

# City of Oxford Property Maintenance Code

## (2016 Version with 2017 Amendment on smoke detectors)

### CHAPTER 1 SCOPE AND ADMINISTRATION

#### SECTION 101 GENERAL

**PMC 101.1 Title.** These regulations shall be known as the City of Oxford Property Maintenance Code of the City of Oxford, and may also be referred to herein as “PMC” or this code.”

**PMC 101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**PMC 101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**PMC 101.4 Severability.** If a section, subsection, sentence, clause or phase of this code is, for any reason, held to be unconstitutional, such a decision shall not affect the validity of the remaining portions of this code.

#### SECTION 102 APPLICABILITY

**PMC 102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**PMC 102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises.

**PMC 102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City of Oxford adopted codes and referenced standards.

**PMC 102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

**PMC 102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's instructions.

**PMC 102.6 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

**PMC 102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. **Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

**PMC 102.7.1 Conflicts.** Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**PMC 102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

**PMC 102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

**PMC 102.9 Application of references.** References to chapter or section numbers, or to provisions not specifically filed by number, shall be construed to refer to such chapter, section or provision of this code.

**PMC 102.10 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## **SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION**

**PMC 103.1 General.** The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.

**PMC 103.2 Appointment.** The code official shall be appointed by the chief appointing authority of the jurisdiction.

**PMC 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the code official.

**PMC 103.4 Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**PMC 103.5 Fee schedule.** The fees for activities and services performed by the Oxford Community Development Department and/or any other duly authorized City of Oxford's official in carrying out its responsibilities under this Oxford's PMC shall be as set forth in the most current annual fee schedule adopted by Council.

## **SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL**

**PMC 104.1 General.** The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

### **PMC 104.2 Inspections and enforcement.**

- a) The code official is hereby authorized to make inspections to determine the condition of rooming houses, lodging houses, dwellings, dwelling units, or fraternity/sorority houses and any other property located within the City that is utilized as residential rental property. The code official is hereby authorized to enter the premises, upon consent or search warrant, to examine, and survey at all reasonable times, or at such times as may be necessary to protect and promote public health and safety, all dwellings, dwelling units, rooming houses, lodging houses, rooming units, fraternity/sorority houses and any other property utilized as residential rental property.
- (b) Single-family, owner-occupied dwellings will not be routinely inspected by the code official but will be inspected upon the filing of a written complaint as set forth in this code, when the code official has knowledge of specific conditions that warrant inspection, or upon request of the owner or other occupant. The code official will conduct a full inspection of owner-occupied dwellings only with the owner's permission or in accordance with due process of law upon issuance of a search warrant and/or the obtaining of an appropriate court order.
- c) The code official will inspect any rooming houses, lodging houses, dwelling, dwelling units, fraternity/sorority houses, or any other property utilized as residential rental property upon the formal written filing of a complaint signed by a person alleging a violation of this code or otherwise provided in PMC Section 310.

An inspection in response to a formal written complaint will take place within five (5) business days from receipt of the complaint. All rooming houses, lodging houses, dwelling, dwelling units, fraternity/sorority houses and other property utilized as a residential rental property which requires a rental permit shall be inspected on a regular and systematic basis in accordance with PMC Section 310. Notice shall be given to the owner or occupant or owner's agent twenty-four (24) hours in advance of any such inspection except:

1. In an emergency situation; or
2. For the purpose of validating there is no violation of Section 404 Occupancy Limitations of Oxford's PMC; or
3. In those cases where the owner, agent, or occupant consents to inspection or when the premises are open and accessible to inspection."

**PMC 104.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times, upon the consent of the owner, agent, or occupant or upon issuance of a search warrant, to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied the code official shall present

credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, or if the owner or another person having charge of control of the structure or premises cannot be located, the code official shall have recourse to the remedies provided by law to secure entry and may appear before any judge in a court of competent jurisdiction to seek a search warrant to allow inspection of the property.

**PMC 104.4 Identification.** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**PMC 104.5 Notices and orders.** The code official shall issue all necessary notices or orders to ensure compliance with this code.

**PMC 104.6 Department records.** The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

**PMC 104.7 Coordination of inspections:** Coordination of inspections. Whenever in the enforcement of this code, another code or an ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners, agents and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual safety-related violation that is not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

## **SECTION 105 APPROVAL**

**PMC 105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

**PMC 105.2 Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**PMC 105.3 Required Testing.** Whenever there is sufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**PMC 105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

**PMC 105.3.2 Test reports.** Reports of tests shall be retained by the code official for the period required for retention of public records.

**PMC 105.4 Used material and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the code official.

**PMC 105.5 Approved materials and equipment.** Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

**PMC 105.6 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

### **SECTION 106 VIOLATIONS**

**PMC 106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**PMC 106.2 Notice of violation.** The code official shall serve a notice of violation or order in accordance with Section 107.

**PMC 106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**PMC 106.4 Violation penalties.** Except as otherwise noted in Oxford's PMC, a person who violate a provision of this code shall, upon conviction thereof, be subject to a fine of \$250.00 or imprisonment for a term not to exceed thirty (30) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**PMC 106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

### **SECTION 107 NOTICES AND ORDERS**

**PMC 107.1 Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

**PMC 107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.

3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

**PMC 107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. Sent by first class mail with a Certificate of Mailing to the last known address; or
3. Posted in a conspicuous place on or about the structure or property affected by such notice and by first class mail to the last known address.

