

**CITY OF NEWARK
DELAWARE**

**PLANNING AND DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT DIVISION**

PROCEDURES MANUAL

INTRODUCTION:

Welcome to the Newark, Delaware Planning and Development Department Code Enforcement Division's Procedures Manual. Because you may be unfamiliar with the building permit procedure in Newark, you may be intimidated by the perceived complexity of the process. Therefore, in order for the building permit process to go smoothly, whether you are remodeling your home or building a major commercial project, we will work closely with you to ensure that your experience with the review process is as smooth and as satisfactory as possible. Our task is to help you meet your project goals while, at the same, to ensure compliance with nationally recognized building code standards.

One of the best ways to have a satisfactory building permit review process, is to fully review and comprehend this Manual, to submit all required materials, and most important, to ask the Code Enforcement Division questions if you need assistance. Our goal is to serve you and to help you through the construction review and approval process.

This Manual also includes information describing the Code Enforcement Division's Property Maintenance and Code Enforcement Division procedures, sign permits and related information.

PLEASE NOTE: This Manual is not intended to replace City ordinances, nor determination by the Planning and Development Director, and Code Enforcement Inspectors, and the Fire Marshal, or individual Department's detailed requirements and specifications. This is a guide to help you through the process – please consult Code requirements as necessary. All Codes and amendments are available for your review in the Code Enforcement Division offices during normal business hours. In addition, all amendments and Codes are available on the City's website at www.cityofnewarkde.us.

PROCEDURES MANUAL

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DEPARTMENTAL ORGANIZATION:

The Planning and Development Department is organized on a divisional basis. The Code Enforcement Division [302-366-7075] will be, by and large, your direct contact for your building permit, certificate of occupancy (if necessary); sign permit, and other building code requirements activities. The Planning Division [302-366-7030] is primarily responsible for zoning and subdivision review. Either Division, however, stands ready to help you through the development review process.

CODE ENFORCEMENT DIVISION HOURS OF OPERATION:

Code Enforcement Division personnel are available between the hours of 8:30 am – 5:00 pm, Monday through Friday except for holidays. Questions can be answered throughout the day during normal business hours. Our mailing address is:

City of Newark
Code Enforcement Division
220 Elkton Road
Newark, DE 19711

Our office phone number is (302) 366-7075. Our fax number is (302) 366-7160.

BUILDING PERMITS

BEFORE YOU START:

Before you submit a building permit to the Code Enforcement Division; please check with the Planning Division regarding the following:

- The zoning of your property.
- Is the use proposed permitted in your zoning district?
- What are the required building setbacks? (front setback; side yard; rear yards; etc.)
- Is the project located in the floodplain?

Some useful tips as you go through the Code Enforcement Division Building permit process:

- Please consult as early as possible with the Code Enforcement Division regarding your project.
- Ask whether it is necessary to hire a design and/or engineering professional.
- For a larger project, be sure to designate a Project Contact Person who will be fully responsible for coordinating your project with the Code Enforcement Division.
- Review all applicable Codes and Ordinances and submittal requirements prior to preparing your proposal. All Codes and amendments are available for review in the Code Enforcement Division and the City's website at www.cityofnewarkde.us.
- Once you are ready to submit, make sure you complete in full the application form including all the items noted below in our building permit checklist.
- If possible please call ahead for appointments with the Code Enforcement [302-366-7075] or Planning Division Staff [302-366-7030].
- Be sure to plan your construction schedule carefully and early. Take in to account winter and potential inclement weather conditions. It certainly helps to discuss construction scheduling with the Code Enforcement Division Staff.

