be used for return air, in accordance with generally accepted standards.

H I-512 AIR CONDITIONING AND MECHANICAL VTILATION IN MULTIPLE DWELLINGS

H 1-512.1 Refrigeration

- a) Mechanical refrigeration equipment shall be installed and maintained so as not to be a hazard from excessive pressure or refrigerant leakage.

- b) Refrigerating equipment shall not be located in exits, except that self-contained refrigerating units may be permitted in lobbies, corridors or passageways, provided that they do not obstruct or diminish the width of exits, as provided in section H I-404g.

H 1—512.2 Refrigerants

- a) Refrigerants shall be normally nontoxic and nonflammable.
- b) The amount of refrigerant contained in each direct refrigerating system shall not exceed the amount that in t-ha case of leakage may be contained safely, in accordance with generally accepted standards, in the space in which the equipment is located, or in the spaces in which the refrigerant would be dissipated.
- c) Systems containing refrigerants exceeding the limit stated in paragraph b shall be of the indirect type.

H 1-512.3 Safety Controls

Refrigerating equipment shall be provided with devices to relieve excessive pressures safely.

H 1-512.4 Cooling Towers

Cooling towers shall be installed and, maintained so that when in operation, noise, fog, or water spray will not cause a nuisance.

H 1-512.5 Mechanical Ventilating Systems

- a) Ventilating systems shall be installed and maintained so that the rapid spread of heat, flame, or smoke through the system will be prevented.
- b) Shafts, other than those designed for ventilating purposes, stairways, passageways, exits, hoist ways, or attics, shall not be used as plenum chambers.
- c) Ducts shall be securely fastened in place and appropriately fire-stopped.

- d) Ducts and other air handling equipment shall be of noncombustible materials
- e) Filters shall be installed and maintained so as not to constitute a fire or smoke hazard.
- f) Ducts passing through or located within combustible construction shall be separated from such construction by a clearance of at least ½ inch or by a noncombustible insulating material at least ¼ inch thick.
- g) Ducts passing through fire walls shall be equipped with a fire damper or shutter on each side of the fire wall. Ducts passing through other fire separations shall be equipped with a single fire damper or shutter.
- h) Air required for ventilation shall be taken from the exterior or shall be quality-controlled, including an amount of exterior air equal to not less than one air change per hour.
- i) Exhaust air from a dwelling unit, or a space whose contents may emit odors, fumes, or vapors, shall not be circulated to another dwelling unit or to other spaces within the building.

H 1-512.6 Air Intake and Exhaust Openings

- a) Air intake openings shall be installed, located, and maintained to prevent the possibility of fire, smoke, fumes¹ or foreign matter being drawn into the system.
- b) Air exhaust openings shall be installed, located, and maintained so that exhaust air will not constitute a hazard or nuisance.
- c) Ventilating systems shall be provided with adequate openings for incoming and outgoing air to obtain the required circulation. Intake openings shall provide for air to be received from an uncontaminated source.
- d) Where openings for mechanical exhaust are located in spaces that also contain fuel—burning equipment, there shall be provided fixed intake openings from the exterior to supply sufficient air so that fuel-burning equipment is not adversely

affected.

H 1—512.7 Ventilation Requirements

- a) Enclosures or spaces, where heat, gases, vapors, or odors accumulate and may become a hazard or nuisance, shall be provided with mechanical ventilation to remove such excess.
- b) Cooking equipment in central kitchens shall be provided with mechanical exhaust systems which are not connected with any other exhaust system. Such systems shall be provided with equipment or filters to prevent the entry of flammable materials into ducts. Openings shall be provided to permit easy inspection and cleaning. System shall be installed and maintained so that in the event of fire the danger of spread to other parts of the building is minimized.
- c) Mechanical ventilating systems shall be installed and maintained so that the temperature and velocity of the air coming into contact with occupants does not constitute a health hazard.
- d) Required mechanical ventilation shall be provided in accordance with table H 1-512.7e.

