

Housing Codes and Related Codes for Tyler, TX

City of Tyler Healthy Homes Provisions of Housing and Health Codes¹

ARTICLE III. MINIMUM URBAN STANDARDS

Sec. 7-60. In general.

- a. **Code remedial.** This Code is hereby declared to be remedial, and shall be construed to secure the public safety, health and welfare, through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal and demolition of unsafe buildings.

This Code establishes minimum standards for occupancy, and does not replace or modify standards otherwise established for construction, replacement or repair of buildings except such as are contrary to this Code.

- b. **Application.** The provisions of this Code and the minimum standards for occupancy set forth herein shall apply to all commercial, industrial, or residential buildings within the City limits, to garages and other accessory structures, or to any portions thereof.

Buildings or structures moved into or within the City limits shall comply with the Standard Building Code requirements for new buildings.

- c. **Existing buildings.** This Code establishes minimum standards for the continued use and occupancy of all buildings or structures within the City limits regardless of when such buildings may have been originally constructed and regardless of when such premises may have been annexed into the City.
- d. **Maintenance.** All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards required by this Code in a building when erected, altered, or repaired shall be maintained in good working order. The owner or designated agent shall be responsible for the maintenance of buildings, structures and premises. (Ord. No. 0-97-61; 12/3/97) (Ord. No. 0-2000-27, 4-19-00)

Sec. 7-61. Definitions.

Apartment house is any building or portion thereof used as a multiple dwelling for the purpose of providing three (3) or more separate dwelling units which may share means of egress and other essential facilities.

¹ http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:tyler_tx

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Basement means that portion of a building between the floor and ceiling, which is partly below and partly above grade (as defined in this section), but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling, provided, however, that the distance from grade to ceiling shall be at least four (4) feet six (6) inches.

Cellar means that portion of a building, the ceiling of which is entirely below grade or less than four (4) feet six (6) inches above grade.

Extermination means the control and extermination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods.

Habitable room is a space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

Sec. 7-62. Facilities required.

a. **Required sanitary facilities.** Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks, and obstructions.

b. **Location of sanitary facilities:**

1. All required plumbing fixtures shall be located within the dwelling unit and be accessible to occupants. The water closet, tub or shower and lavatory shall be located in a room affording privacy to the user and such room shall have a minimum floor space of thirty (30) square feet, with no dimension less than four (4) feet.

2. Bathrooms shall be accessible from habitable rooms, hallways, corridors or other protected or enclosed areas, not including kitchens or other food preparation areas.

c. **Hot and cold water supply.** Every dwelling unit shall have connected to the kitchen sink, lavatory, and tub or shower an adequate supply of both cold and hot water. All water shall be supplied through an approved distribution system connected to a potable water supply.

d. **Water heating facilities.** Every dwelling unit shall have water heating facilities properly installed and maintained in safe and good working condition and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required

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kitchen sink, lavatory, basin, bathtub or shower at a temperature of not less than one hundred twenty (120) degrees Fahrenheit. Minimum storage capacity of the water heater shall be thirty (30) gallons. Such water heating facilities shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit heating facilities required under this Article are not in operation.

e. **Heating facilities.** Every dwelling unit shall have heating facilities or gas or electric heating connections which are properly installed, maintained in safe and good working condition and capable of safely and adequately heating all habitable rooms, and bathrooms in every dwelling unit located therein to a temperature of at least sixty-eight (68) degrees Fahrenheit at a distance of three (3) feet above floor level, under ordinary minimum winter conditions.

f. **Cooking and heating equipment.** All cooking and heating equipment and facilities shall be maintained in a safe and good working condition. Portable cooking equipment employing flame is prohibited.

g. **Garbage disposal facilities.** Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, type and location of which are approved by the City.

h. **Fire protection.** A person shall not let to another for occupancy, any building or structure which does not comply with the City Fire Prevention Code. (Ord. No. 0-97-61; 12/3/97) (Ord. No. 0-2000-27, 4-19-00)

Sec. 7-63. Minimum requirements for light and ventilation.

a. **Size.** Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be eight (8) percent of the floor area of such room. Whenever walls or other portions of structures face window of any such room and such light-obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight type window in the top of such room, the total window area of such skylight shall equal at least fifteen (15) percent of the total floor area of such room.

b. **Habitable rooms.**

1. Every habitable room shall have at least one (1) window or skylight which can be easily opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to at least forty-five (45) percent of the minimum window area size or minimum skylight type window size, as required, or shall have other approved, equivalent ventilation.