REQUIRED ITEMS FOR WHICH BUILDING PERMITS ARE NECESSARY:

The following types of construction always require building permits:

- New Construction
- Additions
- Alterations
- Tenant Fit Out
- Change of Occupancy
- New Electrical Work or Electrical Alterations
- New Plumbing or Plumbing Alterations
- New HVAC or HVAC Alterations
- All Structural Repairs or Alterations
- Swimming Pools, Spas, Hot Tubs
- Garages, Attached or Detached
- All Storage Sheds
- Fencing
- Sidewalks, Patios, and Driveways
- Roofs, New or Re-Roof
- Finishing of Basements on Similar Locations
- New/Replacement Steps
- Commercial Kitchen Equipment & Hood Systems
- Fire Suppression Systems
- Fire Alarm Systems
- Under Ground Fire Line Installation/Replacements
- Sewer/Water Line Installation/Replacements

ITEMS LISTED BELOW DO NOT REQUIRE BUILDING PERMITS:

The following items do not require a building permit:

- Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
- Pre-fabricated swimming pools less than 24 inches deep.
- Accessory play ground equipment in a single family dwelling.
- Other items may also not require a building permit; please consult the Code Enforcement Division to ascertain if a permit is required.

ADOPTED BUILDING CODES:

City of Newark Code Enforcement Division bases its building permit review and inspection criteria on the following 2009 International Code Council Codes Series with amendments:

- International Building Code
- International Existing Building Code
- International Residential Code
- International Mechanical Code
- International Fuel Gas Code
- International Plumbing Code
- International Energy Conservation Code

The Codes amendments to the above Codes are available for review in the Code Enforcement Division or on line at the City's website at www.cityofnewarkde.us.

OBTAINING A BUILDING PERMIT:

To obtain a building permit you must submit a completed application, with the other required submittal information from the building permit check list below depending upon the size and type of work to be completed. Applications are available in the Code Enforcement Division or at the City's website www.cityofnewarkde.us at a minimum you will need to submit the following:

BUILDING PERMITS CHECKLIST:

For Residential, [New Home Construction and Additions]:

- Completed Permit Application
- Site plan prepared by a Civil Engineer or Surveyor [or your existing property survey showing the location of the construction to scale on the plan] – no fax copies accepted
- Construction drawing plans

For Decks and Patios:

- Completed Permit Application
- Site plan prepared by a Civil Engineer or Surveyor [or your existing property survey showing the construction to scale] – no fax copies accepted
- Construction drawing plans

For Sheds, Detached Garages and similar accessory residential buildings:

- Site plan prepared by a Civil Engineer or Surveyor [or your existing property survey showing the construction to scale]
- Construction drawing plans

For New Commercial and Industrial buildings and additions to existing structures:

- Site plan prepared by a Civil Engineer or Surveyor [or your existing property survey showing the construction to scale]
- Construction plans prepared by a licensed architect for interior renovations
- Construction plans for the proposed work
 - For plumbing Renovations: Construction plans/Riser diagrams
 - For Mechanical Renovations: Equipment proposed & associated venting, gas piping or ductwork alterations
 - For Electrical Renovations: Electric Plans

BUILDING PERMITS REVIEW PROCEDURE:

Most projects will be reviewed and approved as described below:

- When you submit your building permit application and supporting materials to the clerical staff at the second floor of the Code Enforcement Division your project will be categorized as to the type and scope of the permit and inspections required. In addition, the clerical staff will review the materials submitted to ascertain if all required information has been provided along with the appropriate fees.
- Your permit is then assigned to a Code Enforcement Officer who will review the plan and the supporting materials and will be assigned to help you “walk through” the permit review process. This inspector will also inspect the site and will be responsible for your project from start to finish.
- Once the inspector has reviewed the material and verified the assignment of an occupancy type and construction type of the proposal, your plans are then forwarded to the relevant City operating departments, including the Code Enforcement Division’s Fire Marshal. [See Fire Safety below for Fire Safety Requirements on page 9]. Depending on the scope and size of the project, the inspector with the assistance of the Code Enforcement Supervisor, will decide which (if any) departmental reviews will be required.
- Individual departmental reviews are then completed in terms of each department’s codes and specifications. Departments restrict their reviews solely to items within their area of responsibility.

- Building permits will then be issued through the clerical staff – you will receive a phone call (at the number you supply) indicating that the permit is available and can be picked up.

CONSTRUCTION AND INSPECTION SCHEDULE:

Once you have received your permit you or your contractor can begin construction.

During the construction process inspections are required as follows [only the inspections relevant to your project].

