

# Housing Codes for Columbus, Ohio

On July 25, 2008

## I. Introduction

The Housing Code of the City of Columbus, Ohio (Title 45) contains provisions for safety and sanitary conditions, lead-based paint, smoke detectors, unfit buildings, and the responsibilities of owners and occupants. Section II summarizes the healthy housing provisions of the Code. Section III provides relevant excerpts from the Code.

## II. Summary

### Safety and Sanitary Requirements (§§ 4525.01 – 4525.14)

In brief:

- Structures must be “rodentproof,” watertight, and “weathertight.” § 4525.01. The code provides specific rat-proofing requirements. § 4525.10.
- Stairways must have handrails that meet code specifications. § 4525.03.
- Bathroom floor surfaces must be “reasonably impervious to water.” § 4525.04.
- An owner may not rent a dwelling unit “unless it is clean, sanitary and fit for human occupancy.” § 4525.07.

### Light, Ventilation and Heating (§§ 4523.01- 4523.08)

Generally:

- Each habitable room must have at least one window to ventilate the room. § 4523.02.
- Bathroom windows must meet code specifications, unless a ventilation system is used. § 4523.03.
- Each dwelling must have heating facilities capable of heating rooms to at least 70°F in winter. § 4523.05.
- Each opening to the outdoors must have a screen that meets code requirements. § 4523.07.

### Lead-based Paint (§§ 4527.01 – 4527.08)

Generally, the code:

- Prohibits the sale and use of lead-based coatings on dwellings, furniture and other items. § 4527.02.
- Prohibits the sale or manufacture of lead-bearing toys and other items that may be chewed or eaten by children. § 4527.03.
- Declares a dwelling with chipped, peeling or flaking lead-based paint to be a public nuisance. § 4527.05.
- Empowers the City to order an owner to remove or permanently cover chipped, peeled, or flaking lead-based paint. § 4527.07.
- Prohibits retaliatory eviction of a tenant after notice of an inspection. § 4527.08.

### Owner Responsibilities (§ 4551.01)

The owner of a dwelling or dwelling unit must:

- Provide adequate garbage disposal and rubbish storage receptacles or a suitable location for receptacles.
- Maintain a dwelling in a rat-proof condition.

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- Provide and maintain all required screens (unless the occupant agrees to do so.)
- Maintain common areas “in a clean and sanitary condition.”

Also, the owner is responsible for:

- Eliminating insects, rats, or other pests in a dwelling with two or more dwelling units.
  - Compliance with the standards in the code (except for those designated to the occupant).
- § 4551.01.

## Occupant Responsibility

An occupant must:

- Maintain adequate garbage disposal and rubbish storage receptacles if the occupant lives in a dwelling with fewer than three dwelling units.
- Keep plumbing fixtures in a clean and sanitary condition and avoid obstructing their proper functioning.
- Regulate the heating facilities in the dwelling to maintain above freezing temperatures at all times.
- Keep his/her dwelling “in a clean and sanitary condition,” including keeping floors and walking surfaces free of dirt, filth, garbage, human and animal waste, litter, refuse and other unsanitary matter and keeping all walls, ceilings, windows and doorways clean and free of dirt, greasy film, soot and other unsanitary matter.
- Be responsible for eliminating insects, rats, or other pests in his/her premises if the unit is the only one infested (unless the infestation was caused by the improper rat-proofing). § 4551.02. If rat infestation exists, then an occupant may not stack materials outside unless the stack is elevated above ground.

§ 4551.02.

## **III. Excerpts of the Law**

City of Columbus, Ohio, Title 45 Housing Code<sup>1</sup>

### **Article I. Administration**

#### **Chapter 4501 DEFINITIONS**

##### **4501.01 Application of terms.**

- (a) The definitions in this chapter shall apply in the interpretation and enforcement of this Housing Code.
- (b) The definitions and enforcement of this code are interpreted by the property maintenance inspector and the property maintenance appeals board, which as a board rules on the intent of this code and the rules and regulations adopted in connection therewith.
- (c) Whenever the words “dwelling,” “dwelling unit,” “building,” “rooming house,” “rooming unit,” or “premises,” are used in this Housing Code, they shall be construed as though they were followed by the words “or any part thereof.” (Ord. 1254-75; Ord. 859-01 § 1.)

##### **4501.02 Accessory structure.**

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<sup>1</sup> Source: <http://ordlink.com/codes/columbus/index.htm>

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“Accessory structure” means a building or structure the use of which is incidental to that of the main building or structure and which is located on the same lot. (Ord. 356-75.)

## **4501.025 Administrator.**

Repealed by Ordinance 859-01.

## **4501.03 Approved.**

“Approved” means approval by the director under the regulations of this code as applied to a material, device or method of construction or approval by other authorities designated by law, ordinance, or this code to give approval to the matter in question. (Ord. 1552-01 § 3 (part).)

## **4501.04 Basement.**

“Basement” means that portion of a building located partly below grade but having less than one-half (½) of its clear floor-to-ceiling height below the average grade of the adjoining ground. (Ord. 356-75.)

## **4501.05 Bathroom.**

“Bathroom” means a room which affords privacy to a person and is equipped with a flush-water closet, a lavatory basin, and a bathtub or shower. The following clarifying phrases are pertinent to the term “bathroom”:

(a) “A room which affords privacy” shall mean a room, which is completely enclosed when the door is closed.

(b) The “bathroom” is not complete unless the facilities include all of the following items:

(1) A flush water closet;

(2) A lavatory basin;

(3) A bathtub or shower facility;

(4) Adequate heat; and

(5) Heated and unheated water.

(c) The bathroom requirements of subsection (b) above do not preclude the existence of flush water closets and lavatory basins in other locations within a dwelling, but they shall contribute nothing to meeting other requirements. (Ord. 356-75; Ord. 859-01 § 3.)

## **4501.06 Building.**

“Building” means any structure designed or built for the support, use, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind. (Ord. 1254-75.)

## **4501.065 Business building.**

“Business building” means any structure, whether publicly owned or privately owned that is adapted for occupancy for transaction of business, for rendering of professional service, for amusement, for the display, sale, or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, apartment buildings, tenement houses, rooming houses, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, slaughter houses, warehouses, workshops, factories, condominiums and all outhouses, sheds, barns and other structures on premises used for business purposes. (Ord. 859-01 § 4.)

## **4501.07 Cellar.**

“Cellar” means that space in a building located partly or entirely below grade which has one-half (½) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground. (Ord. 356-75.)

## **4501.071 City.**

“City” means the city of Columbus, Ohio. (Ord. 859-01 § 5.)

## **4501.073 Code enforcement officer.**

“Code enforcement officer” means a property maintenance, or a property maintenance inspector trainee, and is a duly authorized representative of the director. (Ord. 1552-01 § 3 (part).)

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## **4501.075 Department.**

“Department” when used without clarification means the department of development. (Ord. 377-95; Ord. 1272-01 § 1 (part).)

## **4501.08 Dilapidated.**

“Dilapidated” means a general condition of decay or extensive disrepair. (Ord. 356-75.)

