

CHAPTER 8

Housing Code — Maintenance of Dwellings and Minimum Standards Governing Supplied Utilities

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SEC. 10-8-1 DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this Chapter:

- (a) "BASEMENT" shall mean a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.
- (b) "CELLAR" shall mean a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
- (c) "DWELLING" shall mean any building which is wholly or partly used or intended to be used for living or sleeping by human occupants: Provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.
- (d) "DWELLING UNIT" shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.
- (e) "EXTERMINATION" shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Building Inspector.
- (f) "GARBAGE" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- (g) "HABITABLE ROOM" shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.
- (h) "HEALTH OFFICER" shall mean the legally designated health authority of the Village of St. Cloud, or his authorized representative.
- (i) "INFESTATION" shall mean the presence, within or around a dwelling, of any insects, rodents or other pests.
- (j) "MULTIPLE DWELLING" shall mean any dwelling containing more than two dwelling units.

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- (k) "OCCUPANT" shall mean any person, over one (1) year of age, living, sleeping, cooking or eating in, or having actual possession of a dwelling unit or rooming unit.
- (l) "OPERATOR" shall mean any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.
- (m) "ORDINARY MINIMUM WINTER CONDITIONS" shall mean the temperature 15° F. above the lowest recorded temperature for the previous ten (10) year period.
- (n) "OWNER" shall mean any person who, alone or jointly or severally with others:
 - (1) Shall have legal title to any dwelling or dwelling unit or without accompanying actual possession thereof; or
 - (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this ordinance, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.
- (o) "PERSON" shall mean and include any individual, firm, corporation, association or partnership.
- (p) "PLUMBING" shall mean and include all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
- (q) "ROOMING UNIT" shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
- (r) "ROOMING HOUSE" shall mean any dwelling or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.
- (s) "RUBBISH" shall mean combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, miner matter, glass crockery and dust.
- (t) "SUPPLIED" shall mean paid for, furnished or provided by or under the control of the owner or operator.
- (u) "TEMPORARY HOUSING" shall mean any tent, trailer, or other structure used for human shelter which is designated to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.
- (v) "MEANING OF CERTAIN WORDS." Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises" are used in this Chapter, they shall be construed as though they were followed by the words, "or any part thereof."

SEC. 10-8-2 INSPECTION OF DWELLINGS, DWELLING UNITS, ROOMING UNITS
AND PREMISES.

- (a) The Building Inspector is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the Village of St. Cloud, in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public.

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- (b) For the purpose of making such inspection, the Building Inspector is hereby authorized to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit, and rooming unit, or the person in charge thereof, shall give the Building Inspector free access to such dwelling, dwelling unit or rooming unit and its premises at all reasonable times for the purpose of such inspection, examination, and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this ordinance or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this Chapter.

SEC. 10-8-3 ENFORCEMENT; SERVICE OF NOTICES AND ORDERS; HEARINGS.

- (a) **NOTICE OF VIOLATION.** Whenever the Building Inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter which affects the health of the occupants of any dwelling, dwelling unit or rooming unit, or the health of the general public or whenever the Building Inspector determines that there are reasonable grounds to believe that there has been a violation of any such provision which affects the safety of any such occupants or the safety of the general public, the Building Inspector shall give notice of such alleged violation to the person or persons responsible therefore, and to any known agent of such person, as hereinafter provided. Such notice shall:
- (1) Be put in writing;
 - (2) Include a statement of the reasons why it is being issued;
 - (3) Allow a reasonable time for the performance of any act it requires;
 - (4) Be served upon the owner or his agent, or the occupants as the case may require; provided that such notice shall be deemed to be property served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally; or if a copy thereof is sent by registered mail to his last known address; or if a copy is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this State.
 - (5) Such notice must contain an outline of remedial action which, if taken, will affect compliance with the provision of this ordinance.
- (b) **HEARING.** Any person affected by any such notice issued by the Building Inspector may request and shall be granted a hearing on the matter before the Board of Appeals of the Village of St. Cloud, provided that such person shall file in the Office of the Building Inspector, as the case may be, within ten (10) days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition, the Building Inspector, respectively, shall arrange a time and place for such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with.
- (c) **ORDERS.** After such hearing the Board shall sustain, modify or withdraw the notice, depending upon its findings as to whether the provisions of this Chapter have been complied with. If the Board shall sustain or modify such notice, it shall be deemed to be an order. Any notice served pursuant to subsection (a) shall automatically become an order if a written petition for a hearing is not filed in the office of

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the Building Inspector within ten (10) days after such notice is served. After a hearing in the case of any notice suspending any permit required by this Chapter, when such notice has been sustained by the Board, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the Building Inspector within ten (10) after such notice is served.