- Footings/piers – prior to the installation of concrete
- Foundation wall preparation for poured concrete walls
- Foundation wall construction for masonry walls
- Water Proofing – prior to backfill
- Perimeter drain
- Underground piping
- Slab preparation and vapor barrier – prior to installation and concrete
- Approval of As-Built Foundation Survey is required at this point. Prior to framing.
- Rough electric verification
- Rough sprinkler piping and fire alarm wiring
- Rough plumbing
- Rough mechanical equipment and ductwork
- Framing and Fire Stopping
- Insulation

Items listed below are required to be completed prior to issuance of Certificate of Completion or Certificate of Occupancy:

- Final electric verification
- Final plumbing
- Final mechanical
- Final grading and seeding
- Final inspection prior to Certificate of Completion being issued
- Final fire alarm/sprinkler testing
- Final building/Certificate of Occupancy inspection

FIRE SAFETY BUILDING PERMIT REVIEW

General Site Plan Submittal:

A Fire Site plan shall be provided in all construction improvement plans or civil drawing packages. The purpose of the Fire Site Plan is to provide a plan for the City of Newark Fire Marshal and the fire department to review access and the fire protection features of your project. Site access and water supply to the project shall comply with Chapter 5 of the International Fire Code (IFC). At a minimum, the following items shall be included in the Fire Site Plan:

- Building Location on the Site
- Proposed and Existing Fire Lanes
- Existing and Proposed Fire Hydrants and their locations

Fire Sprinklers:

All commercial and residential structures constructed after 2002 require an automatic fire sprinkler system to be installed. A separate permit is required for the installation of these systems. Automatic fire sprinkler systems are required to be designed and submitted to the Fire Marshal by a State of Delaware Licensed Fire Protection Contractor. For a list of these contractors, please visit the Delaware State Fire Marshal's (DSFMO) Website. Automatic fire sprinkler systems shall be designed in accordance with Chapter 9 of the International Fire Code (IFC).

At a minimum, the following items shall be included in an automatic fire sprinkler submittal.

- Water supply information must be provided by the Water and Waste Water Department, and is available by calling (302) 366-7055. The water supply information must be current, and cannot exceed one (1) year previous to the submittal date of the drawing.
- Two copies of submittal documents and drawings, signed by a DSFMO licensed individual.
- All hydraulic calculations shall have a minimum of a 10 psi safety factor.
- Backflow prevention shall be provided at the connection of the sprinkler system to the underground fire line. Reduced Pressure Zone (RPZ) backflow preventors shall be required on antifreeze systems.
- One and Two family dwellings - Garages with living spaces above the garage are required to be sprinklered.

Underground Fire Line:

A separate permit issued by the Fire Marshal is required for the installation of the underground fire line. Separate inspections and testing are required prior to connection with the automatic fire sprinkler system. Underground fire lines shall be designed in accordance with Chapter 9 of the International Fire Code.

At a minimum, the following items shall be included on an underground fire line submittal:

- The underground water line shall start from the point of connection with the public water supply, and terminates at a point 1 foot above finished floor (a.f.f.) inside the structure. If a water tank is provide, the underground water line will be considered all piping that connects the water tank to the automatic fire sprinkler system.
- Two copies of the plan must be submitted.
- Pipe type shall be in conformance with the City of Newark Water and Waste Water Department specifications.

Fire Alarm Systems:

A separate permit issued by the Fire Marshal is required for the installation of a fire alarm system. The fire alarm system is required to be designed and submitted to the Fire Marshal by a DSFMO licensed contractor. For a list of these contractors, please visit the Delaware State Fire Marshal's Office (DSFMO) Website. Fire alarm systems shall be designed in accordance with Chapter 9 of the International Fire Code (IFC).

At a minimum, the follow items shall be included on the fire alarm submittal.

- Two copies of submittal documents and drawings, signed by the DSFMO licensed individual responsible for the plans.
- A minimum of two phone lines are required for all fire alarm system installations.

Other Installations Needing Permits:

A separate permit is issued by the Fire Marshal for the following equipment installations. Where applicable, two copies of the plans are required to be designed and submitted to the Fire Marshal by a Delaware State Fire Marshal's Office (DSFMO) licensed contractor. If you have any questions, or would like clarification regarding any of these installations, please contact the Fire Marshal at 366-7075.