## **4501.085 Director.**

“Director” when used without clarification means the director of the department of development or his or her designee. (Ord. 1692-98 § 7; Ord. 1272-01 § 1 (part).)

## **4501.087 Division.**

“Division” when used without clarification means the neighborhood services division of the department of development. (Ord. 1552-01 § 3 (part).)

## **4501.09 Dormitory sleeping room.**

“Dormitory sleeping room” means a room providing sleeping quarters for a number of persons. (Ord. 356-75.)

## **4501.10 Dwelling.**

“Dwelling” means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons. (Ord. 356-75; Ord. 859-01 § 8.)

## **4501.11 Dwelling unit.**

“Dwelling unit” means one or more habitable rooms forming a single habitable unit within a dwelling with facilities which are used or intended to be used by one (1) or more persons for living, sleeping, cooking and eating. (Ord. 356-75.)

## **4501.12 Egress.**

“Egress” means a way to travel, including the system of corridors, stairways, exterior stairways, fire escapes and rooms connecting each dwelling unit or rooming unit with the exterior of the building at ground level. (Ord. 356-75; Ord. 859-01 § 9.)

## **4501.13 Exterior stairway.**

“Exterior stairway” means one (1) or more flights of stairs on the outside of a building and the necessary landings and platforms connecting them to form a continuous and uninterrupted passage from one (1) floor to another. Standard fire escapes are not included as exterior stairways. (Ord. 356-75.)

## **4501.14 Extermination.**

“Extermination” means the control and elimination of insects, rodents, or other pests by eliminating their harboring 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. (Ord. 356-75; Ord. 859-01 § 10.)

## **4501.145 Fee schedule.**

“Fee schedule” means the fee schedule adopted pursuant to C.C. 4103.14. (Ord. 1552-01 § 3 (part).)

## **4501.15 Garbage.**

“Garbage” means animal or vegetable waste resulting from the handling, preparation or serving of food. (Ord. 356-75.)

## **4501.16 Habitable room.**

“Habitable room” means enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes excluding bathrooms, water closets, laundries, pantries, foyers or communicating corridors,

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closets and storage spaces. (Ord. 356-75.)

#### **4501.17 Health commissioner.**

“Health commissioner” means the designated health authority of the city of Columbus or his or her authorized representative. (Ord. 356-75; Ord. 859-01 § 12.)

#### **4501.173 Health department.**

“Health department” means the health department of the city of Columbus, Ohio. (Ord. 859-01 § 13.)

#### **4501.177 Health hazard.**

“Health hazard” means that state or condition of the environment, which places, either directly or indirectly, the health or safety of a person in danger or peril. (Ord. 859-01 § 14.)

#### **4501.179 Housing appeals board.**

“Housing appeals board” means the property maintenance appeals board. (Ord. 859-01 § 15.)

#### **4501.18 Housing inspector.**

Repealed by Ordinance 1057-94.

#### **4501.19 Infestation.**

“Infestation” means the presence within or around a dwelling or premises of insects, rodents, vermin or other pests. “Other pests” means animals, which cause a threat to the public health including but not limited to bats, pigeons, or raccoons. (Ord. 356-75; Ord. 859-01 § 16.)

#### **4501.191 Insanitary condition.**

“Insanitary condition” and “unsanitary condition” mean any environmental condition that may produce an unhealthy or unsafe condition. (Ord. 859-01 § 17.)

#### **4501.192 Jobs development.**

Repealed by Ordinance 1057-94.

#### **4501.193 Insect.**

“Insect” means any member of a class of usually winged invertebrates with three (3) pair of legs and not limited to flies and roaches. (Ord. 859-01 § 18.)

#### **4501.195 Interior public area.**

“Interior public area” means any area within a dwelling accessible to all occupants such as, but not limited to, the required living room, dining room, and kitchen; and any area through which an occupant must travel to enter a sleeping area. (Ord. 595-96.)

#### **4501.196 Keeper.**

“Keeper” or “proprietor” includes all persons, whether acting by themselves or as a servant, agent, or employee of a premise or property. (Ord. 859-01 § 19.)

#### **4501.197 Materials from construction or demolition.**

“Materials from construction or demolition” shall include but not be limited to such materials as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring and insulation. (Ord. 859-01 § 20.)

#### **4501.20 Multiple dwelling.**

“Multiple dwelling” means any dwelling containing two (2) or more dwelling units including those units sharing bathrooms, but shall not include rooming units as defined under “rooming units,” Section 4501.33. (Ord. 356-75; Ord. 859-01 § 21.)

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## **4501.21 Occupant.**

“Occupant” means any person living, sleeping, or cooking in, or having actual possession of a dwelling unit, rooming unit or other building or part or fraction thereof. In the case of vacant structures, buildings or premises, the owner or agent or other person having custody of the building, structure or premises shall have the responsibility of an occupant of same. (Ord. 1254-75; Ord. 859-01 § 22.)

## **4501.22 Operator.**

“Operator” means any person who has charge, care, or control of a building, or part thereof, in which dwelling units or rooming units are let.

“Operator” also means any person who rents to another or others or who has charge, care or control of a building or part thereof, in which dwelling units, rooming units, or hotel units are let, or who has charge, care or control of any premises or part thereof upon which no structures have been erected or upon which nondwelling structures are present. (Ord. 356-75; Ord. 859-01 § 23.)

## **4501.23 Organization.**

“Organization” means a corporation for profit or not for profit, partnership, limited partnership, joint venture, unincorporated association, estate, trust, or other commercial or legal entity. Organization does not include an entity organized as, or by, a governmental agency for execution of a governmental program. (Ord. 356-75.)

## **4501.24 Owner.**

“Owner” means the owner of record as shown on the current tax list of the county auditor; the mortgage holder of record, if any, as shown in the mortgage records of the county recorder; and any purchaser under a land contract. “Owner” also means any person who has a freehold or lesser estate in the premises; a mortgagee or vendee in possession; or any person who has charge, care or control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian or lessee. (Ord. 1692-98 § 8.)

## **4501.25 Person.**

“Person” means any individual, firm, corporation, association, partnership, agent, operator, business trust, estate, syndicate, cooperative, or any entity recognized by law, or anyone in control of a premise or property. (Ord. 356-75; Ord. 859-01 § 24.)

## **4501.26 Plumbing.**

“Plumbing” means all of the following supplied facilities and equipment: water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connection to water and sewer lines. (Ord. 356-75.)

## **4501.27 Premise or premises.**

“Premise” or “premises” means land(s) and everything of a permanent nature attached thereto as part of the realty, a platted lot or part thereof or unplatted lot or parcel of land or plot of land either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure or other structure thereon.

“Premise” or “premises” shall, for purposes of this code, include all land(s) to the centerline of the street, alley, or right-of-way which this code designates certain responsibilities to a person. (Ord. 356-75 ; Ord. 859-01 § 25.)

## **4501.271 Property.**

(a) “Property” means real and personal property.

(b) “Personal property” includes all property except real property.

(c) “Real property” includes lands, tenements and hereditaments. (Ord. 859-01 § 26.)

## **4501.273 Property maintenance appeals board.**

“Property maintenance appeals board” includes the term housing appeals board. (Ord. 859-01 § 27.)