**PMC 107.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

**PMC 107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

**PMC 107.6 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## **SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT**

**PMC 108.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

**PMC 108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**PMC 108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

**PMC 108.1.3 Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

**PMC 108.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**PMC 108.1.5 Dangerous of unsafe structure or premises.** The code official shall determine whether there are dangerous or unsafe structures and/or premises. For the purpose of this code, dangerous or unsafe structures and or premises, but not limited to the following:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**PMC 108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

**PMC 108.2.1 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the

serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

**PMC 108.3 Notice.** Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

**PMC 108.4 Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

**PMC 108.4.1 Placard removal.** The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

**PMC 108.5 Prohibited occupancy.** Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

**PMC 108.6 Abatement methods.** The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

**PMC 108.7 Record.** The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

## **SECTION 109 EMERGENCY MEASURES**

**PMC 109.1 Imminent danger.** When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

**PMC 109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.



**PMC 109.3 Closing streets.** When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

**PMC 109.4 Emergency repairs.** For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**PMC 109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

**PMC 109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## **SECTION 110 DEMOLITION**

**PMC 110.1 General.** The code official shall order the owner of any premises upon which is located any structure, which in the code official judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than one year, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

**PMC 110.2 Notices and orders.** All notices and orders shall comply with Section 107.

**PMC 110.3 Failure to comply.** If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**PMC 110.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## **SECTION 111 MEANS OF APPEAL**

**PMC 111.1 Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

**PMC 111.2 Membership of board.** The board of appeals shall consist of a minimum of five (5) members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

**PMC 111.2.1 Alternate members.** The appointing authority shall appoint a minimum of two (2) alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, but may be employees of the jurisdiction.

**PMC 111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.

**PMC 111.2.3 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.

**PMC 111.2.4 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

**PMC 111.2.5 Compensation of members.** Compensation of members shall be determined by law.

**PMC 111.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

**PMC 111.4 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of three-fifths of the board membership.

**PMC 111.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

**PMC 111.5 Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**PMC 111.6 Board decision.** The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

**PMC 111.6.1 Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

**PMC 111.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**PMC 111.7 Court review.** Any person, whether or not a previous party of the appeal shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**PMC 111.8 Stays of enforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## **SECTION 112 STOP WORK ORDER**

**PMC 112.1 Authority.** Whenever the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**PMC 112.2 Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**PMC 112.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**PMC112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars.

## CHAPTER 2 DEFINITIONS

### SECTION 201 GENERAL

**PMC 201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

**PMC 201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**PMC 201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the other City of Oxford adopted codes and referenced standards, such terms shall have the meanings ascribed to them as stated in those codes and standards.

**PMC 201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**PMC 201.5 Parts.** Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

### SECTION 202 GENERAL DEFINITIONS

**ANCHORED.** Secured in a manner that provides positive connection.

**APPROVED.** Approved by the code official.

**BASEMENT.** That portion of a building which is partly underground and which has one-half or more of its ceiling height above the average finished grade of the ground adjoining the building.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

**BUILDING.** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or material of any kind.

**CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

**CONDEMN.** To adjudge unfit for occupancy.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**DORMITORY.** A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

**DWELLING.** A building or structure designed and occupied exclusively for non-transient residential use and permitted accessory uses for one or more households, but not including a tent, cabin, trailer, hotel, motel or mobile home.

**DWELLING UNIT.** One or more rooms which are arranged, designed, or occupied as living quarters for a family as a single housekeeping unit. A dwelling unit includes bathroom and kitchen facilities in addition to sleeping and living areas. Publicly accessible space separates a dwelling unit from any other dwelling unit. No doorway or perforated walls exist between dwelling units.

**EASEMENT.** Authorized by a property owner for the use by another, and for a specified purpose, or some designed part of the property.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**FAMILY.** A person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member or members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exists.

**FRATERNITY/SORORITY HOUSE.** A building which is occupied only by a group of enrolled Miami university students who are active members of a fraternity organization recognized by Miami University. These organizations shall be limited to fraternities, sororities, and like groups approved by Miami university for communal off-campus living on that site. building and receive from the fraternity or its agents lodging and/or meals on the premises for compensation. Occupancy exception: may include employees or agents of the organization not to exceed three (3) persons.

**FRONTAGE:** The width of a lot or parcel abutting a public right-of-way measured at the front property line.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

**HOTEL.** A commercial facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY or LET.** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**LODGING HOUSE** A dwelling where lodging, but not meals, is provided for compensation for no more than twelve (12) persons who are not transients or members of the owner's family, and do not live as a single housekeeping unit in a family-like environment on a relatively permanent basis, and in which no cooking or dining facilities are provided in individual rooms.

**LOT,** A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separated owned, used, developed, or built upon.

**LOT LINE.**

- A. **FRONT.** The lot line separating an interior or through lot from the street or streets upon which it abuts; or the shortest lot line on a corner lot which abuts upon a street, except when a lot line abutting streets are of equal length, the front lot line shall be considered to be on the street having the longest frontage within the same block.
- B. **REAR.** A lot line parallel to, or within forth-five (45) degree of being parallel to, the front lot line, which does not abut upon a street. The rear lot line may abut an alley.
- C. **SIDE.** Any other lot line other than a front or rear lot line.

**LOT OF RECORD.** Real estate recorded in the deed records in the office of the Butler County Recorder as a distinct lot or parcel, the description of which is complete and sufficient, in and of itself, for conveyance purposes without combination with any other lots or parcels, or real estate recorded in the subdivision of lot records of the Butler County Recorder's Office as a distinct lot or parcel capable of being conveyed without a combination of other lots or parcels.

