

City of San Francisco, California
Housing Code
Healthy Homes Provisions

I. Overview

The City of San Francisco, California San Francisco's Housing Code is as a subset of the City's Building Inspection Commission (BIC) Codes. The code includes conditions and standards for residential dwellings (including apartment buildings), hotels, and other lodgings.

II. Relevant Excerpts of the Code¹

CHAPTER 1 - TITLE AND SCOPE

§ 100. POLICY.

It is found and declared that there exist in the City and County of San Francisco substandard and unsanitary residential buildings and dwelling units whose physical conditions and characteristics render them unfit or unsafe for human occupancy and habitation, and which conditions and characteristics are such as to be detrimental to or jeopardize the health, safety and welfare of their occupants and of the public.

It is further found and declared that there exist in the City and County of San Francisco residential buildings and dwelling units which were legally constructed according to standards now generally recognized to be obsolete and deficient in terms of current, modern housing standards for construction, use, occupancy, light and ventilation and sanitary facilities. The continued existence of these obsolete and deficient residential buildings and dwelling units is detrimental to or jeopardizes the health, safety and welfare of their occupants and of the public.

It is further found and declared that the existence of such substandard buildings by reason of being unsanitary, obsolete and deficient as dwelling units threatens the physical, social and economic stability of sound residential buildings and areas, and of their supporting neighborhood facilities and institutions; necessitates disproportionate expenditures of public funds for remedial action; impairs the efficient and economical exercise of governmental powers and functions; and destroys the amenity of residential areas and neighborhoods and of the community as a whole.

For these reasons it is hereby declared to be the policy of the City and County of San Francisco:

(1) That it is in the public interest of the people of San Francisco to protect and promote the existence of sound and wholesome residential buildings, dwelling units and neighborhoods by the adoption and enforcement of such standards, regulations and procedures as will remedy the existence or prevent the development or creation of dangerous, substandard, unsanitary or obsolete and deficient residential buildings and dwelling units.

(2) That the adoption and enforcement of a Housing Code is a necessary municipal governmental function in the interest of health, safety and welfare of the people of San Francisco.

§ 101. TITLE.

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

This Code, known as the 2007 Housing Code, is a portion of the San Francisco Municipal Code, and is referred to herein as “this Code.”

§ 102. PURPOSE.

The purpose of this Code is to provide for the maintenance of the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings in San Francisco. In case of any conflict between the provisions of this Code and other provisions of the Municipal Code, the most restrictive shall govern except as set forth in Section 104(a).

§ 103. SCOPE. *(omitted)*

§ 104. APPLICATION TO EXISTING BUILDINGS AND STRUCTURES.

(a) Existing Buildings. All buildings erected after July 26, 1958 shall comply either with the codes in effect at the time of construction or the present Building, Electrical and Plumbing Codes at the discretion of the owner.

All buildings altered or converted prior to July 26, 1958 which do not conform to the codes in effect at the time of the alteration or conversion and the provisions of this Code shall be reconverted back to the original approved state and brought into compliance with the retroactive requirements applicable to the original structure, or conform to all the applicable requirements outlined in the present codes.

Pursuant to Section 102 of this Code regarding the maintenance of all buildings constructed, altered or converted to Group R, Division 1 and 3 occupancy prior to January 1, 1984, said buildings shall comply with the 1979 San Francisco Building Code. Pursuant to Section 102 of this Code regarding the maintenance of all buildings constructed, altered or converted to Group R, Division 1, 2, and 3 occupancy after January 1, 1984, said buildings shall comply with the codes that are in effect at that time.

(b) Relocation. Buildings or structures moved into or within this jurisdiction shall comply with the requirements in the Building Code for new buildings and structures.

§ 105. ALTERNATE MATERIALS. *(omitted).*

CHAPTER 2 – ENFORCEMENT *(omitted).*

CHAPTER 3 - PERMITS AND INSPECTIONS *(omitted).*

CHAPTER 4 – DEFINITIONS *(portions omitted).*

Deterioration. The condition of a building or a portion of a building characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay or neglect, or lack of maintenance, or excessive use.

Mechanical Ventilation. The ventilation of any area or space by mechanical means.

Mold and Mildew. Any visible or otherwise demonstrable growth of microscopic organisms or fungi (mold or mildew) that feeds on damp conditions in the interior of a residential building, sufficiently chronic or severe to cause a health hazard or damage a residential structure or part thereof, excluding the presence of mold or mildew which is minor in nature caused by inappropriate housekeeping practices or the improper use of natural or mechanical ventilation.