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## **4501.274 Property maintenance inspector.**

“Property maintenance inspector” or “property maintenance inspector trainee” means a “code enforcement officer,” and is a duly authorized representative of the director. (Ord. 859-01 § 28.)

## **4501.275 Public nuisance.**

“Public nuisance” means any structure or vehicle, which is permitted to be or remain in any of the following conditions:

(A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or

(B) A fire hazard; or

(C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or

(D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

“Public nuisance” also means any structure, vehicle, or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

“Public nuisance” means any of the following:

1. Any building, premises, or real estate, including vacant land, or any appurtenance thereto which is not in compliance with any building, housing, nuisance abatement, air pollution, sanitation, health, fire, zoning, or safety code of the city of Columbus;

2. Any building, premises, or real estate, including vacant land, or any appurtenance thereto upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment;

3. Any building, premises, or real estate, including vacant land, or any appurtenance thereto on, which a felony violation of Ohio Revised Code Chapters 2925 or 3719 has occurred;

4. Any building, premises, or real estate, including vacant land, or any appurtenance thereto as defined as a nuisance or public nuisance in Ohio Revised Code Chapter 3767.

5. Any building, premises, or real estate, including vacant land, or any appurtenance thereto that is used or occupied by a criminal gang (as defined in RC 2923.41) on more than two (2) occasions within a one (1)-year period to engage in a pattern of criminal gang activity (as defined in RC 2923.41).

6. Any building, premises, or real estate, including vacant land, or any appurtenance thereto used in violation of Ohio Revised Code Chapter 2915. (Ord. 1692-98 § 9; Ord. 859-01 § 29; Ord. 374-06 § 12.)

## **4501.28 Rain carrier.**

“Rain carrier” means a drainage device such as gutters or downspouts used to remove drainage water from roof surfaces of any building or structure. (Ord. 356-75.)

## **4501.283 Refuse.**

“Refuse” means all putrescible and nonputrescible solids, except body wastes, including but not limited to garbage, rubbish, ashes and dead animals. (Ord. 859-01 § 30.)

## **4501.285 Refuse container.**

“Refuse container” means a watertight, insect-proofed container that is constructed of metal or other durable material impervious to rodents, and that is capable of being serviced without creating insanitary conditions, or such other acceptable refuse containers that may be used for acceptable waste disposal as determined by the director of public service or his or her duly authorized representative. Openings into the container, such as covers and doors, shall be tight fitting. (Ord. 859-01 § 31.)

## **4501.29 Rat harborage.**

Repealed by Ordinance 859-01.

## **4501.30 Ratproofing.**

Repealed by Ordinance 859-01.

## **4501.305 Regulations.**

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Repealed by Ordinance 859-01.

## **4501.31 Repair.**

“Repair” means to restore to sound condition. The term “repair” here includes renewal, replacement, or reinforcement, of an existing part of a structure but excludes additions made to, or remodeling of a structure. (Ord. 356-75; Ord. 859-01 § 32.)

## **4501.315 Rodent harborage.**

“Rodent harborage” means any space where rodents live, nest or seek shelter, any condition which provides shelter or protection for rodents in, under, or outside of a structure of any kind or an accumulation of any type of material which might provide such rodent shelter or protection. (Ord. 859-01 § 33.)

## **4501.317 Rodent-proofing.**

“Rodent-proofing” means a form of construction which will prevent the egress of rodents to or from a given space or building, or gaining access to food, water or harborage. This construction consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rodents by climbing, burrowing or other methods, by the use of materials impervious to rat gnawing and other methods approved by the appropriate authority. (Ord. 859-01 § 34.)

## **4501.32 Rooming house.**

“Rooming house” means and includes every dwelling, other than hotels and motels, kept, used or held out to be a place where sleeping or lodging rooms are offered for pay to three (3) or more persons and shall include but not be limited to uses defined in the Zoning Code at Chapter C.C. 3303 as “apartment hotel,” “boarding home,” “residential care facility,” “rooming house” and “shared living facility.” (Ord. 2856-91.)

## **4501.33 Rooming unit.**

“Rooming unit” means any room or group of rooms in a rooming house which are used or intended to be used for living and sleeping, but not for cooking and eating purposes. (Ord. 356-75.)

## **4501.34 Rubbish.**

“Rubbish” means combustible and noncombustible waste materials including such items as paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin can, metals, mineral matter, glass, crockery, dust, and the residue from the burning of wood, coal, coke and other combustible material. (Ord. 356-75; Ord. 859-01 § 35.)

## **4501.35 Safe load.**

“Safe load” means the minimum live load indicated in the Building Code. (Ord. 1254-75.)

## **4501.36 Safety.**

“Safety” means the condition of being free from danger and hazards which may cause accidents or disease. (Ord. 356-75.)

## **4501.365 Semi-solid.**

“Semi-solid” means that material while cohesive and viscous, flows slowly or loses its shape when unconfined, but does not readily release liquids under normal climatic conditions. (Ord. 859-01 § 36.)

## **4501.37 Service walk steps.**

“Service walk steps” mean any steps which are part of the service walk, the sidewalk connecting a dwelling with the public sidewalk. (Ord. 356-75.)

## **4501.377 Solid waste.**

“Solid waste” means residual solid or semi-solid material as results from industrial, commercial, agricultural or residential operations, including but not limited to garbage, rubbish, furniture, appliances, yard waste, liquid waste, animal waste, chemical waste, hazardous waste, construction debris, demolition

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debris, scrap lumber, tires, scrap metal, vegetable waste, boxes, cartons, paper, ashes, tin cans, bottles, broken glass, metals, rubber, plastics and all other nauseous or offensive materials resulting from human habitation or business or manufacturing enterprises. (Ord. 859-01 § 37.)

## **4501.38 Space heater.**

“Space heater” means a room heater which is a self-contained above-the-floor device for furnishing heated air through openings in its casing directly into the space in which the device is located or immediately adjacent to it. The device may be freestanding or recessed in a wall or partition. (Ord. 356-75.)

## **4501.383 State.**

“This state” or “state” means the state of Ohio. (Ord. 859-01 § 38.)

## **4501.387 Street.**

“Street” includes avenues, boulevards, lanes, roads, highways, viaducts and all other public thoroughfares within the city. (Ord. 859-01 § 39.)

## **4501.39 Structure.**

“Structure” means anything constructed to serve any purpose. (Ord. 356-75.)

## **4501.40 Supplied.**

“Supplied” means paid for, furnished, or provided by or under the control of, the owner or operator. (Ord. 356-75.)

## **4501.405 Tenant.**

“Tenant,” as applied to premises, includes any person holding a written or oral lease, or who actually occupies the whole or any part of such premises, alone or with others. (Ord. 859-01 § 40.)

## **4501.41 Total habitable room area.**

“Total habitable room area” means the total floor space of all habitable rooms having a ceiling height of five (5) or more feet. (Ord. 356-75.)

## **4501.415 Unsanitary condition.**

“Unsanitary condition” and “insanitary condition” mean an environmental condition that may produce an unhealthy or unsafe condition. (Ord. 859-01 § 41.)