Table H 1-512.7e Mechanical Ventilation Requirements

Space	Minimum Ventilation
Shower rooms, locker rooms, dressing rooms.....	6 air changes per hour
Recreation rooms.....	2 air changes per hour
Lounges, reception rooms, dining rooms, meeting rooms	4 air changes per hour
Workshops, service rooms, paint storage rooms, utility service rooms.....	1 air change per hour

Laundry rooms	2 air changes per hour
Central kitchens	4 air changes per hour
Hoods for cooking equipment in central kitchens	100 cfm per square foot of hood
Central dining rooms.....	4 air changes per hour
Garage areas:	
Above grade exceeding 1000 sq. Ft.....	4 air changes per hour
Below grade.....	6 air changes per hour
Passageways, hallways, corridors, and stairways :	
Above grade	½ air change per hour
Below grade.....	1 air change per hour

H 1.512.8 Safety Controls

- a) Manually operated controls shall be provided to stop the operation of all central fan equipment. Such controls shall be conspicuously identified and in readily accessible locations outside the fan room.

- b) Every system using recirculated air and serving more than one story of a building shall be provided with controls arranged so that under an abnormal rise in temperature of the air in the system the fans causing normal circulation shall stop and require manual restart.

Location

Clearance

Above areas accessible to pedestrians only

10 feet

Above buildings and structures 8 feet

Horizontal clearance from any window,
door, porch, balcony, or other similar point
of access 6 feet

Horizontal clearance from the periphery of
any swimming pool 15 feet

- c) Metal fences, enclosures, or railings which enclose a swimming pool, and which could become energized through accidental contact with overhead electrical conductors, shall be properly grounded.

H I-510 COOKING AND REFRIGERATION

H 1-510.1 General

- a) There shall be provided within each dwelling unit approved—type cooking and approved-type refrigeration equipment located in a kitchen or kitchenette.
- b) Approved-type cooking and refrigeration equipment shall be of the stationary type.
- c) Electrical cooking and refrigeration equipment shall be properly connected to the electrical system.
- d) Gas-burning cooking and refrigeration equipment shall be connected to the gas supply system with pipe or tubing of solid metal, or approved appliance connectors.
- e) Cooking and refrigeration equipment shall be maintained in good operating condition.

H 1-510.2 Ranges and Gas Refrigerators

- a) Ranges shall be installed with clearance for ventilation.
- b) Gas refrigerators shall be prohibited.

H 1—510.3 communal Kitchens

- a) Communal kitchens shall be prohibited.

H 1-513 FIRE PROTECTION IN MULTIPLE DWELLINGS

H 1-513.1 General

- a) Fire protection equipment, including fire alarm, fire detecting, watchman, sprinkler, and standpipe systems and portable fire extinguishers, shall be maintained in proper operating condition at all times.
- b) Sprinkler and standpipe systems shall have an adequate water supply available at all times.
- c) Fire department connections shall be conspicuously identified and maintained readily accessible for fire department use.

H 1-513.2 Fire Alarm and Fire Detecting Systems

Fire alarm and fire detecting systems shall be suitable for their respective purposes. Equipment and devices, comprising such systems, shall be of the approved type, and conform to generally accepted standards

H 1—513.3 Sprinkler Systems

- a) Sprinkler systems shall be maintained in good condition, free from mechanical injury. Sprinkler heads shall be maintained clean, free of corrosion and paint, and, not bent or damaged.
- b) Valves controlling water supply to sprinklers shall be secured in the open position.
- c) Supports for piping and equipment shall be structurally sound.
- d) Portions of the system subject to freezing shall be appropriately protected.

- e) Storage of materials shall not interfere with the effective discharge of water from the sprinkler heads.
- f) Water supply for the sprinklers shall be adequate to effectively extinguish the fire or confine it without spread.

H 1-513.4 Standpipe Systems

- a) Gate valves at hose stations shall be maintained tight against leaks.
- b) Rose shall be in proper position ready for operation, dry, and free of deterioration.
- c) Hose stations shall be conspicuously identified, located for easy accessibility, and installed to provide for the quick and easy use of equipment. Cabinets shall have keyless doors.
- d) Valves in the water supply pipe for the standpipe system shall be open at all times.