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2. Year-round mechanically ventilating conditioned air systems may be substituted for windows, as required herein, in rooms other than rooms used for sleeping purposes. Window type air conditioning units are not included in this exception.

c. **Bathrooms.** Every bathroom shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight is required in adequately ventilated bathrooms equipped with an approved ventilating system.

d. **Electric lights and outlets required.** Where there is electric service available to the building or structure, every habitable room or space shall contain at least two (2) separate and remote convenience outlets and bedrooms shall have, in addition, at least one (1) wall switch controlled ceiling or wall type light fixture. In kitchens, three (3) separate and remote convenience outlets shall be provided, and a wall or ceiling type fixture controlled by a wall switch shall be required. Every hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one (1) electric fixture. In bathrooms, the electric light fixture shall be controlled by a wall switch. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one (1) convenience outlet. Every such outlet and fixture shall be properly installed, maintained in good and safe working condition, and safely connected to the source of electric power.

e. **Light in public halls and stairways.** Every common hall and inside stairway in every building, other than one-family dwellings, shall be adequately lighted at all times with an illumination of at least one (1) footcandle intensity at the floor in the darkest portion of the normally traveled stairs and passageways. (Ord. No. 0-97-61; 12/3/97) (Ord. No. 0-2000-27, 4-19-00)

Sec. 7-64. Minimum requirements for electrical systems.

Every electrical outlet and fixture required by this Code shall be installed, maintained and connected to a source of electric power in accordance with the Electrical Code. (Ord. No. 0-97-61; 12/3/97) (Ord. No. 0-2000-27, 4-19-00)

Sec. 7-65. General requirements for the exterior and interior of structures.

a. **Foundation.** The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause.

b. **Exterior walls.** Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain, or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be kept in repair.

c. **Roofs.** Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

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d. **Means of egress.** Every dwelling unit shall have safe, unobstructed means of egress with minimum ceiling height of seven (7) feet leading to a safe and open space at ground level. Stairs shall have minimum headroom of six (6) feet eight (8) inches.

e. **Stairs, porches and appurtenances.** Every stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause and shall be kept in sound condition and good repair.

f. **Protective railings.** Protective railings shall be required on any unenclosed structure over thirty (30) inches from the ground level or on any steps containing four (4) risers or more.

g. **Windows and doors.** Every window, exterior door and basement or cellar door and hatchway shall be substantially weathertight, watertight and rodentproof; and shall be kept in sound working condition and good repair.

h. **Windows to be glazed.** Every window sash shall be fully supplied with glass window panes or an approved substitute without open cracks or holes.

i. **Window sash.** Window sash shall be properly fitted and weathertight within the window frame.

j. **Windows to be openable.** Every window required for light and ventilation for habitable rooms shall be capable of being easily opened and secured in position by window hardware.

k. **Hardware.** Every exterior door shall be provided with proper hardware and maintained in good condition.

l. **Door frames.** Every exterior door shall fit reasonably well within its frame so as to exclude substantially rain and wind from entering the dwelling building.

m. **Screens.** Every door opening directly from a dwelling unit to outdoor space shall have screen doors with a self-closing device; and every window or other device with opening to outdoor space, used or intended to be used for ventilation, shall likewise have screens.

n. **Protective treatment.** All exterior wood surface, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment.

o. **Accessory structures.** Garages, storage buildings and other accessory structures shall be maintained and kept in good repair and sound structural condition.

p. **Interior floors, walls and ceilings.** Every floor, interior wall and ceiling shall be substantially rodentproof; kept in sound condition and good repair; and safe to use and capable of supporting the load which normal use may cause.

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Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

q. **Structural supports.** Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render it incapable of carrying loads which normal use may cause.

r. **Protective railings for interior stairs.** Interior stairs and stairwells more than four (4) risers high shall have handrails located in accordance with the Building Code. Handrails or protective railings shall be capable of bearing normally imposed loads and be maintained in good condition. (Ord. No. 0-97-61; 12/3/97) (Ord. No. 0-2000-27, 4-19-00)