## **4501.42 Vacant building.**

“Vacant building” means; (1) a dwelling or dwelling unit which is not being occupied as a home, residence, or sleeping place for one or more persons under a lease, rental agreement or permission of the owner; or (2) any building or structure that is not being used for any purpose; or (3) dwelling or dwelling unit that has been ordered vacant or becomes vacant by virtue of being declared unfit for habitation by a code enforcement officer. (Ord. 356-75; Ord. 1741-97 § 1 (part).)

## **4501.43 Ventilation.**

“Ventilation” means the supply and removal of air to and from a space by natural or mechanical means. (Ord. 356-75.)

## **4501.44 Vermin.**

“Vermin” includes but is not limited to insects, lice, spiders, mites, ticks, rats and mice which threaten human health and safety. (Ord. 859-01 § 42.)

## **4501.45 Weeds.**

“Weeds” shall mean those plant species including but not limited to, brush, vines or shrubs as listed in Chapter 901:5-31 of the Ohio Administrative Code, titled “Noxious Weeds,” and Chapter 901:5-37 of the Ohio Administrative Code, titled “Other Prohibited Noxious Weeds,” and thistles, burdock, jimson weed,

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ragweed, milkweed, mullein, poison ivy, poison oak, grass or other plant species of rank growth which may potentially create, directly or indirectly, an unhealthy or unsafe condition. (Ord. 859-01 § 43.)

**Chapter 4503 POLICY AND APPLICATION; RULES AND REGULATIONS (Omitted)**

**Chapter 4505 PROPERTY MAINTENANCE APPEALS BOARD (Omitted)**

**Chapter 4507 INSPECTIONS (Omitted)**

**Chapter 4509 ENFORCEMENT; NOTICE; PENALTIES (Omitted)**

**Chapter 4513 BUILDINGS UNFIT FOR HABITATION**

## **4513.01 General provision.**

The designation of buildings or structures as being unfit for human habitation or use and the procedure for the declaration and posting of such building or structure shall be carried out in accordance with the requirements set forth in this chapter. (Ord. 897-05 § 9 (part).)

## **4513.03 Designation of buildings as unfit for habitation.**

Any building or structure which shall be found by the director to have any of the following defects is hereby declared a public nuisance and shall be declared as unfit for human habitation or use and shall be so posted by the code enforcement officer.

A. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it is hazardous to the health or safety of the occupants or of the public.

B. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

C. One which because of its general conditions is unsanitary or otherwise hazardous to the health or safety of the occupants or of the public. In addition to serving the notice declaring the building as unfit for human habitation or use as required in this code, the notice shall be posted upon the building. (Ord. 897-05 § 9 (part): Ord. 374-06 § 14.)

## **4513.05 Vacation of premises.**

No owner or other person shall continue to occupy or use or let the permit to be occupied or used or let by another for occupancy or use any building or structure which has been declared as unfit for human habitation or use. The building or structure shall be vacated within a reasonable time as ordered by the code enforcement officer. (Ord. 897-05 § 9 (part).)

## **4513.07 Notices.**

Whenever the code enforcement officer determines that a building or structure is unfit for human habitation or use, the code enforcement officer shall:

A. Serve notice pursuant to Section 4509.02; and

B. Affix to such building or structure or portion thereof, upon the door or entrance thereto, a notice on which shall be printed a declaration that such building or portion thereof is unfit for human habitation. The code enforcement officer shall remove such notice whenever the violation or violations upon which the declaration and posting of the notice action were based have been eliminated. (Ord. 897-05 § 9 (part).)

## **ARTICLE III. STANDARDS**

**Chapter 4521 BASIC EQUIPMENT AND FACILITIES (Omitted)**

**Chapter 4523 LIGHT, VENTILATION AND HEATING**

## **4523.01 Window area required.**

Every habitable space shall be provided with natural light not less than that transmitted through clear window glass equal in area to 5 percent of the floor area of such space; natural light is not required in kitchenettes, kitchens, dining areas, utility areas, hallways and water closets of apartments, dwellings, and household units and hallways and stairways outside a dwelling unit. The light shall be provided by at least

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one window or skylight facing directly to the outdoors. Whenever light is obstructed from a window by a structure that extends above the top of the window and is closer than three (3) feet to the window, 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. Artificial lighting and mechanical ventilation may be provided in lieu of the required window area provided the artificial lighting and mechanical ventilation was installed in conformance with the Columbus Building Code. (Ord. 356-75.)

## **4523.02 Openable window area.**

Every habitable room shall have at least one window or skylight which can be opened or such other device as will adequately ventilate the room. Where natural ventilation only is provided, the total openable window area in every habitable room shall be equal to at least fifty (50) percent of the minimum window area size or minimum skylight-type window size. (Ord. 356-75.)

## **4523.03 Windows in bathrooms.**

The window area in bathrooms shall be not less than two (2) square feet and not less than one-half (1/2) such area shall be capable of being opened, except that windows are not required in bathrooms equipped with a ventilation system approved by the code enforcement officer. (Ord. 1057-94.)

## **4523.04 Electricity requirements.**

(a) All dwellings and dwelling units not already connected to a source of electric power that are within three hundred (300) feet of available electric power lines must be connected to such power lines. In addition, all electrical services shall meet the following requirements:

- (1) All electrical service connection shall be installed or replaced in accordance with the Building Code of the city.
  - (2) All electrical wiring, connection, fixtures, breakers and switches shall be properly installed and shall be maintained in good and safe working condition free from defects and hazards to life and property.
  - (3) No temporary wiring may be used in any dwelling or dwelling unit except as approved by the Electrical Inspector or other authorized inspector under the City Building Code.
  - (4) Extension cords may be used to connect portable electric loads to a source of power. Such cords may not be used where the electric current to be supplied would exceed the cord's carrying capacity.
  - (5) Extension cords may not be passed through open doorways or windows or under floor coverings; they may not be placed in such a position that the passage of traffic over them could result in damage to the insulation.
  - (6) No more than two portable appliances may be connected to a single outlet.
  - (7) Maximum fuse sizes shall be clearly posted on all fuse boxes. Fuses in excess of the posted maximum are not permitted. Proper amperage type S fuses may be installed in lieu of posting maximum fuse sizes. The fuse box shall be accessible at all times to the occupants of each dwelling or dwelling unit.
- (b) Every habitable room of a dwelling or dwelling unit shall contain at least two separate wall-type electric convenience outlets, or one such convenience outlet and one supplied ceiling-type electric light fixture except that kitchens shall be provided with at least one wall-type electric convenience outlet for each sixty (60) square feet or fraction thereof of total floor area, and in no case less than two (2) such outlets.
- (c) Every water closet compartment, bathroom, laundry room, and furnace room shall contain at least one supplied ceiling or wall-type light fixture. Every such fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power.
- (d) No ceiling or wall fixture shall be used to supply power to equipment other than that for which it is designed or capable of safely supplying. (Ord. 1057-94.)