**NEGLECT.** The lack of proper maintenance for a building or structure.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**ONE-FAMILY DEWLLING.** A building containing a dwelling unit designed for a family.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of

any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

**PREMISES.** A lot or combination of continuous lots held in single ownership, together with the development thereon, a condominium complex constitutes one premises.

**PUBLIC NUISANCE.**

Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures;
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premises designated by the code official as unsafe for human habitation;
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or insecure so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.”

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**SETBACK.** The distance between the building and any lot line.

**SIGN.** Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

- A. **ILLUMINATED SIGN, DIRECTLY.** A sign with internal electronic circuitry, emitting light through the sign face.
- B. **ILLUMIATATAED SIGN, INDRECTLY.** A sign which is illuminated by an external source which reflects light off the surface of a sign face.
- C. **POLE SIGN.** A sign erected on a single pole or multiple poles regardless of size and shape.

**SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

**STREET LINE.** A dividing line between a lot, tract or parcel of land, and a continuous street.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**TWO-FAMILY DWELLING.** A building containing two (2) dwelling units, each unit designed for a family.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WEEDS.** All grasses, annual plants and vegetation, other than trees and shrubs provided: however, this term shall not include cultivated flowers, gardens and fields used for agricultural purposes.

**Noxious Weeds.** Noxious weeds are weeds which have been designated b federal, state, or local government as bing injurious to public health, agriculture, recreation, wildlife or property. Noxious weeds include but not limited to the noxious weeds listed in Chapter 901:5-37-01 of the Ohio Administrative Code.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the group upward except as may be specifically provided in the zoning ordinance.

- A. **YARD, FRONT.** A space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point of the front lot line.



- B. **YARD, REAR.** A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.
- C. **YARD, SIDE.** A space extending front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.

## CHAPTER 3 GENERAL REQUIREMENTS

### SECTION 301 GENERAL

**PMC 301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**PMC 301.2 Responsibility.** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

**PMC 301.3 Vacant structures and land.** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

**PMC 302.1 Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

**PMC 302.2 Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** Approved retention areas and reservoirs.

**PMC 302.3 Sidewalks and driveways.** 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.

**PMC 302.4 Maintenance and removal of weeds.** All premises and exterior property shall be maintained free from weeds, grass and/ or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited.

- (1) All properties within the City of Oxford must be maintained in accordance with Section 302.4 of the PMC as amended and adopted by the City of Oxford, which prohibits weeds, grass or plant growth in excess of ten inches (10”), excepting cultivated flowers, gardens and fields used for agricultural purposes.
- (2) If weeds, grass or plant growth exceeds (10) ten inches, excepting cultivated flowers, gardens and fields used for agricultural purposes, the City will cause notice to the owner, occupant, or person having charge or management of any residential, commercial, or industrial lot or land within the corporate limits of the City. If the weeds, grass and/or plant are not brought into compliance within ten (10) days of receiving the issuance of notice, the City shall cause the weeds, grass and/or plant growth to be cut at the owner’s expense. The City will place a lien on the property for the amount owned in accordance with Ohio Revised Code Section 731.54.
- (3) If a premises or property is found to be in violation of PMC Section 302.4, notice shall be issued in the following manner:
  - a. For properties which are occupied:
    - i. Notice will be issued by a posting placed on or near the front door of the structure and a placard conspicuously placed in the front yard of the property.

Said posting and placard shall be of a size, shape and color that is clearly visible and shall contain the following information:

1. The nature of the code violation;
  2. An order to cut or remove the weeds or grass within ten (10) days;
  3. A statement indicating that if the property owner or current tenant fails to comply with the order, the City will cause the weeds or grass to be cut or removed at the owner's expense, and the City will place a lien on the property for the amount owed in accordance with Ohio Revised Code Section 731.54;
  4. The penalties provided for removing the posting and placard before bringing the property into compliance; and
  5. The contact information of the appropriate City agency.
- ii. Such posting and placard shall remain on the property until the property is brought into compliance with PMC Section 302.4. Removal of the posting and placard before the property is in compliance with PMC Section 302.4 shall constitute a violation of this section.
- b. For properties which are not currently occupied:
- i. If the property owner's address is known, notice will be issued by certified mail, return receipt requested, to the owner's address. If the owner's address is not known, notice will be published in a newspaper of general circulation in Butler County. The notice shall contain the following information:
    1. The nature of the code violation;
    2. An order to cut or remove the weeds, grass and/or plant growth within ten (10) days;
    3. A statement indicating that if the property owner fails to comply with the order, the City will cause the weeds, grass and/or plant growth to be cut or removed at the owner's expense, and the City will place a lien on the property for the amount owed in accordance with Ohio Revised Code Section 731.54;
    4. The contact information of the appropriate City agency.

**PMC 302.4.1 Vacant Lots.** Vacant lots shall be mowed in the manner described below on a regular basis in compliance with § 302.4.

- a). The front yard of the vacant lot shall be mowed in accordance with the front yard setback stipulated whether on the recorded subdivision plat or the minimum front yard setback of the zoning district where the vacant lot is located, whichever is larger.
- b). The side yard of the vacant lot shall be free of tall grass when the lot is abutting a developed lot with a house. The side yard is defined by the Oxford Zoning Code.

**PMC 302.4.2 Notification.** One notification per calendar year shall be deemed notice for all subsequent violations during the same calendar.