Nuisance. The following shall be defined as nuisances:

- (1) Any public nuisance known at common law or in equity jurisprudence;
- (2) Any attractive nuisance which may prove detrimental to children, whether in a building or on the premises of a building. This includes open wells, abandoned basements, or excavations; abandoned iceboxes, refrigerators and motor vehicles, or any structurally unsound fences or structures, or lumber, trash, fences, debris, or vegetation which may prove a hazard for inquisitive minors;
- (3) Whatever is dangerous to human life or is detrimental to health;
- (4) Overcrowding a room with occupants;
- (5) Insufficient ventilation or illumination;
- (6) Inadequate or insanitary sewage or plumbing facilities;
- (7) Insanitary conditions or anything offensive to the senses or dangerous to health;
- (8) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings;
- (9) Fire hazard;
- (10) Substandard building;
- (11) Any “apartment,” “dwelling unit,” “habitable space” or “building” as defined in this Code, which is the subject of a final hazard reduction order under Section 1628 of the San Francisco Health Code, or an emergency order under Section 1630 of the San Francisco Health Code;
- (12) Mold and mildew as defined by this chapter.

Substandard Building. See Chapter 10 of this Code.

CHAPTER 5 - SPACE AND OCCUPANCY STANDARDS (*portions omitted*).

§ 505. SANITATION.

(a) **Dwelling Units, Lodging Houses and Congregate Residences.** Dwelling unit, lodging houses and congregate residence shall be provided with a water-closet, a lavatory, and a bathtub or shower, within the unit, except that one facility for the exclusive use of a single dwelling unit may be situated off the exit corridor on the same floor.

(b) **Hotels.** Hotel guestrooms shall be provided with a water-closet, a lavatory, and a bathtub or shower, within the guest room or said facilities may be situated off the exit corridor on the same floor pursuant to the table indicated below.

The following table will be used in determining the minimum number of public sanitary facilities required per floor when guest rooms do not contain the requisite sanitary facilities: (*Table and note omitted*).

(c) Kitchen. Every dwelling unit shall be provided with a kitchen having adequate and clean facilities for the preparation, storage and preservation of food and every kitchen shall be provided with a kitchen sink constructed of approved nonabsorbent and impervious materials. No wooden sink or sink of similar absorbent material will be permitted. The space underneath the sink or wash tray shall be constructed so as to provide for its ventilation and inspection.

All appliances provided by the owner shall be maintained in good working condition, excluding minor damage caused by inappropriate housekeeping practices or improper use.

Community kitchens and kitchens in guest rooms shall comply with Section 507 of this Code.

(d) Fixtures.

(1) All plumbing fixtures shall be connected to a sanitary sewer. All plumbing fixtures shall be connected to an approved system of water supply and required fixtures shall be provided with hot and cold running water, except water closets shall be provided with cold water only.

(2) All plumbing fixtures shall be of an approved nonabsorbent material.

(3) For the purposes of this Section, water heated to a minimum temperature of 105 degrees Fahrenheit (41 degrees Centigrade) and a maximum of 120 degrees Fahrenheit (49 degrees Centigrade) at the tap shall be furnished to hotels and apartment houses.

(4) Each building shall provide four gallons of hot water storage capacity per guest room and eight gallons of hot water storage capacity per dwelling unit.

(5) Shower heads with no more than a three-gallon-per-minute flow shall be required. Showerheads of the ball-joint type that cannot easily be removed from the wall without structural alteration are exempt from this requirement.

(e) Water Closet Compartment. See Sections 1210 in the Building Code.

(f) Room Separations. No room used for the preparation of food shall be used for sleeping purposes except as otherwise provided in the Building Code.

Every kitchen or room in which food is stored or prepared shall be separated from any water closet or urinal compartment by at least a tight-fitting door.

EXCEPTIONS:

(1) No change is required in apartment houses and hotels constructed prior to August 17, 1923.

(2) No change is required in dwellings constructed prior to January 1, 1929.

Every partition in a building separating a kitchen with gas appliances from a room used for sleeping purposes shall extend to the ceiling or, if there is no ceiling, to the roof. An opening in the partition shall be provided with a door; provided, however, that a wall or partition an opening not exceeding three feet in width and seven feet in height may be permitted.