## **4523.05 Heating facilities required.**

- (a) Every dwelling and dwelling unit shall have heating facilities which are properly installed, vented and maintained in safe operating condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments located therein to a temperature of at least seventy (70) degrees Fahrenheit when the outside temperature is zero (0) degrees Fahrenheit.
- (b) It shall be the responsibility of the occupant to operate the heating facilities in order to maintain temperatures at all times in all portions of the dwelling or dwelling unit and the premises which he occupies

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and controls so as to prevent injury or damage to water pipes and plumbing whenever operation of the heating facilities is under his control.

(c) It shall be the responsibility of the owner, operator or agent to operate the heating facilities in order to maintain at least seventy (70) degrees Fahrenheit temperature when the outside temperature is zero (0) degrees Fahrenheit or above in all portions of the dwelling or dwelling unit and the premises which he occupies or controls so as to prevent injury to the health of the occupants or damage to water pipes and plumbing whenever operation of the heating facilities is under his control.

(d) Unvented space heaters are prohibited.

(e) A clearance of at least twelve (12) inches for the rear and sides and at least twenty-four (24) inches for the top and front of all room or space heaters is required.

(f) Open flame radiant type space heaters are prohibited.

(g) Burning of coal or wood in a fireplace not designed for such use is prohibited. (Ord. 356-75.)

## **4523.06 Lighting in halls or stairways.**

Every public hall and stairway in every dwelling containing five (5) or more dwelling units shall be provided with sufficient natural and artificial lighting facilities and fixtures to insure safe passage at all times. Every public hall and stairway located in structures devoted solely to dwelling occupancy containing not more than four (4) dwelling units may be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on and off when needed, instead of full-time lighting. (Ord. 356-75.)

## **4523.07 Screening.**

In every dwelling or dwelling unit all openings to outdoor space necessary for ventilation purposes shall be equipped with screening from May 1, to October 31. All screening required under this section shall be not less than sixteen (16) meshes to the square inch and shall be installed and maintained in a manner affording reasonable protection against entry into the dwelling or dwelling unit of flies, mosquitoes and other insects. (Ord. 356-75.)

## **4523.08 Structural spaces.**

Spaces such as basements, cellars, loft areas, attics and enclosed crawl spaces shall be provided with openings of sufficient size such as will provide natural ventilation to overcome dampness, minimize the effect of conditions conducive to decay and deterioration of the structure, and prevent excessive heat in attics. Mechanical ventilation may be provided in lieu of natural ventilation provided the mechanical ventilation was installed in conformance with the Columbus Building Code. (Ord. 356-75.)

## **Chapter 4525 SAFETY AND SANITARY REQUIREMENTS**

### **4525.01 Structure to be watertight, rodentproof and weathertight.**

Every foundation, floor, exterior wall and roof shall be substantially watertight, rodentproof and weathertight. Their supporting members shall be sound and in good repair. (Ord. 1254-75.)

### **4525.02 Windows, doors and hatchways.**

Every window used for ventilation, exterior door, and basement hatchway shall be substantially weathertight and shall be kept in sound working condition and good repair. Every window not used for ventilation shall be kept in good repair.

No doorway shall be less than seventy-eight (78) inches in clear height or less than twenty-four (24) inches in width for each bathroom, thirty (30) inches in width for each habitable room or service door, twelve (12) inches in width for each closet, and thirty-two (32) inches in width to a public stairway or exit. (Ord. 356-75.)

### **4525.03 Stairs and porches.**

Every interior and exterior stairway, every porch, and every appurtenance thereto shall be constructed so as to be safe to use and capable of supporting a normal load. The stairway shall be kept in sound condition and in good repair. Stairway handrails and balusters shall be structurally sound, firmly fastened, maintained in good condition, and thirty (30) to forty-two (42) inches high.

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Interior stairways shall meet the following requirements:

- (a) A handrail shall be placed on at least one side of any stairway which has a total rise of thirty-six (36) inches or more.
- (b) Any stairway extending between two floors shall have handrails on all unenclosed sides.
- (c) Balusters no more than six (6) inches apart or other approved means of protection against falls shall be provided wherever handrails are required.

Exterior stairways shall meet the following requirements:

- (a) A handrail shall be placed on at least one side of any stairway which has a total rise of twenty-four (24) inches or more.
- (b) Any stairway extending to the second floor or above shall have handrails on all unenclosed sides.
- (c) Porches, balconies, and stoops located more than thirty-six (36) inches higher than the adjacent area shall have handrails on all open sides.
- (d) Balusters no more than six (6) inches apart or other approved means of protection against falls shall be provided wherever handrails are required. (Ord. 356-75.)

#### **4525.04 Bathroom floor surfaces.**

Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water, to permit such floor easily to be kept in a clean and sanitary condition, and to prevent water damage to the structure. Bathroom carpeting is permitted if the underlying floor meets the above requirements. (Ord. 356-75.)

#### **4525.05 Safe equipment and facilities.**

Every facility, piece of equipment or utility which is supplied or required to be supplied shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition. (Ord. 356-75.)

#### **4525.06 Discontinuance of service or facility.**

No owner or other person, except a public utility company or private supplier for nonpayment of a utility bill, shall remove, shut off, discontinue, interrupt or cause the removal, shut off, discontinuance or interruption of any service, facility, equipment or utility which is required under this Housing Code from any occupied dwelling except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during emergencies when discontinuance is approved by the Development Regulation Administrator. Failure or neglect by an owner who has responsibility for payment of a utility bill for any unit he does not occupy to pay such bill with a resulting shut off of the utility shall be construed as causing the shut off. (Ord. 1057-94.)

#### **4525.07 Clean and sanitary dwelling.**

No owner or operator shall let to any other person and allow occupancy to begin in any dwelling or dwelling unit unless it is clean, sanitary and fit for human occupancy. (Ord. 356-75.)

#### **4525.08 Rain carriers.**

The owner of any dwelling shall be responsible for the installation and maintenance of adequate rain carriers where the absence thereof creates a structural or a health hazard. (Ord. 356-75.)

#### **4525.09 Fire prevention.**

- (a) The owner or operator of any multiple dwelling, rooming house or dwelling unit sharing a bath shall be responsible for the installation and maintenance of all fire prevention appliances and devices and the implementation and continuity of all fire prevention practices as required by the Columbus Building Code, the Columbus Fire Prevention Code and this Housing Code. No owner or operator shall let to another person for occupancy or permit occupancy by another person of any multiple dwelling or portion thereof, or any rooming house or portion thereof, or any dwelling unit sharing a bath or portion thereof that does not meet the requirements set forth in this section.
- (b) No owner, operator or occupant of any dwelling or dwelling unit shall cause, create or suffer conditions not in compliance with the requirements set forth in this section.