**PMC 302.5 Rodent harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**PMC 302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

**PMC 302.7 Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**PMC 302.8 Motor vehicles.** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

**PMC 302.9 Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

### **SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS**

**PMC 303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**PMC 303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

### **SECTION 304 EXTERIOR STRUCTURE**

**PMC 304.1 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.

**PMC 304.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**PMC 304.3 Premises identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their

background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm). 304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

**PMC 304.3.1 Residential house signs:** All residential house signs shall be maintained in good repair with proper anchorage and in a safe condition.

- a.) The sign may be either a wall sign or a freestanding sign but not both.
- b.) the sign may not be more than six (6) square feet in area.
- c.) The sign may have indirect illumination only.

**PMC 304.3.2 Interior unit identification:** Every rooming unit and every dwelling unit in every rooming house, lodging house or fraternity house of more than three (3) units shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door, or within thirty inches (30") of the door, to such rooming unit or dwelling unit.

**PMC 304.5 Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**PMC 304.6 Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

**PMC 304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**PMC 304.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**PMC 304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weathercoating materials, such as paint or similar surface treatment.

**PMC 304.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**PMC 304.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**PMC 304.12 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**PMC 304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**PMC 304.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

**PMC 304.13.2 Openable windows.** Every window, other than fixed window, shall be easily operable and capable of being held in position by window hardware.

**PMC 304.14 Insect screens.** During the period from May 15 to October 15 every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

**PMC 304.15 Doors.** All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**PMC 304.16 Basement hatchways.** Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**PMC 304.17 Guards for basement windows.** Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

**PMC 304.18 Building security.** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

**PMC 304.18.1 Doors.** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**PMC 304.18.2 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

**PMC 304.18.3 Basement hatchways.** Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.]

**PMC 304.19 Gates.** All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

## **SECTION 305 INTERIOR STRUCTURE**

**PMC 305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping

units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

**PMC 305.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**PMC 305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**PMC 305.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**PMC 305.5 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**PMC 305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## **SECTION 306 COMPONENT SERVICEABILITY**

**PMC 306.1 General.** The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**PMC 306.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the City of Oxford Building Code as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;
  - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. Deterioration;
  - 2.2. Ultimate deformation;
  - 2.3. Fractures;
  - 2.4. Fissures;
  - 2.5. Spalling;
  - 2.6. Exposed reinforcement; or
  - 2.7. Detached, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. Deterioration;
  - 3.2. Corrosion;
  - 3.3. Elastic deformation;
  - 3.4. Ultimate deformation;
  - 3.5. Stress or strain cracks;

- 3.6. Joint fatigue; or
- 3.7. Detached, dislodged or failing connections.
- 4. Masonry that has been subjected to any of the following conditions:
  - 4.1. Deterioration;
  - 4.2. Ultimate deformation;
  - 4.3. Fractures in masonry or mortar joints;
  - 4.4. Fissures in masonry or mortar joints;
  - 4.5. Spalling;
  - 4.6. Exposed reinforcement; or
  - 4.7. Detached, dislodged or failing connections.
- 5. Steel that has been subjected to any of the following conditions:
  - 5.1. Deterioration;
  - 5.2. Elastic deformation;
  - 5.3. Ultimate deformation;
  - 5.4. Metal fatigue; or
  - 5.5. Detached, dislodged or failing connections.
- 6. Wood that has been subjected to any of the following conditions:
  - 6.1. Ultimate deformation;
  - 6.2. Deterioration;
  - 6.3. Damage from insects, rodents and other vermin;
  - 6.4. Fire damage beyond charring;
  - 6.5. Significant splits and checks;
  - 6.6. Horizontal shear cracks;
  - 6.7. Vertical shear cracks;
  - 6.8. Inadequate support;
  - 6.9. Detached, dislodged or failing connections; or
  - 6.10. Excessive cutting and notching.

**Exceptions:**

- 1. When substantiated otherwise by an approved method.
- 2. Demolition of unsafe conditions shall be permitted when approved by the code official.

### **SECTION 307 HANDRAILS AND GUARDRAILS**

**PMC 307.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** Guards shall not be required where exempted by the adopted building code.

### **SECTION 308 RUBBISH AND GARBAGE**

**PMC 308.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**PMC 308.2 Disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.



**PMC 308.2.1 Rubbish storage facilities.** It shall be the responsibility of the owner to supply such rubbish storage facilities or containers for all dwelling units in any 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 of the dwelling to furnish rubbish storage facilities or containers unless the owner has agreed to supply the rubbish storage facilities.

**PMC 308.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

**PMC 308.3 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 garbage containers.

**PMC 308.3.1 Garbage facilities.** It shall be the responsibility of the owner to supply such garbage 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 of the dwelling to furnish garbage facilities or containers unless the owner has agreed to supply the garbage facilities.

**PMC 308.3.2 Containers.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

### **SECTION 309 PEST ELIMINATION**

**PMC 309.1 Infestation.** All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

**PMC 309.2 Owner.** The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

**PMC 309.3 Single occupant.** The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.

**PMC 309.4 Multiple occupancy.** The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

**PMC 309.5 Occupant.** The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the infestations are caused by defect in the structure, the owner shall be responsible for pest elimination.

### **SECTION 310 RENTAL PERMITS**

**PMC 310.1 Permits required.** No person shall operate any residential rental unit(s), rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house unless he or she has a valid Residential Rental Permit issued by the code official in the name of the owner or agent for the specified residential rental unit, rooming

house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house. No person shall rent or lease a dwelling unit, except to a member of his or her family, without a dwelling unit Residential Rental Permit issued by the code official in the name of the owner or agent for the specific dwelling unit.

**Exceptions.**

1. Permits are not required for Single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.
2. Permits are not required for single-family homes that are permitted as short-term rental for transients.