- Kitchen hood systems (Wet, Dry Chemical...etc.)
- Special hazard systems (Halon, R102, CO2...etc)
- Fire pump
- Standpipes
- Hazardous chemical storage
- Flammable or combustible liquids
- Paint spray booth or dip tanks
- All gas systems or storage
- High piled storage (storage exceeding 12 feet)
- Above ground storage tank
- Underground storage tank
- Industrial ovens

Fire Permit:

A separate permit is required for activities that involve the use of open flame, fireworks, or the installation of a temporary fabric or membrane structures. In order to attain a permit, a separate application must be filled out which includes a description of the activity as well as a site drawing of the area if applicable. Based upon the information submitted, additional requirements may be imposed by the fire marshal in accordance with local codes and ordinances. The following is of items list that will require a fire permit;

- Installation and/ or Operation of a tent greater than 400 square feet.
- Fireworks
- Fire Dancing
- Flame Effect Performance
- Open Burning
- Open Flame

Please contact the Fire Marshal (302) 366-7075, regarding other items that may require a fire permit.

RENTAL PROPERTIES

SINGLE FAMILY TYPE DWELLING

ZONING REGULATIONS:

Student Homes:

Student Homes are defined as single-family detached dwellings occupied by three post-secondary students, unrelated by blood or legal adoption, attending or about to attend a college or university, or who are on a semester, winter, or summer break from studies at a college or university. Student homes are severely limited in Newark. Contact the Planning Department or Code Enforcement Division for more information.

A student home is permitted on a lot only if any portion of the lot is no closer to any portion of another student home, than a distance determined by multiplying 10 times the required lot width for a single-family detached dwelling in the zoning district in which the proposed student home is located.

For purposes of this calculation, nonowner-occupant single-family detached, semi-detached, and new homes with rental permits for the taking of boarders and roomers and existing on May 24, 1999 are considered student homes.

A permitted student home may be occupied by no more than three persons. The owner and owner's agent, if any, is responsible for compliance with the occupancy limitations set forth in the City Code. All student homes require rental permits.

Non-Student Homes:

Owners who live in their single-family type houses (detached, semi-detached or row and townhouses), not including student homes, may take in (2) roomers or boarders without a permit.

Owners who do not live in their single-family type houses (detached, semi-detached, or row and townhouses), not including student homes, who rent or lease their property may rent to (or allow to be occupied by) no more than the maximum number or unrelated individuals permitted in the relevant zoning districts as follows:

3 – RH, RT, RS
3 – RD

4 – RR
4 – RM

Please note that in certain instances properties in Newark are deed restricted to limit the number of renters to less than the number permitted in relevant zoning districts. You should check your deed.

Rental Permits:

Every non-occupant owner is renting to roomers, and every owner-occupant taking in more than two roomers is required to make application for, and receive, an annual permit from the Code Enforcement Division to rent a single-family type dwelling. These include detached, semi-detached, and row homes. Applications are made in writing and on a form provided by the City Code Enforcement Division. An annual inspection is required for these rental units.

Leases:

Written leases are required for rental of residential properties leased or rented for more than 30 days. Leases must be provided to the Code Enforcement Division upon request, and must include notification to tenants regarding Maximum Occupancy and Conviction of Violations, as described below:

Maximum Occupancy of Unrelated Persons:

- The number and names of unrelated persons who may occupy the premises.
- Violation of the allowable number of occupants' results in termination of the rental leases as it applies to all renters or occupants of the premises; all renters must vacate the dwelling. Evictions are based on the provisions of 25 Delaware Code, Part III, Landlord-Tenant Code.

Conviction of Violations:

- Conviction of any renter who violates Alcoholic Beverage, Noise, or Disorderly Premises regulations more than one time within a one-year period result in termination of the lease as it applies to all renters, and all renters must vacate the dwelling. Evictions are based on the provisions of 25 Delaware Code, Part III, Landlord-Tenant Code.
- The City will notify the landlord, owner, or owner's agent if a renter is convicted of violating Chapter 20A Noise and/or Section 22.74.1 Disorderly Premises of the Municipal Code.

Landlords or owners are required to stipulate in writing, as part of their application for rental permits, that the lease for the dwelling unit(s) contains this notification to tenants.