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- (1) No flammable liquid other than fuel oil for oil burner service or fuel required for maintenance or equipment operation shall be stored in dwellings or accessory structures. Storage of fuel for maintenance or equipment operation in dwellings with three or less dwelling units shall not exceed ten gallons and shall be in closed metal containers or safety cans. Storage of fuel for building maintenance or equipment operation in dwellings with four or more dwelling units shall be in closed metal containers stored in a storage cabinet or in safety cans or in an inside storage room not having a door that opens into that portion of the building used by the public.
- (2) Flammable materials may not be stored or kept within three feet of heating equipment or of chimneys which vent heating equipment.
- (3) No materials or other matter shall be placed, kept or allowed to accumulate in places where such placement, keeping or accumulation may block or hinder egress from the dwelling.
- (4) Every dwelling shall have its legal address number posted in compliance with Chapter 907 of Columbus City Codes, 1959.
- (5) Fire escapes where required or installed shall be kept in good order and repair and shall be reasonably protected from deterioration by paint or other approved methods.
- (6) All rooming houses and all dwelling units sharing a bathroom shall be equipped with an alarm approved by Underwriters Laboratories or Factory Mutual Research Corp. which is sensitive to any of the products of combustion except that those sensitive to heat only are not acceptable. An alarm shall be installed adjacent to, but outside of, sleeping rooms in such a manner that the alarm signaling device shall be clearly audible in all bedrooms when all intervening doors are closed. For the purpose of installation and maintenance only the applicable sections of National Fire Protective Association No. 74 "Standard for the Installation, Maintenance and Use of a Household Fire Warning System" shall be accepted. (Ord. 997-86.)

## **4525.10 Rat-proofing.**

Every dwelling, accessory structure, and premises thereof shall be maintained in a rat-free and rat-proof condition as follows:

- (a) All ventilation, lighting, access or other openings of 1/2 inch or more which are accessible to rats shall be rat-proofed by grilles, sheet metal, hardware cloth, tight fitting metal covers and frames or other method approved by the code enforcement officer.
- (b) Any enclosure or crawl space under a structure which creates a potential rat harborage shall be rat-proofed at all places where a rat could create an opening to the building.
- (c) The lower edge of all exterior doors shall not be more than three-eighths (3/8) inch above the threshold.
- (d) Skylights accessible to rats shall be tight fitting, constructed of approved rat-proof materials, and screened with hardware cloth or expanded metal if openable.

In addition to the above requirements, the following provisions apply to any dwelling, accessory structure and premises where it is determined that rat infestation exists:

- (a) The lower eight (8) inches of each wooden exterior door shall be covered by sheet metal in a safe and rat-proofed manner.
- (b) Each exterior door shall have an automatic door closing device or a screen door with such a device.
- (c) Any space between two buildings which is too small to permit inspection of the exterior walls of each building shall be sealed without obstructing drainage so as to prevent rat entrance.
- (d) Following extermination by an approved means, all rat holes or burrows shall be eliminated or filled with earth or other suitable material.
- (e) Any stacking of materials on the exterior of the premises shall be elevated twelve inches from the ground and shall not be placed against the walls of the structure. (Ord. 1057-94.)

## **4525.11 Exterior of premises.**

All buildings or parts thereof including accessory structures shall be maintained in a decent, safe and sanitary condition in compliance with, but not restricted to, the following requirements:

- (a) All exterior wood surfaces, other than approved wood surfaces which do not require any decay preventative treatment, shall be protected from the elements by paint or other protective covering or treatment that adheres in all places.
- (b) All driveways, fire escapes, porches, sidewalks, exterior stairways, yards and entire premises shall be reasonably clean and free from filth, garbage, noxious weeds, refuse or other debris, free from hazardous

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objects or conditions such as excavations, holes and dead or dying trees so as to afford safe passage and use; and in good repair.

(c) All premises shall be graded and drained. Grading shall be done to assure drainage away from basement walls. (Ord. 1254-75.)

## **4525.12 Floors and interior walls, ceilings and doors.**

Floors and interior walls, ceilings and doors and their supporting members shall be sound and in good repair. (Ord. 1254-75.)

## **4525.13 Fences.**

(a) All fences and gates shall be maintained in good condition. Wood materials, other than decay resistant woods, shall be protected against decay by use of paint or other preservative.

(b) No person shall erect, construct or maintain any electric fence, barbed wire fence or a fence having wire or metal prongs or spikes within a residential district or on property which abuts residential property unless such fence is required to protect the public from hazardous equipment or from a club or commercial swimming pool. (Ord. 356-75.)

## **4525.14 Concrete, brick and masonry work.**

Structural concrete, brick and masonry work including sidewalks and retaining walls shall be sound, free of extensive mortar voids, holes, cracks and loose components. (Ord. 1254-75.)

## **Chapter 4527 LEAD BASED COATINGS AND LEAD BEARING SUBSTANCES**

### **4527.01 Definitions.**

For purposes of this chapter the following definitions shall apply:

(a) "Lead-based coatings" shall mean any paint, lacquer, or other applied liquid surface coating or putty which contains a quantity of lead more than five-tenths of 1 per centum (0.5 of 1%) lead by weight, calculated as lead metal, in the total nonvolatile content of liquid paints, or such standard, not to exceed five-tenths of 1 per centum (0.5 of 1%) in coatings as may hereafter be established by federal law or regulation.

(b) "Lead-bearing substances" shall mean any structural substance or material which contains 0.3 milligram per square centimeter or more of metallic lead, based upon the total nonvolatile content of the substance.

(c) "Surface" shall mean the outermost layer or superficial area of the interior or exterior of a dwelling or dwelling unit including but not limited to the walls, ceilings, floors, stairs, windows, window sills, window frames, baseboards, decks, porches, railings, woodwork, metal work, trim and fixtures of a dwelling or dwelling unit. (Ord. 356-75.)

### **4527.02 Lead-based coatings.**

No person shall sell, use or apply lead-based coatings which may be inhaled, ingested or absorbed and which are intended for use:

(a) In or upon any exposed surface of any dwelling or dwelling unit readily accessible or hazardous to children.

(b) In or upon fixtures or objects used, installed or located upon exposed surfaces of any dwelling or dwelling unit readily accessible or hazardous to children.

(c) In or upon furniture, toys, playground equipment, cooking, eating or drinking utensils or food or liquid containers. (Ord. 356-75.)

### **4527.03 Other lead-bearing substances.**

No person shall sell or manufacture the following lead-bearing items:

(a) Fixtures, objects, toys or furniture which may be chewed or eaten by children.

(b) Cooking, eating or drinking utensils or containers for food or liquid which may be chewed or eaten by children. (Ord. 356-75.)

### **4527.04 Warning statement.**

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(a) Within 30 days of the effective date of this chapter, all lead-based coatings existing in dealer or manufacturer inventories, or any coating to be manufactured for sale to the general public within the city within thirty (30) days after this chapter becomes effective shall be required to be marked with the following stick-on-label:

[*Warning Statement omitted.*]

## **4527.05 Public nuisance.**

Any dwelling or dwelling unit in which interior or exterior surfaces readily accessible or hazardous to children contain loose, chipped, peeling or flaking paint or plaster containing 0.3 milligram per square centimeter or more of metallic lead is hereby declared to be a public nuisance. (Ord. 356-75.)

## **4527.06 Inspection and notice.**

The Division shall inspect dwellings or dwelling units for the presence of lead-based coatings contained in loose, chipped, peeling or flaking paint or plaster or lead-bearing substances upon its own initiative or upon complaint. It may remove samples necessary for laboratory analysis.