H 1—513.5 Portable Fire Extinguishers

- a) Portable fire extinguishers shall be of the following types: approved multi-purpose dry chemical type, classified for use on Class A(combustible), class E (flammable liquids), and Class C (electrical) fires; approved water-type, classified for use on Class A fires. Extinguishers shall have at least a 2-unit rating, in accordance with generally accepted standards.
- b) Portable fire extinguishers shall be maintained in an efficient and safe operating condition.
- c) Portable fire extinguishers shall be in their designated location and clearly visible, except that they may be located in an enclosure or recess conspicuously identified as containing a fire extinguisher.

H 1-514 ELEVATORS, DUMBWATERS, AND ESCALATORS IN MULTIPLE DWELLINGS

- a) Elevators, dumbwaiters, and escalators shall be designed, installed, and maintained to safely sustain the loads to which they are subject, to operate properly, and to be free of physical and fire hazards.
- b) Elevator and power operated dumbwaiter cars shall be provided with durable signs, inconspicuous locations within such cars, on which the rated capacity, in pounds, is stated. Signs in passenger elevators shall also state the total number of passengers permitted, determined by dividing the rated capacity by 150.
- c) Elevator cars shall be provided with approved means for transmitting a signal outside the hoist way in case of emergency, in accordance with generally accepted standards.
- d) Hoist ways and pits shall be maintained free of rubbish or other debris.
- e) Machine rooms shall be maintained free of oil and grease, including oily and greasy clothes, rags, and other such materials, and shall not be used for storage of articles or materials unnecessary for the maintenance of the elevator or dumbwaiter. Flammable liquids shall not be kept in such rooms.
- f) Safety devices and electrical protective devices shall be operative at all times, except during tests, inspections, or repairs.

Part 6

Property Maintenance Requirements

H I-601 GENERAL REQUIREMENTS

- a) Residential premises shall be maintained in a clean, safe, and sanitary condition. .
- b) Areas devoted to the common use of occupants and users shall be kept broom clean at all times.

H I-602 OPEN AREAS

- a) Surface and subsurface water shall be appropriately drained to protect buildings and structures, and to prevent ponding.
- b) Fences, walls, and other minor constructions shall be maintained in safe, good and substantial condition.
- c) Steps, walks, driveways, parking spaces, and similar paved areas shall be maintained to afford safe and convenient passage.
- d) Yards, courts, and vacant lots shall be kept clean and free of hazards.
- e) Ground cover shall be properly established to prevent undue soil erosion, due to the elements.
- f) Heavy undergrowth and accumulations of plant growth which are noxious or detrimental to health or safety shall be eliminated.
- g) Open fires shall not be permitted, unless authorized and approved pursuant to local law and in conformity with State air pollution control regulations.

H I-603 BUILDINGS AND STRUCTURES

- a) Exterior surfaces shall be maintained in good condition. Surfaces, not inherently resistant to deterioration, shall be treated with a protective coating of paint, or other suitable preservative.
- b) Floors, walls, including windows and doors, ceilings, and other interior surfaces shall be maintained in good, clean, and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be eliminated.
- c) Paint containing more than one per cent of metallic lead, based on the total non-volatile content of the paint, shall not be used to paint any interior wall, ceiling window, door, or other interior surface. Where such paint on interior surfaces is

peeling, or otherwise presents a health hazard, it shall be promptly removed and the surface safely and appropriately refinished or resurfaced.

H I-604 INFESTATION AND SCREENING

- a) Grounds, buildings, and structures shall be maintained free of insect, vermin, and rodent harborage and infestation.
- b) Where rodent infestation exists, windows and other openings in basements and cellars shall be screened to prevent entrance of rodents.
- d) From May 1st to October 1st, entrances to residential buildings and structures shall be provided with self-closing doors, devices, or screens, and windows and other openings used for ventilation shall be appropriately screened, except that screens shall not be required in, upper stories of multiple dwellings which are free of mosquitoes, flies, and other flying insects.

H I-605 GARBAGE AND REFUSE

- a) Adequate sanitary facilities and methods shall be used for the collection, storage, handling, and disposal of garbage and refuse. Storage containers shall be of an approved flame-resistant waterproof type.
- b) The accumulation or storage of garbage or refuse in public halls or stairways shall be prohibited.

H I-606 JUNK

- a) Refrigerators, and similar equipment with locking mechanisms, shall not be discarded, abandoned, or stored on premises accessible to children, without first removing the locking devices or the hinges of the doors
- b) Junked vehicles¹ equipment, and materials shall not be stored in open areas of premises.