Every water closet, bathtub or shower required by this Code shall be installed in a room which will afford privacy to the occupant.

(g) Installation and Maintenance. All sanitary facilities shall be installed and maintained in safe and sanitary condition and in accordance with all applicable laws.

All plumbing fixtures, gas appliances and appurtenances thereto and their installation, maintenance, repair or alteration shall comply with the requirements of the Plumbing Code and all other applicable sections of the Municipal Code.

(h) Waterproofing – Basements. The walls and floor of every basement which is below the ground level shall be waterproofed and dampproof, and, whenever necessary in the opinion of the Director, the walls and floor shall be provided with approved waterproofing protection.

(i) Drainage. See Appendix Section J109 of the Building Code. One-family and two-family dwellings, other than those buildings constructed or converted to an R-3 Occupancy in which the Plumbing Code and/or Building Code in effect at the time of construction or alteration, require other provisions, are exempt from the drainage requirements for balconies and other projections, provided the drainage from the projection or balcony falls within the property lines and does not adversely affect adjacent property.

§ 506. HABITABLE BASEMENT ROOMS.

All habitable basement rooms shall comply with Sections 503 and 504 of this Code.

§ 507. COOKING FACILITIES.

(a) Community kitchens.

(1) General. Community kitchens provided for the use of occupants of guest rooms shall comply with this section.

The number of guest rooms that may be served by a community kitchen shall be based on the following schedule: (*Schedule and note omitted.*)

(2) Cooking facilities. Only electric cooking appliances shall be used in community kitchens. Where they consist of electric plates, not more than two single or one double unit shall be permitted for each guest room served by the kitchen. Gas fuel appliances shall be prohibited.

Electric plates shall be securely attached to a metal shelf or metal table and shall be located not closer than 3 inches (76.2 mm) from a wall surface. Where a wall of combustible construction is located closer than 24 inches (609.6 mm) to an electric plate, a wall guard consisting of sheet metal of not less than 28 gauge over 1/4-inch (6.35 mm) millboard, or other approved materials, shall be secured to the adjacent wall directly to the rear of the electric plates. Such protective wall guard shall extend a minimum of 24 inches (609.6 mm) above the cooking top for the full width of the appliance.

Storage facilities. Countertops shall be of noncombustible construction. One noncombustible food storage cabinet with a minimum of 4 square feet (0.3716 m²) of shelf space shall be provided for each guest room served by the community kitchen. Countertops may be of combustible materials, provided the countertop is of an approved nonabsorbent material. Cooking appliances shall be installed in accordance with the manufacturers instructions. Countertops of combustible materials shall not be used to support electric plates.

Cabinets located over the cooking area shall have a minimum of 30 inches (762 mm) clearance above the cooking top and shall have a noncombustible covering on the underside above the cooking area.

(3) Construction. Community kitchens shall be located in a room with a self-closing door. The minimum ceiling height shall be 7'6" (2.286 m). Floors shall be waterproofed as required in Section 2306.9 for floors. At least one metal kitchen sink drainboard shall be provided. Each sink shall be provided with hot and cold running water.

(b) Guest room cooking facilities. Cooking facilities located within guest rooms shall comply with Section 507(a).

CHAPTER 6 - STRUCTURAL REQUIREMENTS (*portions omitted*).

§ 601. CONSTRUCTION, EXISTING APARTMENT HOUSES AND HOTELS.

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All wood shall be protected against termite damage and decay as provided in the Building Code.

§ 602. FOUNDATION VENTILATION.

The space between the bottom of floor joists and the ground of any building (except space that is occupied by a basement or cellar) shall be provided with a sufficient number of ventilating openings through foundation walls or exterior walls to ensure ample ventilation. The minimum total area of ventilating opening shall be proportioned on the basis of 1½ square feet for each 50 linear feet, or major fraction thereof, of exterior wall, so located as to provide adequate cross-ventilation.

The air space shall be kept clean and free from any accumulation of rubbish, debris or filth.

§ 603. GARAGES.

(a) No automobile or other motor vehicle shall occupy any portion of an apartment house or hotel except in a garage which meets the requirements of the Building Code and other provisions of the Municipal Code.

(b) Use. Private and public storage garages in apartment houses and hotels shall be used only for storage of automobiles.

(c) Separation. See Section 406.1 of the Building Code. When approved, existing separations in existing buildings may be acceptable.