Upon determination of the presence of metallic lead in a quantity of 0.3 milligram per square centimeter or more in the paint or plaster notice shall be given to the owner and all occupants by certified mail, return receipt requested, and shall be posted in a conspicuous place upon the dwelling or dwelling unit.

Upon determination of the presence of metallic lead in a quantity of 0.3 milligram per square centimeter or more in said paint or plaster, the Division shall notify the health commissioner of the names and addresses of all occupants of the dwelling or dwelling unit and the names and addresses of the owners of the dwelling or dwelling unit. Occupant families with children six (6) years of age or younger shall be informed by the Division of the lead poisoning testing and treatment program available through the Columbus department of health. All physicians, nurses or public health officials who diagnose or suspect lead poisoning in any person shall report such findings to the Columbus health commissioner. The commissioner of health shall report such findings to the Division. (Ord. 525-84.)

## **4527.07 Enforcement; Division may perform work.**

(a) When the Division determines the presence of loose, chipped, peeled, or flaking paint or plaster which contains more than 0.3 milligram per square centimeter or more of lead-bearing substances upon any interior or exterior surface or fixture, the Division shall order the owner or owners to remove or permanently cover such paint or plaster in a manner approved by the Columbus health commissioner. The process of removal shall be accomplished in a manner which is not dangerous to the health of human beings and shall provide for the elimination and safe disposal of all flakes, chips and debris containing lead-bearing substances.

(b) If, after ten (10) days following the date of notification to the owner, the removal of lead-bearing substances has not begun and the owner of the dwelling or dwelling unit has not requested a hearing as provided by Section 4509.02, the Division may contract to have the work done. The Division shall cause the cost of such repair to be charged against the land on which the building exists as a municipal lien or to be recovered in a civil suit against the owner.

(c) There is hereby established a fund to treat surfaces containing 0.3 milligram per square centimeter or more of metallic lead if the owner or owners of the dwelling or dwelling unit fail to comply with the order of the Division made pursuant to Section 4527.07(a). The fund shall be reimbursed from the costs recovered pursuant to (b) above. (Ord. 525-84.)

## **4527.08 Retaliatory eviction prohibited.**

No owner of any dwelling or dwelling unit, after receiving notice of an inspection under this chapter, shall engage in retaliatory action against an occupant of the affected dwelling. It is presumed any such retaliatory action by the owner is in violation of Section 4509.07. (Ord. 356-75.)

## **Chapter 4529 SMOKE DETECTORS**

### **4529.01 Purpose.**

Since fire is the third leading cause of accidental death with residential occupancy fires accounting for most fire fatalities; most of these deaths occur at night during the sleeping hours; detectable quantities of smoke

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generally precede the development of hazardous atmospheres; and smoke detectors save lives; smoke detectors are required in all new and existing dwelling units in order to warn occupants of the need to escape.

Smoke detectors have been required in new dwelling units in Columbus since April 26, 1978. There is a greater risk of fire in older residential buildings but the Building Code requires installation and maintenance of smoke detectors in such buildings only in conjunction with an alteration, repair or addition. C.C. 4525.09 required installation and maintenance of smoke detectors in all rooming houses and all dwelling units sharing a bathroom. One-, two- and three-family dwellings existing prior to April 26, 1978, were not covered unless an alteration, repair or addition requiring a permit occurred.

This chapter places the responsibility for smoke detector installation, repair and replacement generally upon the owner. However, recognizing a non-occupant's difficulty in making weekly tests suggested by the NFPA Standard No. 74 and the life-saving regulatory purpose, the responsibility for maintenance is placed upon the occupant whose life is at stake and who has the greater access and information. (Ord. 2509-88.)

## **4529.02 Definitions.**

For the purposes of this chapter the terms in C.C. 4529.03 to 4529.07, inclusive, shall have the meanings given therein. (Ord. 2509-88.)

## **4529.03 Hard-wired.**

"Hard-wired" means directly connected to the electrical power supply of the building, whose power source is required for smoke detectors in any building constructed after April 26, 1978. (Ord. 2509-88.)

## **4529.04 Sleeping area.**

"Sleeping area" means an area of a dwelling unit containing bedrooms which are separated from each other by no use area other than a bathroom. "Separate sleeping area" means an area containing bedrooms which is separated from the sleeping area by a use area such as a kitchen or living room (but not a bathroom). (Ord. 2509-88.)

## **4529.05 Split level.**

"Split level" means adjacent levels with less than one full story separation between levels. (Ord. 2509-88.)

## **4529.06 Smoke detector.**

"Smoke detector" means an approved device which detects visible or invisible particles of combustion and which emits an audible signal indicating a fire condition or both an audible and a visible signal indicating a fire condition. (Ord. 2509-88.)

## **4529.07 Story.**

"Story" means that portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above. (Ord. 2509-88.)

## **4529.08 Installation required.**

The owner of a new dwelling unit shall install required smoke detectors therein according to the Building Code standards in C.C. Titles 41 and 43. If an existing dwelling unit is occupied, the owner shall install required smoke detectors therein according to the standards of this chapter (see 4529.13).

If such unit is vacant, the required smoke detectors shall be installed prior to occupancy. Each alarm should be clearly audible in all bedrooms on the floor where each such alarm is located over the noise of a humidifier or air conditioner with all intervening doors closed.

Hard-wired smoke detectors are required in any one-, two-, or three-family residential building constructed after April 26, 1978. Smoke detectors powered solely by battery shall be permitted in any dwelling units constructed prior to April 26, 1978 regardless of the number of dwelling units in said structure.

The hard-wiring and location requirements of Sections 4529.03, 4529.08, and 4529.09 of the City Code shall not apply to existing structures which have smoke detectors and which otherwise comply with the smoke detector wiring and location requirements in effect at the time of the construction of said structures. Compliance with the location requirements of this chapter may be achieved by installing battery powered smoke detectors. (Ord. 2525-90.)

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## **4529.09 Location.**

Smoke detectors should be positioned relative to stairways. Another logical location for a smoke detector is the center of the ceiling, closest to all areas of the room.

(A) A smoke detector shall not be positioned on a wall more than twelve (12) inches below the ceiling or in the dead air space [which exists approximately four (4) inches along the ceiling from the corner or four (4) inches down the wall] as illustrated by Figure A.

*[Graphics and related text omitted]*

## **4529.10 Equipment.**

(A) All devices, combinations of devices, and equipment required by this chapter shall be installed in conformance with this chapter and the Building Code, which includes National Fire Protection Association Standard No. 74.

(B) Smoke detectors shall be installed in accordance with the manufacturer's instructions. (Ord. 2509-88.)

## **4529.11 Maintenance.**

(A) In a one, two, or three-family dwelling, the occupant shall be responsible for operation and maintenance of the smoke detectors.

(B) In a rooming house, dormitory, multi-family building containing four or more dwelling units, or dwelling unit sharing a bath the owner thereof shall repair or replace smoke detectors therein upon written notification by certified mail from a tenant or upon notification in person by a tenant that a smoke detector is in need of repair or replacement. If a tenant personally notifies the landlord of a mechanical failure, the landlord shall give the tenant a written receipt acknowledging the notification. The tenant shall be responsible for maintenance of the smoke detectors in the tenant's particular dwelling unit.