H I-607 DOMESTIC ANIMALS AND PETS

Domestic animals and pets shall be kept in an appropriate manner, so as not to constitute a hazard or nuisance, and under control.

CHAPTER 1V

ADMINISTRATION AND COMPLIANCE

Part 1.

General Provisions

H 4-101 TITLE

This Chapter shall be known and referred to as "Administration and Compliance Provisions."

H 4-102 PURPOSE

The purpose of this Chapter is to provide the basic method for uniform administration of, and compliance with, applicable Housing Standards, and to establish the responsibilities of those concerned therewith.

H 4-103 EFFECTIVE DATE

This Chapter shall take effect on the 1st. day of October 19 82 .

H 4-104 APPLICABLE

- a) This Chapter shall apply to the provisions and to premises within the scope of Chapters I, II and III
- b) Notwithstanding any of the requirements of Chapters I, II and III premises, buildings, or structures which do not conform thereto, in whole or in part, on the effective date, and which require substantial alterations or installations to satisfy any such requirements, although in violation thereof, a reasonable period of time shall be provided, up to one year after the effective date, within which premises, buildings, or structures are to be made to conform, except, if a building or structure

as found to be dangerous and unsafe, in which event, prompt compliance with the requirements herein provided shall be undertaken and carried out.

H 4-105 PARTIAL INVALIDITY

If a term, part, provision, section, subdivision, or paragraph of this Chapter shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remaining terms, parts, provisions, sections, subdivisions, and paragraphs.

H 4-106 DEFINITIONS

As used in this Chapter, the following terms shall mean:

- Agent: The designated representative of an owner, lessor, operator, occupant, or person, as filed with the Agency.
- Lessor: The grantor of a lease interest in premises.
- Occupant: The person in occupancy, or in possession, or in control of premises, or using premises.
- Operator: The person engaged in the activity of renting or providing space or premises for occupancy or use by others.
- Owner: The person exercising dominion or control over, or vested with title in, premises; a proprietor (legal owner, joint owner, part owner, record owner, equitable owner, reputed owner, or their successors in interest); or the respective agent of any of them.
- Person: The owner, lessor, operator, or occupant of premises, or any firm or corporation, directly or indirectly in control of premises.
- Premises: Land (improved or unimproved), place, property, buildings, structures, equipment, facilities, and improvements, if any.

Part 2

.Administration

H 4-201 ADMINISTRATIVE AGENCY

- a) There shall be established, or designated by resolution, an official or agency to administer and secure compliance with the Housing Standards. Such official or agency is hereinafter referred to as "Agency."
- b) The Agency shall have a chief officer and such assistants and inspectors as may be necessary to carry out effectively the powers and duties of the agency.
- c) Personnel of the Agency shall be qualified and appointed as prescribed by resolution, and shall be furnished with appropriate official badges or identification cards, or both.
- d) Personnel of the Agency shall be free from personal liability for acts done in good faith in the performance of official duties.

H 4-202 POWERS AND DUTIES

- a) The Agency shall be charged with the duty of administering the Housing standards and securing compliance therewith, and shall be empowered to adopt rules and regulations necessary for securing such compliance and for its own organization and internal management. Such rules and regulations shall not be in conflict with the Rousing standards or with any provision of law.
- b) The agency shall be empowered to prescribe, and secure compliance with, housing requirements for mobile homes used as temporary relocation housing in connection with an urban renewal, public improvement, or other publicly aided program. Such housing requirements shall be in substantial agreement with the respective provisions of chapter 11 applicable to mobile homes and the premises upon which they are located.
- c) The Agency shall be empowered to request, and shall receive, so far as may be necessary in the discharge of its duties, the cooperation of other officials or

agencies of the municipality.

