

## **CHAPTER V Housing**

### **SECTION I - INSPECTION AUTHORIZATION**

1.1 The Health Officer is hereby authorized to make such investigations and inspections necessary to determine the condition of dwellings, dwelling units, and other premises covered by these regulations so as to safeguard the health and safety of the occupants of the dwellings and the general public, and enforce the provisions of said regulations.

### **SECTION II - ADMINISTRATION OF THE REGULATIONS**

2.1 Whenever the Health Officer determines that there are reasonable grounds to believe that there exists a violation of any provision of these regulations or of any rule or regulation adopted pursuant thereto, the Health Officer shall give notice of such violation and orders to correct the violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

- a. Be in writing.
- b. Identify the property involved.
- c. Include a statement of the conditions that constitute violations of the regulations and what must be done to correct the same.
- d. Specify a reasonable time limit for the performance of any act it requires.
- e. Be served upon the owner or their agent, or the occupant as the case requires either personally, by certified mail to their last known address, or by other method authorized or required under laws of this state.

### **SECTION III - EMERGENCY ACTION**

3.1 Whenever the Health Officer finds that an emergency exists, which requires immediate action to protect the public health, the Health Officer shall without notice or hearing, issue an order reciting the existence of such an emergency action. Notwithstanding the other provisions of these regulations, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately.

### **SECTION IV - MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES**

Every dwelling or dwelling unit that is used or intended for use as living quarters shall comply with the standards enumerated in Sec. IV, V, VI, and VII of these regulations.

The Health Officer may grant variations from these standards provided that substantial compliance is obtained, further provided that no nuisance or health hazard shall be caused or allowed to exist, and further provided that the local building official shall submit in writing to the Health Officer their approval of the requested variation.

4.1 Every dwelling unit shall contain a kitchen sink, a lavatory basin, bathing fixtures, and a flush water closet in working condition and properly connected with water to a well and sewer system approved by the Health Officer or to municipal water and sewer. Said fixtures shall be in compliance with applicable local and/or state Plumbing Codes. Authorized local and/or state plumbing code officials shall provide the Health Officer with adequate documentation affirming said fixtures are in compliance.

4.2 Every dwelling and dwelling unit occupied between November 1, and April 1, shall have heating facilities which are capable of heating all occupied rooms within such dwelling or dwelling unit under ordinary winter conditions to at least 70 degrees F.

4.3 Every dwelling or dwelling unit shall have two independent unobstructed means of egress leading to a safe and open space at ground level.

4.4 Dwelling or dwelling units providing temporary housing for farm workers, organized youth groups and for similar occupational or recreational groups are hereby exempted from the specific requirements of Sections 4.1, 4.2 and 4.3 provided no nuisance or health hazard is allowed to exist. Alternate systems for toilets, washing and bathing facilities, which meet the approval of the Health Officer, shall be provided.

## **SECTION V - MINIMUM STANDARDS OF MAINTENANCE**

Every dwelling or dwelling unit shall comply with the following:

5.1 All sewage and well fixtures shall be so constructed and installed that they will function safely and effectively, and shall be maintained in satisfactory working condition.

5.2 No person shall occupy or permit occupancy of a dwelling or dwelling unit unless it is clean, sanitary, and fit for human occupancy.

## **SECTION VI - MINIMUM STANDARDS OF SPACE, USE AND LOCATION**

The following shall apply to all dwellings and dwelling units:

6.1 There shall be available for each inhabitant thereof not less than 100 sq. ft. of floor area as defined in regulation 6.2.

6.2 At least one half of every habitable room shall have a ceiling height of at least 7 feet. Floor space in a habitable room that has less than 4 feet clear floor to ceiling height shall not be utilized in determining minimum floor space.

## **SECTION VII - CLEANLINESS OF DWELLING OR DWELLING UNITS**

Every dwelling or dwelling unit or every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, harborage for vermin, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected therewith, or belonging to the same. The owner of every dwelling or dwelling unit shall be responsible for complying with the provisions of this section except that the tenants shall be responsible for the cleanliness of those parts of the premises that they occupy and control.

## **SECTION VIII - DWELLING UNFIT FOR HUMAN HABITATION**

The Health Officer shall declare unfit for human habitation, and a public nuisance, any dwelling or dwelling unit, which shall have any of the following defects:

8.1 Those which have been damaged by fire, wind, water or other causes **such as clandestine drug labs** so as to become dangerous to life, safety and the general health and welfare of the occupants or to the general public.

8.2 Those which have become so blatantly unsafe; unsanitary; are in such an obvious state of decay; or which so utterly fail to provide the basic amenities essential to healthful living or are likely to cause sickness or disease so as to work injury to the health, safety, or general welfare of the public.

## **SECTION IX - PROCEDURE FOR PLACARDING AND VACATING DWELLING OR DWELLING UNITS UNFIT FOR HUMAN HABITATION**

9.1 After the Health Officer has declared a dwelling or dwelling unit unfit for human habitation he shall post in a conspicuous place, a placard bearing the following words: "These Premises are in Violation of Sanitary Regulations. Do Not Occupy".

9.2 Any dwelling or dwelling unit so condemned and placarded shall be vacated within a reasonable time, as required by the Health Officer. No person shall occupy, or let another person occupy a dwelling or dwelling unit that has been condemned until written approval is secured from, and the placard removed by the Health Officer.

9.3 No person shall deface, cover or remove the placard except the Health Officer, who shall remove it after the defect or defects have been corrected and it has been determined that the dwelling unit is fit for human habitation.