**PMC 310.2 Application process.** The owner or agent shall apply to the code official for Residential Rental Permit, certifying that the subject property is in compliance with Oxford's Property Maintenance Code and submitting the requisite application form, floor plan, and processing fees, in the event a processing fee is required. In addition, each owner or agent of residential rental property situated in the City is required to provide the code official with a copy of any Residential Rental Property Registration form(s) by the owner or owner's agent to the Butler County Auditor's Office in accordance with R.C. 5323.02.

**PMC 310.2.1 Floor plan required.** Every person submitting an application for a new rental property shall provide a floor plan of property to the code official, which shall be reviewed for compliance with the Oxford PMC and Zoning Code. The floor plan will include all habitable levels as well as stairway, windows, doors, room dimensions, and bedroom closets (which are not to be included in room dimension), and shall include room label such as kitchen, dining room, bedroom, etc. The submitted floor plan will be retained by the City in the Oxford Community Development Department's rental property file and shall be reviewed and/or updated upon any change in the property such as a change of ownership, building addition, or building alteration.

An owner or agent may be required to provide an updated floor plan if the code official deems the floor plan on file to be insufficient, inadequate, or outdated.

**PMC 310.2.2 Inspection of residential rental property.** At the time of each application for an initial or renewal of a Residential Rental Permit, and at any time thereafter when it appears an inspection is warranted, the code official may request permission of the property owner or the owner's agent to inspect the dwelling unit for compliance with Oxford's PMC in an effort to help ensure the safety and welfare of tenants living in its community. If the owner or agent grants the code official permission to inspect the premises, the inspection will be performed by the code official and/or another duly authorized person conducting inspection for the City, with the owner or owner's agent present, within thirty (30) days of the owner or agent's grant of consent. The owner or agent must cooperate with the code official to ensure the timely completion of the full inspection.

If the property owner or agent does not consent to the inspection, or if the owner's agent, occupant, or any other person in charge of the property refuses to permit free access and entry to the property for the inspection after the property owner's voluntary consent has been obtained, the code official may appear before any judge in court of competent jurisdiction and seek an administrative search warrant to allow an inspection of the property. Any application for an administrative search warrant shall be made within ten (10) business days after consent and/or entry to the premises has been denied. The application for the warrant shall specify the basis upon which the administrative search warrant is being sought and shall include a statement that the inspection will be limited to determination as to whether there are violations of Oxford's PMC and/or Oxford's Zoning Code.

When determining whether a warrant shall issue, the court may consider the following:

1. Any plain view violations;
2. Any eyewitness account of a violation;
3. The nature of any alleged violation;
4. Records of past violations;
5. Violations which are apparent from City records;
6. Any citizen complaints concerning the property;
7. The age and condition of the property;
8. Any documented violations concerning similar properties in the area;
9. The conditions of the entire area;
10. The number of tenants that may be residing on the property;
11. The nature of the rental unit (i.e., one-family, lodging house, etc.);
12. The passage of time since the least inspection; and
13. Any other factor the court deems relevant.

If a warrant is issued, no property owner, occupant, or agent shall fail, upon presentation of the warrant, to permit entry to the property by the code official and/or any duly authorized person conducting inspection for the City for the purpose of an inspection that is consistent with this section and the warrant obtained. If the court does not issue a warrant, or if no warrant is sought, an inspection of the property shall still take place within thirty (30) days of the owner or agent's refusal to grant consent, or the denial of access to the property for an inspection if access has been denied, but the scope of the inspection shall be limited to such areas of the property that are in plain view. A plain view inspection shall be considered as "inspection" for the purpose of this section and any other applicable provisions of the Oxford's PMC. No criminal penalties or fines shall attach, nor shall any rental permit be denied, based solely on the owner's, occupant's or agent's refusal to consent to a full inspection. In the event that only a plain view inspection is conducted prior to the issuance of a Residential Rental Permit, the permit shall note that fact on its face, and the plain view inspection shall not constitute any evidence of PMC compliance with respect to any uninspected portions of the property.

Within five (5) business days of conducting a full or plain view inspection, the code official shall:

1. In the event of a full inspection, notify the property owner, or the owner's duly authorized agent, whether the property is in compliance with Oxford's PMC and, if it is not, what repairs and/or changes are required to bring the property into compliance with the code and the date by which the repairs and/or changes must be made.
2. In the event of a plain view inspection, notify the property owner, or the owner's duly authorized agent, whether the portions of the property that are in the plain view of the code official appear to be in compliance with Oxford's PMC and, if the portion of the property that is in the plain view does not appear to be in compliance with Oxford's PMC, what repairs and/or changes are required to bring the property into compliance with the code and the date by which the repairs and/or changes must be made. In all instances of plain view inspection, the code official is making no representation as to whether the inspected property is in full compliance with Oxford's PMC, as that cannot be adequately determined without the benefit of full inspection.

If, in the event of a full or plain view inspection, an owner and/or his agent is notified by the code official that repairs and/or changes to the property are required in order to bring the property into compliance with Oxford's PMC, the owner and/or agent shall have ten (10) business days to complete the requisite repairs or changes and shall immediately notify the code official upon the completion of the requisite repairs and/or changes. Within five (5) business days of the code official's notification

that the requisite repairs and/or changes have been completed, the code official shall reinspect the property to determine if the required repairs and/or changes have been successfully completed.