(C) No person shall remove a smoke detector or render it inoperative except for periodic maintenance. (Ord. 2509-88.)

## **4529.12 Replacement.**

No hard-wired smoke detector shall be replaced with a battery-powered smoke detector. (Ord. 2509-88.)

## **4529.13 Change in occupancy.**

In the event all required smoke detectors have not been previously installed or properly located, upon change of occupancy of any dwelling unit occasioned by or incidental to a sale, lease or sublease of such unit, the grantor, seller, lessor or sublessor, as the case may be, shall install prior to occupancy thereof all smoke detectors as required by this chapter or other applicable laws in proper working condition and in the proper locations.

If required smoke detectors have been previously installed, such grantor, seller, lessor or sublessor shall inspect the same and repair or replace them as needed.

This section shall not be construed to vitiate or render void any contract, lease or sublease subject hereto. (Ord. 2509-88.)

## **4529.14 Permits and fees.**

No smoke detector or detection system shall be hard-wired unless an electrical permit has been obtained from the Division. A system permit shall be obtained therefrom if required. The proper fee shall be paid in accordance with the Fee Schedule.

No permit or fee shall be required for a smoke detector powered solely by a battery. (Ord. 2509-88.)

## **Article V. AREA AND USE REQUIREMENTS (Omitted)**

## **ARTICLE VII. GENERAL REGULATIONS**

### **Chapter 4551 Responsibility of Owners and Occupants**

#### **4551.01 Responsibility of owner.**

See [www.healthyhomestraining.org](http://www.healthyhomestraining.org)

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Responsibilities of owners and occupants include, but are not limited to, the following areas:

- (a) Access to unit. Every owner of a dwelling or dwelling unit shall give the occupant thereof reasonable advance notice before entering for the purpose of making necessary repairs, alterations, or maintenance inspections.
- (b) Garbage disposal and rubbish storage. Every owner of a dwelling or dwelling unit shall provide and maintain adequate garbage disposal and rubbish storage receptacles for dwellings containing three (3) or more dwelling units or a suitable location for these receptacles for dwellings containing one (1) or two (2) dwelling units.
- (c) Plumbing. The owner shall provide and maintain all water-heating and plumbing facilities as required by this Code.
- (d) Electricity. The owner shall provide and maintain all electrical power lines, outlets, fixtures, and other facilities required by this Code and is responsible for proper fusing.
- (e) Heating. Every owner shall maintain the temperature required by this Code whenever operation of the heating facilities of the dwelling or dwelling unit are under his control.
- (f) Pest elimination. The owner is responsible for elimination of any insects, rats, or other pests in a dwelling containing two (2) or more dwelling units and on the premises thereof. He is also responsible whenever the infestation is caused by improper ratproofing of the premises.
- (g) Clean and sanitary maintenance. The owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and the premises thereof.
- (h) Fire prevention. The owner is responsible for fire prevention requirements under Section 4525.09.
- (i) Rat-proofing. The owner shall maintain a dwelling in a rat-proof condition under the requirements in Section 4525.11.
- (j) Space requirements. No owner shall knowingly let any dwelling or dwelling unit for occupancy which does not meet the minimum requirements for floor space and occupancy as set by this Code.
- (k) Other requirements. The owner shall provide and maintain all required screening except where there is a written agreement between the owner and the occupant which places this responsibility on the occupant.
- (l) Every owner of a dwelling shall provide to each tenant in writing and post by the fuse box, heating equipment, mailbox or other obvious central location in each dwelling his name, address, and business and residence telephone numbers or those of his agent or resident manager to whom he assigns responsibility for the maintenance of the dwelling. A post office box number shall be unacceptable for the address requirement of this provision.
- (m) Every owner shall be responsible for compliance with the standards set forth in this Code except those sections specifically designated to the occupant. (Ord. 356-75.)

## **4551.02 Responsibility of occupant.**

Access to unit

- (a) Upon reasonable advance notice every occupant or person in control of a dwelling or dwelling unit shall give the owner thereof access to any part of such dwelling or dwelling unit for the purpose of making necessary repairs, alterations, or maintenance inspections.
- (b) Garbage disposal and rubbish storage. The occupant of dwellings containing one or two dwelling units shall provide and maintain adequate garbage disposal and rubbish storage receptacles.
- (c) Plumbing. The occupant shall keep all plumbing fixtures such as toilets, basins and sinks in a clean and sanitary condition and avoid the deposit of any material which may obstruct and interfere with the proper function thereof.
- (d) Electricity. The occupant is responsible for proper usage of all electrical power lines, outlets, fixtures, other facilities required by this Code, proper extension cord usage, and proper fusing.
- (e) Heating. The occupant shall regulate the heating facilities to maintain above freezing temperatures at all times in all portions of the dwelling or dwelling unit within the functional capability of the equipment whenever these heating facilities of the dwelling or dwelling unit are under his control.
- (f) Pest elimination. The occupant is responsible for elimination of any insects, rats, or other pests within that part of the premises occupied and controlled by him in a single family dwelling or in a dwelling containing two (2) or more dwelling units if his unit is the only one infested unless infestation of the premises was caused by the improper rat-proofing.

# Housing Codes for Columbus, Ohio

On July 25, 2008

(g) Clean and sanitary maintenance. Every occupant of a dwelling or dwelling unit and premises thereof which he occupies and controls shall keep the same in a clean and sanitary condition. In two family and row units, the yard area extending from the structure to the front and the rear which is adjacent and contiguous to each unit shall be construed to be the responsibility of the occupant of that unit. Clean and sanitary maintenance shall include, but not be limited to, keeping all floors and walking surfaces free of dirt, filth, garbage, human and animal waste, litter, refuse and other unsanitary matter and keeping all walls, ceilings, windows and doorways clean and free of dirt, greasy film, soot and other unsanitary matter. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish, garbage and ashes in the receptacles provided. Discarded or abandoned articles of such bulk as to preclude disposal in such receptacles shall be conveyed by the occupant to an appropriate municipal or approved private disposal area.

(h) Fire prevention. Every occupant of a dwelling or dwelling unit responsible for fire prevention requirements regarding storage of flammable liquids and storage of materials as covered under Section 4525.09.

(i) Rat-proofing. Where it is determined that rat infestation exists, no occupant of a dwelling or dwelling unit shall stack materials on the exterior of the premises, against the structure or any accessory structure or stack any materials unless such stack is elevated twelve inches from the ground.

(j) Space requirements. Every occupant shall limit occupancy of that part of the premises which he occupies or controls to the maximum permitted by this Code.

(k) Other requirements. The occupant of any dwelling or dwelling unit shall not obstruct in any manner any required means of egress.

(l) The occupant of any dwelling or dwelling unit shall not willfully destroy, deface, damage, impair or remove from the premises any of the facilities, equipment, appurtenances or any part of the structure thereof.

(m) The occupant of a dwelling or dwelling unit is responsible for storing all medicines, cleaning fluids, poisons, and other household chemicals in a locked cabinet or by other means so as to make these substantially inaccessible to children. (Ord. 356-75.)

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