Posting:

Each owner of a single-family type house (detached, semi-detached, or row and townhouse), that requires a rental permit, is required to post the following:

- Address of rental property.
- Maximum number of unrelated persons who may lawfully inhabit the dwelling.
- Number and location of on-site, off-street parking spaces available for the rental dwelling.

- Statement of penalties for failure to comply.
- Name and telephone number of the property owner or owner's agent.
- Telephone number of the City of Newark Code Enforcement Division.

The Posting must be prominently displayed in the dwelling unit, and be readily visible to all tenants residing on the property. Violations or misrepresentations are subject to permit revocation.

PARKING

Residential Parking Permits:

Any resident living within a special Residential Parking District who wishes to apply for a parking permit must file an application with the Newark Police Department in the Municipal Building on Elkton Road. No more than 2 permits will be issued per address for any non-owner occupant single-family type dwelling requiring a rental permit.

In special Residential Parking Districts, residents with permits for their vehicles may request and receive from the Newark Police Department additional guest parking permits to park the vehicles of their guests.

Please contact the Newark Police Department for more details.

Parking Prohibited:

Vehicles may park in approved driveways of single-family dwellings.

In addition to posted locations, stopping, standing, and parking is prohibited in the following areas:

- On a sidewalk.
- In the front yard (an area extending the full width of the lot between the front street line and the single-family residential dwelling).
- In front of a public or private driveway.

Vehicles are not permitted to be parked on any street for the purpose of:

- Displaying the vehicle for sale.
- Greasing or repairing a vehicle (except for emergency repairs).
- More than 36 hours without being moved.

Inoperative or Unlicensed Vehicles:

No inoperative or unlicensed motor vehicle shall be parked, kept, or stored on any premises or city street.

RENTAL HOME EXTERIOR

Refuse Collection:

Owners of rental dwellings must supply standard 20 or 32-gallon refuse cans (maximum size), conspicuously labeled with the address of the rental unit. Each refuse can must have a tight-fitting detachable lid and suitable handles.

Refuse place for collection must:

- Weigh less than 40 pounds (including the container).
- Be placed near the curb by 7:00 a.m. of the day of collection but no sooner than 6:00 p.m. the previous day.
- Empty cans should be removed from the curb within 10 hours.

Detached instructions regarding refuse collection, leaf pickup, large items, tree and plant limbs, etc. can be obtained from the Public Works Department (302) 366-7040, at the Municipal Building.

Litter, Weeds and Grass:

All properties within the City must be kept free of litter. Accumulated litter must not be swept into the gutter, street or sidewalk. Instead, it must be placed in receptacles.

Owners are responsible for cutting and removing any weeds, growth, litter, or the like from their lots, as well as from the area between the sidewalk and the curb or paved portion of any street abutting the curb. A notice will be sent to owners if weeds and grass exceed 10 inches in height.

Snow and Ice Removal:

The owner, tenant, or occupant of a rental home must remove snow or ice from the sidewalk abutting his property within 24 hours from the time the snow ceases to fall or ice to form, in order to provide a clear pathway at least 3 feet wide in residential districts. Snow or ice must not be placed in the gutter or street.

Prohibited Furniture:

Interior type furniture, such as upholstered couches and chairs or other fabric-covered articles, are not intended for outdoor use, and must not be placed outside the house.

PROPERTY MAINTENANCE

In addition to Building Code Enforcement, the Code Enforcement Division is responsible for enforcing the City's Property Maintenance regulations. The regulations are designed to protect the health and safety of our community and to promote local beautification. The Division will work with local property owners to find a solution to possible violations. We receive inquiries regarding violations from many sources, including referrals from other City departments, complaints submitted by members of the public, or observations by our Code Enforcement Division personnel. Our overriding goal in enforcing these regulations continues to be to make our community as healthy and as attractive a place as possible.