- d) The Agency shall be empowered to require the registration of premises and to issue 'certificates of compliance' with respect to the use and occupancy of premises, or issue temporary certificates, limited to premises or parts thereof before or during the performance of any work to eliminate or correct violations or deficiencies, for an initial period of 90 days, and renewable for additional 90-day period.
- e) The Agency shall be empowered to require independent inspections and tests of equipment and systems used in connection with premises.
- f) The Agency shall be empowered to conduct surveys to determine the condition of premises, extent of deterioration, lack or adequacy of facilities, adequacy of maintenance, existence of unsafe and unsanitary conditions, extent of overcrowding, land use, and other relevant factors affecting safety, health or welfare.
- g) It shall be the duty of the chief officer;:
 - (1) To cause inspections to be made of premises within the scope of the Housing Standards;
 - (2) To cause an investigation of complaint of alleged violations of the Housing Standards;
 - (3) To issue written orders for the elimination or removal of conditions affecting or found to exist on, or about premises in violation of the Housing Standards, and, where appropriate, order the cessation of an unlawful use or nuisance, or the vacation, demolition, or repair of premises found dangerous or unsafe, and, to state in the violation order a reasonable time limit for compliance therewith, and the time within which an appeal may be taken;
 - (4) To request the chief legal officer of the municipality to take appropriate legal action upon failure to comply with a violation order or orders;

- (5) To assist and cooperate with the Board of Appeals;
- (6) To keep official records of Agency actions and activities;
- (7) To cause studies to be made of housing and environmental conditions for the purpose of community improvement;
- (8) To cooperate with other public and private agencies engaged in the study and improvement of housing and environmental conditions; and
- (9) To publish an annual report including a summary of actions, activities, results, accomplishments, studies, as well as current and proposed programs.

H 4-203 REGISTRATION

- a) Owners and lessors of premises, or their respective agents, shall within one year after the effective date of this Chapter, or 90 days from the date of mailing of registration forms by the Agency, whichever occurs first, file with the Agency, on the registration forms provided by the Agency, the following information:
 - (1) the names and addresses of the owner and lessor, and of their respective agents, upon whom violation orders may be served;
 - (2) a description of the property, by street and number or otherwise, as will enable the Agency to locate the same; and
 - (3) such other appropriate information as may be requested, including, but not limited to, use of premises, available facilities, number of units, number and size of rooms, together with a schematic diagram showing the typical floor layout of the units and rooms with appropriate designations and identifications,
- b) On-resident owners of premises, who are not employed or engaged in business within the municipality and do not customarily and regularly come into the municipality to attend a business office, shall designate an agent who resides within the municipality, or customarily and regularly engages in and attends a business in the municipality.

H 4-2 04 INDEPENDENT INSPECTIONS

- a) As scheduled by the Agency, owners and lessors of premises shall be responsible for the inspection and testing, of plumbing, heating, gas, and electrical equipment and systems, sprinkler, standpipe, fire-detecting, and fire alarm systems, and elevators, dumbwaiters, and escalators used in connection with such premises.
- b) Inspections and tests shall be made by qualified persons who, because of experience or education, are recognized as competent by the Agency.
- c) If any equipment or system is found to be defective or not in proper operating condition upon inspection or test, the owner or lessor shall promptly remedy such defect or condition.
- d) Reports of inspections and tests, signed by the tester and a witness, together with a statement of any remedial measures to be taken, shall be filed with the Agency within ten days after each inspection and test. A duplicate of the report shall be kept on the premises. Available for examination by the Agency or its representatives.
- e) Reports of inspections and tests shall not be used in or as the basis of prosecution for the existence of a defect or improper condition on the date of inspection.

H 4-205 CERTIFICATE OF COMPLIANCE

Commencing with the third anniversary of the effective date of this Chapter:

- (1) It shall be unlawful to occupy or use any premises unless and until a certificate of compliance shall have been issued by the Agency certifying that such premises conform to the Housing Standards, except that a temporary certificate may be issued upon a showing, to the satisfaction of the Agency, that remedial action is being taken to correct violations.
- (2) A certificate of compliance shall be valid for three years from the date of issue, except; a new certificate shall be required for every premises, improved or

unimproved, if the use or occupancy is changed, a building or structure is altered, or vacant premises are reoccupied; a certificate may be revoked, by written notice thereof, if upon an inspection premises are found to be in violation of the Housing standards.