**PMC 310.3. Permit issued.** A copy of any permit issued pursuant to this section shall be protected and displayed in a conspicuous place on the premises at all times and shall state the maximum occupancy permitted on the premises as well as the name of the owner and the owner's designated agent(s). Every person holding a permit pursuant to this section shall return the permit to the code official within ten (10) days after having given up the control or operation of the residential rental property or having sold, transferred, given away, or otherwise disposed of the property. Every Residential Rental Permit issued for any rooming house, lodging house, multi-family dwelling, dwelling unit or fraternity/sorority house shall expire at the end of one (1) year following the effective date of the issuance of the permit, unless sooner revoked pursuant to PMC Section 310.4, or by operation of PMC Section 110. A Residential Rental Permit may not be issued to another owner or agent without a full or plain view reinspection of the premises by the code official.

**PMC 310.4 Agent required.** Every owner of a dwelling not residing on the premises shall appoint and designate an agent to act on owner's behalf and shall notify the code official with the telephone number of the appointed agent and the notification shall contain an acceptable of such appointment signed by the designated agent. An individual may act as his or her own agent so long as he or she is a resident of Butler County or one of its surrounding counties. The agent required by this section must be a permanent resident of Butler County, Ohio, or adjoining county, or an entity operating a permanent office in Butler County, Ohio, or an adjoining county. Adjoining counties are Hamilton, Montgomery, Preble, and Warren in Ohio, and Dearborn, Franklin, and Union County in Indiana.

**PMC 310.4.1 Agent defined.** An "agent" is defined as a responsible person or entity who, except in the case of the property owner, has been retained by and acts for, or in place of, the owner of a property with the responsibility of providing a healthy and safe environment for inhabitants by complying with all applicable rules and regulations and who has been granted authority by the owner to consent to inspections.

**PMC 310.5 Revocation of rental permits.** Whenever, upon inspection or any premises requiring a Residential Rental Permit, the code official finds that conditions or practices exist which are in violation of any provisions of the Oxford's PMC, the code official shall give notice in accordance with PMC Section 107 to the owner, or owner's agent, of the property, At the end of the time period specified in the notice, the code official shall reinspect the premises and if the code official finds that such conditions or practices have not been corrected and if no appeal has been filed in accordance with Section 111 of the PMC, the code official shall give notice in writing to the owner or owner's agent that the permit has been revoked. Upon receipt of such notice, the owner or the owner's agent shall immediately take any and all action necessary to cease operation of such rental unit or rental units and shall thereafter not permit any tenant to live, sleep, or reside in the property until another Residential Rental Permit is obtained.

**PMC 310.6 Appeal of permit revocation.** Any person who has received notice that his or her permit is being revoke unless existing conditions or practices at the rental premises are corrected may, within twenty (20) days after the date of such notice, fill an appeal and shall be granted a hearing upon the matter pursuant to PMC Section 111 (Means of Appeal").

**CHAPTER 4**  
**LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS**  
**SECTION 401 GENERAL**

**PMC 401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

**PMC 401.1.1** Every window of every room used for sleeping shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.

**PMC 401.2 Responsibility.** The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

**PMC 401.3 Alternative devices.** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the City of Oxford Building Code shall be permitted.

**SECTION 402 LIGHT**

**PMC 402.1 Habitable spaces.** Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

**PMC 402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

**PMC 402.3 Other spaces.** All other spaces shall be provided 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.

**SECTION 403 VENTILATION**

**PMC 403.1 Habitable spaces.** Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the

interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

**PMC 403.2 Bathrooms and toilet rooms.** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

**PMC 403.3 Cooking facilities.** Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit.

**Exceptions:**

1. Where specifically approved in writing by the code official.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**PMC 403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**PMC 403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and labeled condensing (ductless) clothes dryers.

## **SECTION 404 OCCUPANCY LIMITATIONS**

**PMC 404.1 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. Every window of every room used for sleeping shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.

**PMC 404.2 Minimum room widths.** A habitable room, other than a kitchen, shall be a minimum of 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

**PMC 404.3 Minimum ceiling heights.** Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a minimum clear ceiling height of 7 feet (2134 mm).

**Exceptions:**

1. In one- and two-family dwellings, beams or girders spaced a minimum of 4 feet (1219 mm) on center and projecting a maximum of 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over a minimum of one third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

**PMC 404.4 Bedroom and living room requirements.** Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**PMC 404.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain a minimum of 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain a minimum of 70 square feet (6.5 m<sup>2</sup>) of floor area for each occupant thereof.

**PMC 404.4.2 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.

**Exception:** Units that contain fewer than two bedrooms.

**PMC 404.4.3 Water closet accessibility.** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

**PMC 404.4.4 Prohibited occupancy.** Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

**PMC 404.4.5 Other requirements.** Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**PMC 404.5 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5 below.

**TABLE 404.5  
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 Occupants	6 or more occupants
Living room <sup>a, b</sup>	No requirements	120	150
Dining room <sup>a, b</sup>	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m<sup>2</sup>.

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

**PMC 404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

**PMC 404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

**PMC 404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two occupants shall have a minimum clear floor area of 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a minimum clear floor area of 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

**PMC 404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.



**CHAPTER 5**  
**PLUMBING FACILITIES AND FIXTURE REQUIREMENTS**  
**SECTION 501 GENERAL**

**PMC 501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**PMC 501.2 Responsibility.** The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

**SECTION 502 REQUIRED FACILITIES**

**PMC 502.1 Dwelling units.** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**PMC 502.2 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

**PMC 502.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

**PMC 502.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

**PMC 502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

**PMC 502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the City of Oxford Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

**SECTION 503 TOILET ROOMS**

**PMC 503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

**PMC 503.2 Location.** Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing a maximum of one flight of stairs and shall have access from a common hall or passageway.