PROPERTY MAINTENANCE CATERGORIES:

In preparation for Property Maintenance inspection, the Code Enforcement Division will typically examine properties for the following:

EXTERIOR PROPERTY AREAS

- Sanitation – garbage, rubbish, junk, pet feces.
- Grading and Drainage- proper drainage away from foundation – no ponding water on lot.
- Sidewalks and Driveway Condition - All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- Parking Lots and Striping Requirements – minimum 9’x18’ parking spaces are required.
- Service Roads - maintained in good repair and pot hole free.
- Weeds - not exceed 10” in height.
- Rodents and Harborage Areas
- Exhaust Vents
- Accessory Structures – sheds /garages painted & clean looking on exterior
- Motor Vehicles – Operable/Current registration parking area requirements/restrictions.
- Defacement of Property – remove or paint over graffiti.
- Prohibited Furniture – no interior type furniture on exterior of property.

SWIMMING POOLS, SPAS AND HOT TUBS

- Swimming Pool Condition – clean water, usable condition, cover intact, winterized properly.
- Safety Barrier Condition

EXTERIOR STRUCTURE

- General – The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- Protective Treatment – All surfaces that require paint or other protection measures must be kept.
- Premises Identification – 4 inches tall, ½ inch stroke are required.
- Structural Members – Capable of supporting imposed of dead and live loads
- Foundation Walls – Plumbing and free of open cracks or breaks, prevent rodents and other pests.
- Exterior Walls – Shall be free from holes, breaks, cracks, loose or rotting material weather proof and properly surfaced coated.
- Roofs and Drainage – Gutters/Downspouts – good working order
- Stairways, Decks, Porches and Balconies - Stairs, railings, handrails, structurally sound and in good repair.
- Chimneys
- Handrails and Guards – Structurally sound and in good repair.
- Window, Skylight, and Door Frames – Weather tight and in good condition.
- Glazing – No broken or missing window glass.
- Open-able Windows – Window sashes must open and repair by its own hardwire.
- Insect Screens – Screens are required to be in between May 15th through October 15th.
- Doors – Structurally sound and weather tight. Proper door, locks are required on entry doors.

- Basement Hatchways – Structurally sound and weather tight.
- Guards for Basement Windows – Openable windows must have screens / storm windows and must prevent rodent entry.
- Building Security – Self closing/ latching proper locks shall not interfere with egress.
- Locks and Peephole Requirements – All exterior doors shall be self closing/self latching. Proper locks
- Windows - Bars shall be removable without use of task of special knowledge, remain open by their own hardware.

INTERIOR STRUCTURE

- General Conditions – the interior of a structure and equipment shall be maintained in good repair, structurally sound and in sanitary condition.
- Structural Members - Structural members shall be maintained structurally sound and be capable of supportive the loads imposed.
- Interior Surfaces – All interior surfaces including windows and doors shall be in good, clean and sanitary conditions, chipping, peeling, flaking, paint shall be repaired. Cracked or loose plastic or drywall shall be repaired.
- Stairs and Walking Surfaces – Shall be maintained in sound condition and in good repair.
- Handrails and Guards - Must be structurally sound and in good repair.
- Interior Doors – Shall fit its frame and be capable of opening and closing properly and securely attached to the jams.

HANDRAILS AND GUARDRAILS

- General – Every interior and exterior handrails/guardrails shall be structurally sound and in good condition.

RUBBISH AND GARBAGE

- Accumulation of Rubbish or Garbage – All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish and garbage.

- Disposal of Rubbish – Every occupant of a structure shall dispose of all rubbish in a clean and a sanitary manner by placing such rubbish in approved containers.
- Rubbish Storage Facilities – The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.
- Refrigerators – Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.
- Disposal of Garbage – Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved containers.
- Garbage Facilities – The owner of every dwelling shall supply one of the following leak proof containers with fitting cover.
- Containers – For storage of such materials until removal from premises.

PEST ELIMINATION

- Infestation- All structures shall be kept free from insect and rodent infestation. If infestation is detected it must be promptly exterminated by an approved process that will not be injurious to human health.
- Owner – Is responsible for extermination prior to renting or leasing the structure.
- Single Occupant – The occupant of a one-family dwelling or a single-tenant nonresidential structure shall be responsible for extermination on the premises.
- Multiple Occupancy – The owner of a building with 2 or more units shall be responsible for extermination of public areas. If infestation is caused by the occupant to prevent such, extermination shall be by both occupant and owner.