- (d) **WRITTEN PROCEEDINGS.** The proceedings of such hearing, including the findings and decision of the Board shall be summarized, reduced to writing and entered as a matter of public record in the offices of the Board. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Board may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this State.
- (e) **EMERGENCIES.** Whenever the Building Inspector finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this Chapter, such order shall be effective immediately, but upon petition to the Building Inspector shall be afforded a hearing as soon as possible, in the manner provided in subsection (b). After such hearing, depending upon the findings as to whether the provisions of this Chapter have been complied with, the Board shall continue such order in effect or modify it, or revoke it.

SEC. 10-8-4 ADOPTION OF RULES AND REGULATIONS BY THE HEALTH OFFICER.

The Building Inspector is hereby authorized to make and after a public hearing has been held in accordance with the laws governing the conduct of public hearings by the Building Inspector of the Village of St. Cloud, to adopt such written rules and regulations as may be necessary for the proper enforcement of the provisions of this Chapter, provided that such rules and regulations shall not be in conflict with the provisions of this Chapter. The Building Inspector shall file a certified copy of all rules and regulations which he may adopt with the Clerk-Treasurer. Such rules and regulations shall have the same force and effect as the provisions of this Chapter, and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this Chapter.

SEC. 10-8-5 MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following equipment:

- (a) Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water and sewer system approved by the Building Inspector.
- (b) Every dwelling unit shall contain a room which affords privacy to a person within said room and which is equipped with a flush water closet and a lavatory basin in good working condition and properly connected to a water and sewer system approved by the Building Inspector.
- (c) Every dwelling unit shall contain, within a room which affords privacy to a person within said room, a bathtub or shower in good working condition and properly connected to a water and sewer system approved by the Building Inspector.
- (d) Every kitchen sink, lavatory basin, and bathtub or shower required under the provisions of subsections (a), (b) and (c) of this Section, shall be properly connected with both hot and cold water lines.

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- (e) Every dwelling unit shall be supplied with adequate rubbish storage facilities, type and location of which are approved by the Building Inspector.
- (f) Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, type and location of which are approved by the Building Inspector.
- (g) Every dwelling shall have supplied water-heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines required under the provisions of subsection (e) of this Section, and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120° F. Such supplied water-heating facilities shall be capable of meeting the requirements of this Subsection when the dwelling or dwelling unit heating facilities required under the provisions of Section 10-8-6(e) are not in operation.
- (h) Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the laws of this state and the Village of St. Cloud.

SEC. 10-8-6 MINIMUM STANDARDS FOR LIGHT, VENTILATION, AND HEATING.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- (a) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be ten (10%) percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light-obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least fifteen (15%) percent of the total floor area of such room.
- (b) Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total of operable window area in every habitable room shall be equal to at least forty-five (45%) percent of the minimum window area size or minimum skylight-type window size as required in Subsection (a), except where there is supplied some other device affording adequate ventilation and approved by the Building Inspector.
- (c) Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in Subsections (a) and (b), except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with a ventilation system which is kept in continuous operation and approved by the Building Inspector.
- (d) Where there is electric service available from power lines which are not more than three hundred (300) feet away from a dwelling, every habitable room of such dwelling shall contain at least two separate floor or wall-type electric convenience outlets, or one such convenience outlet and one supplied ceiling-type electric light fixture; and every water closet compartment, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall-type electric light fixture. Every such outlet and fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power in a safe manner.

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- (e) Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 70° F., at a distance three (3) feet above floor level, under ordinary minimum winter conditions.
- (f) Every public hall and stairway in every multiple dwelling containing five or more dwelling units shall be adequately lighted at all times. Every public hall and stairway in structures devoted solely to dwelling occupancy and containing not more than four dwelling units may be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.
- (g) During that portion of each year when the Building Inspector deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens; provided that such screens shall not be required during such period in rooms deemed by the Building Inspector to be located high enough in the upper stories of buildings as to free from such insects, and in rooms located in areas of the Village of St. Cloud which are deemed by the Building Inspector to have so few such insects as to render screens unnecessary.
- (h) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

SEC. 10-8-7 GENERAL REQUIREMENTS RELATING TO THE SAFE AND SANITARY
MAINTENANCE OF PARTS OF DWELLINGS AND DWELLING UNITS.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, therein, which does not comply with the following requirements:

- (a) Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodent proof; shall be capable of affording privacy; and shall be kept in good repair.
- (b) Every window, exterior door, and basement hatchway shall be reasonably weathertight, watertight, and rodent proof; and shall be kept in sound working condition and good repair.
- (c) Every inside and outside stair, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting any load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
- (d) Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.
- (e) Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (f) Every supplied facility, piece of equipment or utility which is required under this Chapter shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.

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- (g) No owner, operator, or occupant shall cause any service facility, equipment or utility which is required under this ordinance to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Building Inspector.
- (h) No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

SEC. 10-8-8 MINIMUM SPACE, USE AND LOCATION REQUIREMENTS.