H 4-206 INSPECTION

- a) The Agency and its representatives shall be authorized, in the performance of their duties, to conduct inspections, of premises, or parts of premises , at such times and in such manner as the Agency may find convenient or necessary, with the consent of the person in possession or occupancy.
- b) If admission is refused or cannot be obtained from the person in possession or occupancy, the Agency or its representatives shall be authorized to obtain a warrant to make an inspection, provided reasonable or probable cause is shown.
- c) In case of an emergency, the Agency or its representatives may, without a warrant, enter any premises, or parts of premises, to inspect the same, at any time, without the permission of the person in possession or occupancy.

H 4-2 07 VIOLATIONS

- d) Whenever the Agency finds that there has been a violation of the Housing Standards, the Agency shall issue a violation order to the person or persons responsible. The Agency shall also issue a violation order to the person or persons responsible for failure to register premises, for failure to file or maintain reports, or for the furnishing of a false statement, or for interference with an inspector lawfully authorized to enter premises, or in connection with the occupancy of premises for which no certificate of compliance has been obtained as required, or when a building or structure has been found to be or is deemed to be dangerous or unsafe hereunder. The order shall:

(1) be in writing;

(2) identify the premises;

(3) specify the violation and remedial action to be taken;

(4) provide a reasonable time limit for compliance which shall be seven (7) days, unless otherwise extended by the Agency.

(5) state the time within which an appeal may be taken which shall be fifteen (15) days; and

(6) if the violation constitutes a public nuisance or renders the premises dangerous or unsafe, include, in the order, a statement that if the violation is not remedied within the time limit specified on the order, the Agency may remedy the violation.

b) A violation order may be served as follows:

(1) by personal service, or

(2) by mailing, by registered or certified mail, to the person whose name has been filed with the Agency, in accordance with this Chapter, to his address as therewith filed, or to the occupant, owner, or party of tax records who appears as owner, of a copy of such order, or

(3) if no person has filed with the Agency the name and address of the owner, lessor, their respective agent, or other party, upon whom an order may be served, as provided in this Chapter, by posting a copy thereof in a conspicuous place on the premises and by mailing another copy thereof to the premises, on the same day as posted, enclosed in a postpaid wrapper addressed to the owner, lessor, or their respective agent.

c) In case the owner, lessor, occupant, or the agent of any of them, shall fail, neglect, or refuse to remove, eliminate, or abate the violation within the time specified, the Agency shall request the chief legal officer of the municipality to take appropriate legal action; and same shall be punished as in H 4-211 and the Village Justice Court shall have jurisdiction to hear and determine the complaint and render judgment thereon.

d) If the violation constitutes a public nuisance or renders the premises dangerous or unsafe, and the violation order has been served, but the violation has not been remedied within the time limit specified in such violation order, (the Agency may

remedy the violation, after obtaining a court order), without being required to give notice of the application for such order, authorizing the Agency to enter the premises and remedy such violation, after the expiration of five days from the date of service of the court order. Unless the court otherwise directs in such order, it shall be served in the same manner as provided, in paragraph b of this section, for the service of a violation order.

H 4-208 UNSAFE BUILDINGS AND STRUCTURES

- a) A building or structure, or part of a building or structure, including any service equipment therein or attached thereto, or any facilities which are a part thereof, that is dangerous or unsafe, structurally or as a fire hazard or otherwise, or is dangerous or detrimental to health or life, shall be demolished and removed or made safe and secure.
- b) A vacant building or structure not continuously guarded or boarded up, which is not safe and secure from unauthorized entry or use, shall be deemed dangerous or unsafe and a fire hazard, or dangerous or detrimental to health or life.
- c) A vacant building or structure boarded up for a period of one year shall, at the expiration of such period, in the absence of competent and relevant evidence being furnished to the contrary, be presumed to be a fire hazard, and dangerous and unsafe.
- d) When, in the opinion of the Agency, there is imminent danger of the failure or collapse of a building or structure, or any part thereof, which endangers life or property, or when a building or structure or part thereof has fallen or collapsed and renders occupancy of the premises dangerous or unsafe, the Agency shall have the right to require the occupants to vacate the same forthwith and order the demolition of the building or structure, or any part thereof. In such cases, the Agency shall immediately cause a notice to be posted conspicuously at or about such premises, reading substantially as follows:

“THESE PREMISES ARE DANGEROUS AND UNSAFE AND THEIR USE OR OCCUPANCY IS PROHIBITED”

and thereafter no person shall enter upon such premises except for the purpose of making required repairs or of demolishing the unsafe building or structure, or part thereof, or for the purpose of inspection in connection therewith

- e) Unsafe buildings or structures shall be removed in accordance with and pursuant to the provisions of state and local law.