**PMC 503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located a maximum of one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

**PMC 503.4 Floor surface.** In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

## **SECTION 504 PLUMBING SYSTEMS AND FIXTURES**

**PMC 504.1 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.

**PMC 504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**PMC 504.3 Plumbing system hazards.** Where it is found that a plumbing system in a 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.

## **SECTION 505 WATER SYSTEM**

**PMC 505.1 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 City of Oxford Plumbing Code.

**PMC 505.2 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. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

**PMC 505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**PMC 505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

## **SECTION 506 SANITARY DRAINAGE SYSTEM**

**PMC 506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

**PMC 506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**PMC 506.3 Grease interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the code official.

### **SECTION 507 STORM DRAINAGE**

**PMC 507.1 General.** Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

**CHAPTER 6**  
**MECHANICAL AND ELECTRICAL REQUIREMENTS**  
**SECTION 601 GENERAL**

**PMC 601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**PMC 601.2 Responsibility.** The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

**SECTION 602 HEATING FACILITIES**

**PMC 602.1 Facilities required.** Heating facilities shall be provided in structures as required by this section.

**PMC 602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the City of Oxford Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**PMC 602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15 to May 15 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the City of Oxford Plumbing Code.
  
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

**PMC 602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 15 to May 15 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**PMC 602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

## SECTION 603 MECHANICAL EQUIPMENT

**PMC 603.1 Mechanical appliances.** All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**PMC 603.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are labeled for unvented operation.

**PMC 603.3 Clearances.** All required clearances to combustible materials shall be maintained. Access to outdoor mechanical equipment shall be maintained under all weather conditions

**PMC 603.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**PMC 603.5 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.

**PMC 603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

## SECTION 604 ELECTRICAL FACILITIES

**PMC 604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

**PMC 604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

**PMC 604.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

**PMC 604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**PMC 604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the City of Oxford Building Code.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated a maximum of 600 volts or less.
2. Busway, rated a maximum of 600 volts;
3. Panelboards, rated a maximum of 600 volts;
4. Fire pump controllers, rated a maximum of 600 volts;
5. Manual and magnetic motor controllers;
6. Motor control centers;
7. Alternating current high-voltage circuit breakers;
8. Low-voltage power circuit breakers;
9. Protective relays, meters and current transformers;
10. Low- and medium-voltage switchgear;
11. Liquid-filled transformers;
12. Cast-resin transformers;
13. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
14. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
15. Luminaires that are listed as submersible;
16. Motors;
17. Electronic control, signaling and communication equipment.

**PMC 604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**PMC 604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the City of Oxford Building Code.

**Exception:** Electrical switches, receptacles and fixture that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## **SECTION 605 ELECTRICAL EQUIPMENT**

**PMC 605.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

**PMC 605.2 Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

**PMC 605.3 Luminaires.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

**PMC 605.4 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

## **SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS**

**PMC 606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the location approved by the code official. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**PMC 606.2 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## **SECTION 607 DUCT SYSTEMS**

**PMC 607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

## **SECTION 608 CARBON MONOXIDE DETECTION**

**PMC 608.1 Carbon monoxide detector.** In any residential property that has either fossil fuel burning equipment or an attached enclosed garage, a carbon monoxide detector must be installed in the immediate vicinity outside of each sleeping area.

## **CHAPTER 7 FIRE SAFETY REQUIREMENTS**

### **SECTION 701 GENERAL**

**PMC 701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

**PMC 701.2 Responsibility.** The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

### **SECTION 702 MEANS OF EGRESS**

**PMC 702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the City of Oxford Fire Code.

**PMC 702.2 Aisles.** The required width of aisles in accordance with the City of Oxford Fire Code shall be unobstructed.

**PMC 702.3 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 City of Oxford Building Code.

**PMC 702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

### **SECTION 703 FIRE-RESISTANCE RATINGS**

**PMC 703.1 Fire-resistance-rated assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**PMC 703.2 Opening protectives.** Required opening protective shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

### **SECTION 704 FIRE PROTECTION SYSTEMS**

**PMC 704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the City of Oxford Fire Code.

**PMC 704.1.1 Automatic sprinkler systems.** Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

**PMC 704.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of occupant load. Smoke alarms required by this section shall include both



photoelectric and ionization technologies, Separate or dual sensing alarms may be used, Smoke detectors are required at all of the following locations:

1. In each room used for sleeping purposes, a photoelectric smoke technology is required.
2. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms, a photoelectric smoke technology is required.
3. On every level within each dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics, both photoelectric and ionization technologies are required.

**Exception:** Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

**PMC 704.3 Power Source.** In Group R or I-1 occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnection switch other a required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

**PMC 704.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm shall activate all alarms within the dwelling unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise level with all intervening doors closed.