No person shall occupy or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- (a) Every dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof and at least one hundred (100) additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.
- (b) In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor space for each occupant thereof.
- (c) No dwelling or dwelling unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.
- (d) At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet; and the floor area of the part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
- (e) No cellar space shall be used as a habitable room or dwelling unit.
- (f) No basement space shall be used as a habitable room or dwelling unit unless:
 - (1) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness;
 - (2) The total of window area in each room is equal to at least the minimum window area sizes as required in Section 10-8-6(a);
 - (3) Such required minimum window area is located entirely above the grade of the ground adjoining such window area;
 - (4) The total of openable window area in each room is equal to at least the minimum as required under Section 10-8-6(b) of this Chapter, except where there is supplied some other device affording adequate ventilation and approved by the Building Inspector.

SEC. 10-8-9 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

- (a) Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public area of the dwelling and premises thereof.

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- (b) Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.
- (c) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by Section 10-8-5(f) of this Chapter.
- (d) Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities or garbage storage containers required by Section 10-8-5(g) of this Chapter. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling containing more than four (4) dwelling units and for all dwelling units located on premises where more than four (4) dwelling units share the same premises. In all other cases it shall be the responsibility of the occupant to furnish such facilities or containers.
- (e) Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this Chapter or of any rule or regulation adopted pursuant thereto, except where the owner has agreed to supply such service.
- (f) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a rat proof or reasonably insect proof condition, extermination shall be the responsibility of the owner.
- (g) Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

SEC. 10-8-10 ROOMING HOUSES.

- (a) No person shall operate a rooming house, or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this Chapter except the provisions of Sections 10-8-5 and 10-8-9.
- (b) No person shall operate a rooming house unless he holds a valid rooming house permit issued by the Building Inspector in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to the Building Inspector for such permit which shall be issued by the Building Inspector upon compliance by the operator with the applicable provisions of this Chapter and of any rules and regulations adopted pursuant thereto. This permit shall be displayed in a conspicuous place within the rooming house, at all times. No such permit shall be transferable. Every person holding such a permit shall give notice in writing to the Building Inspector within twenty-four (24) hours after having sold, transferred, given away, or otherwise disposed of interest in, or control of any rooming house. Such notice shall include the name and address of the persons succeeding to the ownership or control of such rooming house. Every rooming house permit shall expire at the end of one year following its date of issuance, unless sooner suspended or revoked as hereinafter provided.

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- (c) Any person whose application for a permit to operate a rooming house has been denied may request and shall be granted a hearing on the matter before the Building Inspector, under the procedure provided by Section 10-8-3.
- (d) Whenever upon inspection of any rooming house the Building Inspector finds that conditions or practices exist which are in violation of any provision of this Chapter or of any rule or regulation adopted pursuant thereto, the Building Inspector shall give notice in writing to the operator of such rooming house that unless such conditions or practices are corrected within a reasonable period, to be determined by the Building Inspector, the operator's rooming house permit will be suspended. At the end of such period the Building Inspector shall reinspect such rooming house, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing to the operator that the latter's permit has been suspended. Upon receipt of notice of suspension, such operator shall immediately cease operation of such rooming house, and no person shall occupy for sleeping or living purposes any rooming unit therein.
- (e) Any person whose permit to operate a rooming house has suspended, or who has received notice from the Building Inspector that his permit is to be suspended unless existing conditions or practices at his rooming house are corrected, may request and shall be granted a hearing on the matter before the Building Inspector, under the procedure provided by Section 10-8-3, provided that if no petition for such hearing is filed with ten (10) days following the day on which such permit was suspended, such permit shall be deemed to have been automatically revoked.
- (f) At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system approved by the Building Inspector and in good working condition, shall be supplied for each eight (8) persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of said facilities; provided that in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half the required number of water closets. All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Building Inspector.
- (g) The operator of every rooming house shall change supplied bed linen and towels therein at least once each week, and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- (h) Every room occupied for sleeping purposes by one person shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one person shall contain at least fifty (50) square feet of floor space for each occupant thereof.
- (i) Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of this State and the Village of St. Cloud.
- (j) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for maintenance of a sanitary condition in every other part of the rooming house; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.
- (k) Every provision of this Chapter which applies to rooming houses shall also apply to hotels, except to the extent that any such provision may be found in conflict with the laws of this State or with the lawful regulations of any State Board or Agency.

SEC. 10-8-11

DESIGNATION OF UNFIT DWELLINGS; LEGAL PROCEDURE OF
CONDEMNATION.

The designation of dwellings or dwelling units as unfit for human habitation and the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:

- (a) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Building Inspector:
 - (1) One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.
 - (2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.
 - (3) One which because of its general condition or location is unsanitary, or otherwise dangerous, to the health or safety of the occupants or of the public.
- (b) Any dwelling or dwelling unit condemned as unfit for human habitation, and so designated and placarded by the Building Inspector, shall be vacated within a reasonable time as ordered by the Building Inspector.
- (c) No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Building Inspector. The Building Inspector shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.
- (d) No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in Subsection (c).
- (e) Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the Building Inspector, under the procedure set forth in Section 10-8-3.