LIGHT

- Habitable Spaces – Every habitable space shall have at least one window of an approved size facing directly to the outdoors or to a court.
- Other Spaces – All other spaces shall be proved with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

VENTILATION

- Habitable Spaces – Every habitable space shall have at least one window of approved size facing directly outdoors or to a court.
- Bathrooms and Toilet Rooms – Shall have an openable window or mechanical exhaust fan vent to the outside.
- Cooking Facilities – Cooking facilities are not permitted in any rooming units or dormitory exception microwaves oven shall be permitted.
- Clothes Dryer Exhaust – Dryers must be hard piped to the outside.

OCCUPANCY LIMITATIONS

- Privacy – Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.
- Minimum Room Widths – Shall not be less than 7 feet in any direction.
- Minimum Ceiling Heights – Ceiling heights shall be not less than 7 feet.
- Bedroom and Living Room Requirements – Every bedroom shall contain at least seventy square feet for the first occupant and at least fifty square feet for each additional occupant.
- Room Area – Every living room shall contain at least 120 square feet (11.2m²) and every bedroom shall contain at least 70 square feet (6.5m²).
- Access from Bedrooms – Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
- Water Closet Accessibility - Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.
- Prohibited Occupancy- Kitchens and nonhabitable spaces shall not be used for sleeping purposes.
- Overcrowding – Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of table 404.5 or by the requirements of Chapter 32, Zoning.
- Efficiency Unit – A unit occupied by not more than two occupants.

- Posting Maximum Occupancies in Rental Dwelling – Must be posted by main entry door at all times.

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

- Privacy – A door and interior locking device shall not be provided for all common or shared bathroom and toilet rooms.
- Responsibility – The owner is responsible for maintaining all plumbing fixtures and facilities in good working order and free from leaks and blockages.

PLUMBING SYSTEMS AND FIXTURES

- General - All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.
- Fixture Clearances – Plumbing fixtures shall have adequate clearances for usage and cleaning.
- Plumbing System Hazards - Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

WATER SYSTEM

- General – Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- Contamination - The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture.
- Water Heating Facilities – Shall be properly installed and capable of supplying water at a temperature of 110 degrees minimum.

SANITARY DRAINAGE SYSTEM

- General – All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
- Maintenance – Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.
- Grease Interceptor Maintenance and Record Keeping – An approved interceptor monitoring system shall be provided or a maintenance program shall be established with documentation kept the premises.

STORM DRAINAGE

- General – All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
- Accumulation of Water – Yards shall be graded so that as standing water shall remain more than 24hrs after accumulation.
- Location of Discharge – No sump pump may discharge onto a public street and may not create a nuisance to adjoining properties.

HEATING FACILITIES AND REQUIREMENTS

- Residential Occupancies - Required at 68° from September 15 – May 15
- Occupied work spaces at 65° from September 15 – May 15

MECHANICAL EQUIPMENT

- Removal of Combustion Products – All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.
- Safety Controls – All safety controls for fuel-burning equipment shall be maintained in effective operation.
- Fuel Piping.
- Combustion Air – A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.
- Carbon Monoxide Detections – A carbon monoxide alarm shall be installed in the immediate vicinity of all sleeping rooms of each dwelling unit with fuel burning

appliances or equipment or with attached garages or with attached storage/utility rooms which store fuel burning equipment.

ELECTRICAL FACILITIES

- Service – Entrance cable in good repair, no cracks, fraying of wires, water tight.
- Electrical System Hazards – Improper fusing, improper wiring, deterioration or damage must be corrected.

ELECTRICAL EQUIPMENT

- Installation – All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.
- Receptacles – Every habitable space shall have a minimum of 2 receptacles. Bathrooms to have minimum of 1 Ground Fault Receptacle (GFI).
- Luminaries – Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

FIRE SAFETY REQUIREMENTS

- Means of Egress – A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.
- Locked Doors – All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.

FIRE PROTECTION SYSTEMS

- Smoke Alarms – Single – or multiple station smoke alarms shall be installed and maintained. Smoke detectors must be installed on the ceiling or wall of all sleeping areas, including bedrooms, and uninhabitable spaces including basements, cellars, and in hallways on each floor.

(revised 8.19.2011)