**Exceptions:**

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

**PMC 704.5** All rental units for which a permit is required pursuant to PMC- Section 310 (“Rental Permits”) shall be equipped with a fire extinguisher in or near the kitchen

## CHAPTER 8 REFERENCED CODES

Except as otherwise modified by Oxford's PMC, chapter lists the standards are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and time and the section or sections of this document that reference the stand. The application of the reference standards shall be as specified in PMC Section 102.7

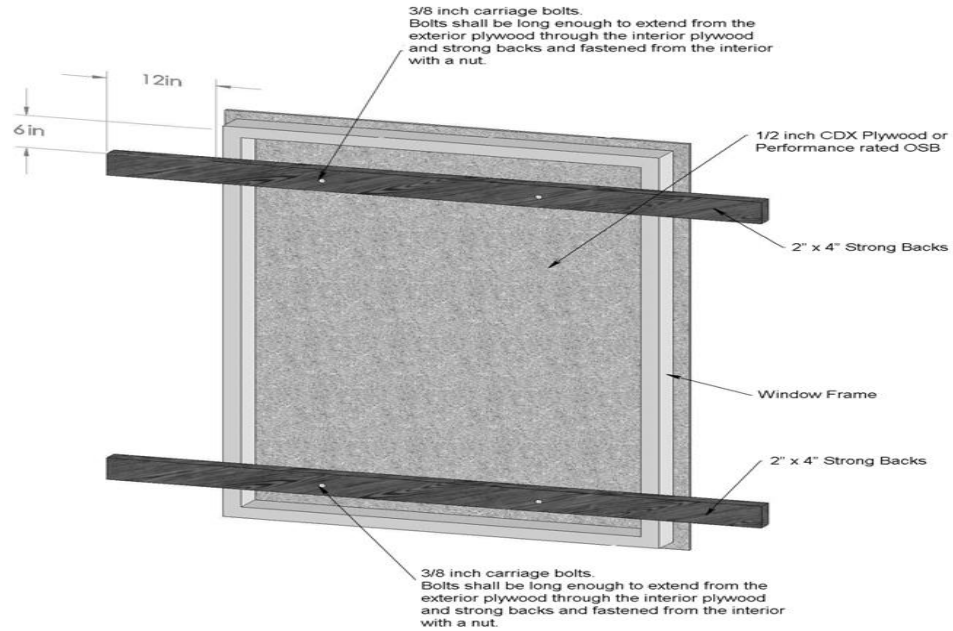


FIGURE A103.1(1)  
BOARDING OF DOOR OR WINDOW

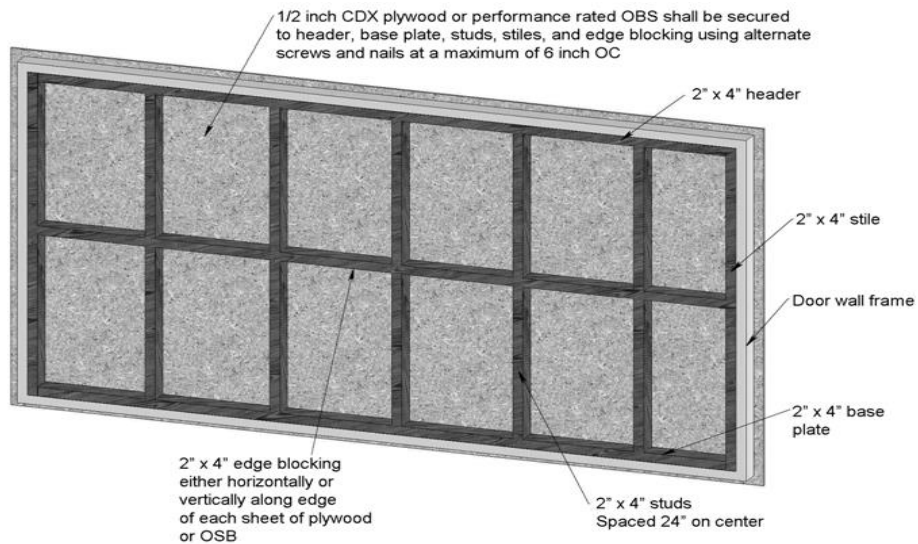


FIGURE A103.1(2)  
BOARDING OF DOOR WALL

## **CHAPTER 9 NOTIFICATION OF FORECLOSURE FILING**

### **SECTION 901 DEFINITION**

#### **PMC 901.1 Definition**

(a) "Person" means a natural person or any legal entity including, but not limited to, a corporation, firm, partnership, trust or association, and specifically including the attorney and/or law firm representing a party initiating a foreclosure.

(b) "Vacant" means that no person actually resides in any part of the building on the property, or that no person conducts a lawful business in any part of the building located on the property, or that there is no primary structure on the property.

### **SECTION 902 NOTICES TO THE CITY OF FORECLOSURE FILING**

**PMC 902.1 Notice requirement.** Any person who files a complaint or otherwise initiates a foreclosure proceeding involving real property located within the corporate limits of the City of Oxford shall notify the code official of the filing of the foreclosure proceeding, within ten (10) days after the initiation of the action. To provide adequate notice under this section, the complainant, or his or her legal representative, must file a complete copy of the complaint with the code official and must provide the full name, address telephone number and email address of the complainant and his or her legal representative, if that information is not included in the copy of the complaint provided.

### **SECTION 903 PERSONS RESPONSIBLE FOR MAINTENANCE**

#### **PMC 903.1 Responsible person for maintenance.**

(a) If the building or structure located on the property that is the subject of the foreclosure is vacant at the time of the filing of the foreclosure, or if the property is otherwise vacant, then the person filing the foreclosure complaint shall also notify the City Community Development Department of the name, address and contact information of the person who will be responsible for maintaining the property.

(b) If the building or structure located on the property that is the subject of the foreclosure becomes vacant at any time after the filing of the foreclosure, then the person filing the foreclosure complaint shall notify the City Community Development Department of the name, address and telephone and email address of the person who will be responsible for maintaining the property within ten (10) days of the vacancy.

(c) If at any time during the foreclosure proceedings there is a change in the person(s) responsible for maintaining the property, then the person filing the foreclosure complaint shall notify the City Community Development Department of the name, address and contact information of the person who will, or who has, assumed responsibility for maintaining the property within ten (10) days.

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