H 4-209 RECOVERY OF COSTS

Costs incurred by the Agency in eliminating or removing nuisances and dangerous or unsafe conditions shall be paid for by the municipal fiscal officer out of the municipal treasury upon certification of the Agency. Such costs shall be charged against the premises, and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable. Interest, at the rate of 12 per cent per annum, shall be payable thereon and shall accrue from the date of the payment thereof by the municipality. Such costs may also be recovered in any other lawful manner.

H 4-210 RECORDS

The Agency shall keep official records of, but not limited to:

Registrations and reports filed, certificates issued, complaints received, inspections made, violations found, orders issued, and actions taken. Such records shall be public records, open to inspection during business hours. Copies or transcripts of such records shall be furnished upon written application and payment of any and all lawful fees.

H 4-211 PENALTIES

- a) Failure to comply with a violation order, within the time limit stated therein, shall constitute an offense. A person convicted of an offense shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment for a period not to exceed one year, or both. Each and every day of such failure to comply with a violation order, after such time limit, may constitute a separate offense for which the aforesaid penalties may be cumulatively imposed.

- b) The penalties heretofore prescribed shall not be imposed upon a person who by operation of law acquires premises containing violations for which a violation order has been issued, for a period of one month after the date of such acquisition of the premises. Nevertheless, the penalties provided shall attach and apply, either upon the expiration date of such one month period, or upon transfer of title to the premises before the expiration of such period, whichever first occurs.

H 4-212A BUILDING DEPARTMENT

The Agency established hereinafter as referred to in H 4-201A is hereby established and called the Building Department and the officers thereof Building Inspectors.

Part 3

Compliance

H 4-301 RESPONSIBILITIES OF OWNERS

- a) Owners and lessors of premises shall be responsible for compliance with the Housing standards and this Chapter, and shall remain responsible therefor regardless of the fact that this Chapter may also place certain responsibilities on operators and occupants, and regardless of any agreement between or among owners, lessors, operators, and occupants, as to which party shall be responsible, except as provided in paragraph b of this section.
- b) Owners and lessors of premises shall be responsible for proper maintenance, condition, and operation of service facilities. Owners and lessors shall be responsible for providing adequate heat and hot water, unless otherwise provided in written agreement with occupants.
- c) Owners and lessors of premises shall be responsible for independent inspections and tests of equipment and systems used in connection with such premises, and for filing and maintaining reports thereof.
- d) Owners and lessors of premises shall be responsible for posting of printed statements of the maximum number of occupants permitted in designated parts of

premises.

- e) Owners and lessors of premises shall be responsible for the removal of garbage, refuse, and junk, to assure that the premises are maintained in a safe, clean, healthful, and sanitary condition, and shall provide adequate private carting for such removal. Any municipal collection, which may be provided, shall be supplemented by private carting service: when necessary.

H 4-302 RESPONSIBILITIES OF OPERATORS

Operators of premises shall be responsible for compliance with the provisions of this Chapter and the Housing Standards in regard to the following:

- (1) Limiting occupancy to the maximum number of persons permitted, and prohibiting unlawful uses;
- (2) Posting required statements of the maximum number of occupants permitted;
- (3) Maintenance of the premises in a clean, safe, and sanitary condition;
- (4) Maintenance and operation of service facilities in good order and condition;
- (5) Maintenance of plumbing, heating, and electrical equipment and systems, appliances, fixtures, as well as other building equipment and facilities, in an appropriate, good operative, clean, and sanitary condition;
- (6) Maintenance of walls, floors, and ceilings in a clean and sanitary condition;
- (7) Keeping exits free and clear,
- (8) Disposing of garbage, refuse, and junk in a safe and sanitary manner, and keeping the premises free and clear therefrom, and broom clean;
- (9) Extermination of insects, vermin, rodents, pests, and elimination of harborage;
and

(10) Hanging and removing of screens.