§ 604. STRUCTURAL MAINTENANCE.

(a) Affidavit Required. All wood and metal decks, balconies, landings, exit corridors, stairway systems, guardrails, handrails, fire escapes, or any parts thereof in weather-exposed areas of apartment buildings and hotels shall be inspected by a licensed general contractor, or a structural pest control licensee, or a licensed professional architect or engineer, verifying that the exit system, corridor, balcony, deck or any part thereof is in general safe condition, in adequate working order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration. Property owners shall provide proof of compliance with this section by submitting an affidavit form (provided

by the Department) signed by the responsible inspector to the Housing Inspection Services Division every five years. For purposes of this section, “weather-exposed areas” mean those areas which are not interior building areas. The affidavit process shall commence on January 1, 2004.

CHAPTER 7 - MECHANICAL REQUIREMENTS

§ 701. HEATING AND VENTILATION.

(a) Minimum Heat Requirements.

(1) Dwelling units, guest rooms and congregate residences of one habitable room other than the kitchen, heat capable of maintaining a room temperature of 70 degrees Fahrenheit at a point midway between the heating unit and the farthest wall and which point is four feet six inches above the floor, shall be made available to such habitable room for 11 hours between the hours of 6:00 a.m. and 12:00 midnight.

(2) Dwelling units, guest rooms and congregate residences containing two or more habitable rooms, heat capable of maintaining a room temperature of 70 degrees Fahrenheit at a point midway between the heating unit and the furthest wall and which point is four feet six inches above the floor in the habitable rooms, shall be made available to the main room which is the room to which the other habitable rooms circulate for 11 hours between the hours of 6:00 a.m. and 12:00 midnight.

(3) In every guest room except as specified in Section 707(c), heat shall be provided as herein above required for a dwelling unit with only one habitable room.

(4) Heat shall be furnished, within the guest room, congregate residence or dwelling unit by heating units located within the guest room, congregate residence or dwelling unit or from ductwork openings in the walls, floor or ceiling of said guest rooms, congregate residences or dwelling units. No direct openings for the entrance of heat shall be permitted between the exit corridor and the guest room, congregate residences or dwelling unit.

(5) The cost of maintaining heat as herein above required shall be a matter of agreement between the landlord and tenant thereof.

(6) Such facilities shall be installed and maintained in a safe condition and in accordance with the Building Code and all other applicable laws.

(b) Portable Heaters. All individual heaters installed in dwelling units, guest rooms and guest room suites must be permanently attached and properly wired. Wiring for heaters shall conform to the San Francisco Electrical Code.

(c) Heat Requirements in Apartment Houses and Hotels.

(1) Apartment houses and hotels shall comply with the requirements set forth in Section 701 above except that heat capable of maintaining a room temperature of 68 degrees Fahrenheit (20 degrees Centigrade) at a point midway between the heating unit and the furthest wall and which point is three feet above the floor, shall be made available to each occupied habitable room for 13 hours between the hours of 5:00 a.m. and 11:00 a.m. and 3:00 p.m. and 10:00 p.m.

(2) In every building in which the heating system is not under the control of the tenant or occupant, a locking or nontamperable temperature-sensing device with a $\pm 1\frac{1}{2}$ -degree Fahrenheit (0.8 degree Centigrade) tolerance shall be centrally located within the building in a habitable room to which heat is provided, whether occupied or unoccupied. The nontamperable device shall not be installed in a manager’s unit or an owner’s unit (except in an owner-occupied residential

condominium). This device shall cause the heating system to cease heat production when the habitable room temperature exceeds 68 degrees Fahrenheit (20 degrees Centigrade) and reactivate the system when the temperature drops below 68 degrees Fahrenheit (20 degrees Centigrade).

(3) A timeclock set to provide the amount and hours of heat required in this Section shall be installed at or near the heating source (boiler, furnace, etc.) to control the heating system. A thermostat bypass switch wired in parallel with the thermostat shall be provided to allow testing of the boiler operation. This switch shall be located at or near the heating source.

(4) Except as otherwise provided in this Section, remotely located switches which override timeclock operation shall be prohibited.

(d) Electrical Equipment. All electrical fixtures, wiring and appurtenances hereto and their maintenance shall comply with the San Francisco Electrical Code and all other applicable sections of the laws of the State of California and the Municipal Code.