H 4-303 RESPONSIBILITIES OF OCCUPANTS.

a) Occupants shall be responsible for compliance with the provisions of this Chapter and, with respect to premises occupied, the Housing Standards in regard to the following:

(1) Occupancy limitations and its lawfully permitted use;

(2) Maintenance in a clean, safe, and sanitary condition;

(3) Maintenance of plumbing, cooking, and refrigeration equipment, appliances, fixtures, and facilities, in a clean and sanitary condition and providing reasonable care in the operation and use thereof;

(4) Keeping exits free and clear;

(5) Disposing of garbage and refuse into provided facilities in a sanitary manner and keeping the premises free and clear there from;

6) Extermination of insects, vermin, rodents, pests, and elimination of harborage;
and

(7) Keeping domestic animals and pets in an appropriate manner and under control.

Part 4

Appeals .

H 4-401 BOARD OF APPEALS

a) There shall be established, or designated by resolution, a Board of Appeals, hereinafter referred to as "Board". The number of members, terms of office, manner of appointment, and designation or election of a chief officer shall be fixed

by resolution. .

- b) The Board shall be empowered to adopt rules of procedure for the conduct as its business, provided such rules are not inconsistent with provisions of law or this Chapter.
- c) The Board shall be empowered to charge and collect reasonable fees and to make rules and regulations with respect thereto.
- d) The Board shall have the following powers and duties;

(1) Determinations. The Board shall decide matters involving determinations of the Agency with respect to this Chapter and the Housing Standards, or rules or regulations of the Agency.

(2) Interpretations. The Board shall decide questions involving the, interpretation of this Chapter and the provisions of the Housing Standards, as well as of the rules or regulations of the Agency.

(3) Variances. The Board may grant variances where the strict application of the provisions of this Chapter or the Housing Standards, or rules or regulations of the Agency, would result in practical difficulty or unnecessary hardship, provided the intent of the provisions of this Chapter or of the Housing Standards, or rules or regulations, is carried out, with respect to the protection of safety, health, or welfare.

(4) The Board of Appeals shall be the same body as the Village Zoning Board of Appeals, which shall also hear appeals brought up pursuant to this Chapter.

H 4-402 PROCEDURE

- a) An appeal from an order, determination, or regulation of the Agency shall be taken to the Board.
- b) Such appeal shall be filed, on forms provided by the Board and made available at the Agency, simultaneously with the Agency and the Board, within the time limit established by the Agency. Compliance with a violation order shall not be required

while an appeal is pending, unless the premises are dangerous or unsafe, in which event adequate protective measures shall be taken.

- c) The appellant shall serve upon the Board copies or transcripts of fl. record of the matter at issue.
- d) The time in which an appeal must be commenced is 15 days from service of the order appealed from and appellant must serve and file his notice of appeal within such time.
- e) The fee for filing a Notice of Appeal is \$75.00 and must be paid with service of. the notice of appeal, to the Village Clerk. The notice of appeal shall also be served upon the Village Clerk and said service shall be deemed sufficient.

H 4-40 HEARINGS

- a) The Board shall set a time and place for hearing the appeal, and shall give the petitioner, the Agency, and such other interested persons as may have filed a written request to be heard, written notice thereof by mail at least ten days prior thereto.
- b) The Board, at the hearing, shall grant the petitioner, the Agency or its representatives, and any interested persona the opportunity to testify. The Board, in addition, may subpoena witnesses, records, and such other information as may be relevant to the matter at issue.
- c) The Board may issue a subpoena requiring the attendance of a person to give testimony, or a subpoena duces tecum requiring the production o books, papers, and other things. A subpoena shall be served, and attendance or production may be compelled as provided by law.

- d) The Board may conduct its hearings without regard to legal rules of evidence.

H 4-404 DECISIONS

- a) Upon a determination of an appeal by the Board, the violation shall be corrected within the time limit provided for in the violation order, unless such violation order is reversed by the Board, or the Board changes or modifies such period of time within which to comply there with.
- b) Decisions of the Board shall be in writing, and copies of the decision shall be sent to the petitioner and the Agency.

h 4-405 RECORDS

Rules and regulations of the Board as well as its actions and decisions on matters that come before it for review shall be filed and maintained at the office of the Agency, and such records shall be public records open to inspection during business hours.

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