(e) Mechanical Ventilation. The provisions and requirements of the San Francisco Mechanical Code shall govern the installation and operation of mechanical ventilation systems and equipment.

§ 707. GARBAGE RECEPTACLE COMPARTMENTS.

All areas which are used, designed or intended for the storage of garbage or rubbish shall meet the following requirements:

(1) Shall, where provided or required to be provided, be large enough to permit storage and easy handling of all garbage cans. No can shall be placed within six inches of any wall or post.

(2) Shall be lined on all its sides and the ceiling with galvanized iron of not less than No. 26 gauge U.S. Standard. All seams and joints shall be interlocking and tight. As an alternate, the walls and ceilings shall be one-inch-thick Portland cement on an approved backing, steel troweled to a smooth finish; similarly, concrete blocks finished with smooth trowel stucco, or smooth concrete utilizing plywood forms is acceptable.

(3) Shall have floors of concrete or quarry tile; no wooden platforms shall be permitted.

(4) Shall have doors and trim that are metal lined on the inside with not less than 26 gauge U.S. Standard galvanized sheet metal. Seams shall be interlocking and tight.

(5) Shall be provided with self-closing tight-fitting door or doors.

(6) Shall be adequately ventilated as required. Openings or ducts as existing or required shall be screened at the outside to prevent ingress of flies and other vermin.

(7) Shall be maintained in good repair and in a clean condition at all times.

(8) Shall be provided with automatic sprinklers, except as required by the Building Code for new construction, and conversion to R-1 or R-2 Occupancy.

§ 708. WEATHERSTRIPPING OF WINDOWS.

Upon repair or alteration of any window in a residential building which leads to an unheated area, such window shall be weatherstripped so as to effectively and reliably limit air infiltration. Any window which is fire-rated is specifically exempted from this requirement. In determining which types of weatherstripping are acceptable, the Director shall consider, among other matters, whether the weatherstripping meets the energy conservation goals of this Code and is cost-effective.

§ 709. PROHIBITED USES.

(a) **Cooking.** It shall be unlawful for any person to cook or prepare food in any bathroom, toilet room water closet compartment, or any other portion of a residential building in which the cooking or preparation of food is detrimental to the health of the occupant or the proper sanitation of the building. Community kitchens are prohibited in one-family and two-family dwellings and apartment buildings. One in-residence manager's apartment in any hotel may contain a kitchen, provided that this kitchen shall conform to all the requirements of a kitchen in an apartment house, and provided further that the apartment itself shall conform in its entirety to all other requirements for a dwelling unit in an apartment house. See also Section 507 of this Code.

(b) **Sleeping.** It shall be unlawful for any person to use or permit another person to use any of the following portions of a building for sleeping purposes:

(1) A hallway, water closet or bath or shower compartment, slop sink room, or any room containing a gas appliance used or intended to be used for cooking purposes or containing an improperly vented gas appliance;

(2) Any other room or place which does not comply with the provisions of this Code for a sleeping room, or in which sleeping is dangerous, or prejudicial to life or health by reason of an overcrowded condition; a lack of light, windows, ventilation or drainage; fire hazard, dampness or offensive, obnoxious or poisonous odors in the room or place.

(c) **Amusement Rooms.** No amusement, entertainment, "rumpus," reception, public dining, or similar room in any residential building shall be used for sleeping purposes unless it meets all of the requirements of this Code for sleeping rooms and the applicable requirements of the Building Code.

§ 710. PAINTS OR VOLATILE LIQUIDS.

(a) The storage, processing or use of hazardous materials shall comply with all of the applicable provisions of the Fire Code.

(b) **Paint Shop, etc.** No portion of any apartment house or hotel shall be used as a paint shop, as a gasoline or oil service station or for storage of any hazardous material, or as a vulcanizing shop.

EXCEPTION: The provisions of this Section shall not apply to any room or area in any portion of any apartment house or hotel building devoted to the retail storage, sale or use of any of the volatile flammable liquids referred to in this Section for pharmaceutical, medicinal, tonsorial or similar purposes; provided, that such volatile flammable liquids are used or dispensed from sealed containers not exceeding one gallon in capacity.

The provisions of this Section shall not apply to the storage or use of an amount of liquid mixing components as would be necessary for maintenance purposes of the building in which they are kept; provided, that if the enforcement agency determines that such storage or use of such materials creates a fire hazard or other condition detrimental to health or safety the enforcement agency may require that such materials be stored in cabinets constructed of incombustible material satisfactory to the agency or may require compliance with the applicable provisions of this Section.

(c) **Vertical Opening.** No stairway, elevator shaft or other vertical opening shall directly connect any occupancy referred to in this Section with any other portion of an apartment house or hotel.

(d) Skylight. No skylight in any special use referred to in this Section shall open into a court or vent shaft.

§ 711. MACHINE SHOP, ETC. (omitted)

No portion of an apartment house or hotel shall be used as a machine shop, automobile or motor vehicle repair shop or a battery shop.

§ 712. IDENTIFICATION OF UTILITY SHUTOFF DEVICES. (omitted)

§ 713. ELEVATORS. (omitted)

§ 908. MAINTENANCE AND REPAIR.

All safety devices or equipment provided for in this chapter shall be maintained in good repair at all times. Fire escapes shall be kept clear and unobstructed and be readily accessible at all times. Upon inspection, the property owner, or authorized agent, shall demonstrate to the Director or designated personnel, that all existing fire escapes are fully operational and properly maintained. Upon completion of the inspection, all existing fire escapes shall be secured pursuant to Section 1110.3.1. of the San Francisco Fire Code.

CHAPTER 10 - SUBSTANDARD BUILDINGS

§ 1001. GENERAL.

(a) Any residential building or portion thereof, as defined by California Health and Safety Code, Division 13, Part 1.5, State Housing Law, Sections 17920.3 et seq., including any dwelling units, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions enumerated in this chapter to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.

(b) Inadequate Sanitation and Safety. Inadequate sanitation and safety, including:

- (1) Lack of, or improper water closet, lavatory, and bath tub or shower in a dwelling unit;
- (2) Lack of, or improper water closets, lavatories, and bath tubs or showers per number of guests in a hotel;
- (3) Lack of, or improper kitchen sink in a dwelling unit;
- (4) Lack of hot and cold running water to plumbing fixtures in a hotel or lodging house;
- (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit;
- (6) Lack of adequate heating facilities or improper operation thereof;
- (7) Lack of, or improper operation of required ventilating equipment;
- (8) Lack of minimum amounts of natural light and ventilation required by this Code;
- (9) Room and space dimensions less than required by this Code;
- (10) Lack of required electrical illumination;
- (11) Dampness of habitable rooms.
- (12) Infestation of insects, vermin or rodents;
- (13) General dilapidation or improper maintenance.
- (14) Lack of connection to required sewage disposal system;

(15) Lack of adequate garbage and rubbish storage and removal facilities;

(c) Structural Hazards. Structural hazards shall include, but not be limited to the following:

- (1) Deteriorated or inadequate foundations;
- (2) Defective or deteriorated flooring or floor supports;
- (3) Flooring or floor supports of insufficient size to carry imposed loads with safety;
- (4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
- (5) Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety;
- (6) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;
- (7) Members of ceiling, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety;
- (8) Fireplaces or chimney which list, bulge, or settle due to defective material or deterioration;
- (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety;

(d) Nuisance. Any nuisance as defined in this Code. See Section 401.

(e) Hazardous Wiring.

- (1) All wiring except that which conformed with all applicable laws in effect at the time of installation or the laws in effect at the time of any subsequent alterations and which has been maintained in good and safe condition and working properly.

(f) Hazardous Plumbing. All plumbing except that which conformed with all applicable laws in effect at the time of installation or the laws in effect at the time of any subsequent alterations and which has been maintained in good condition and which is free of cross-connections and siphonage between fixtures.

(g) Hazardous Mechanical Equipment. All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation or the laws in effect at the time of any subsequent alterations and which has been maintained in good and safe condition.

(h) Faulty Weather Protection.

- (1) Deteriorated, crumbling or loose plaster;
- (2) Deteriorated or ineffective waterproofing or weather protection of exterior walls, roof, foundations or floors, including broken windows or doors;
- (3) Defective or lack of weather protection for exterior wall coverings including lack of paint, or weathering due to lack of paint or other approved protective covering.
- (4) Broken, rotted, split or buckled exterior wall or roof covering.

(i) Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(j) **Faulty Materials of Construction.** All materials of construction except those which are specifically allowed or approved by the Building Code, and which have been adequately maintained in good and safe condition.

(k) **Hazardous or Insanitary Premises.** Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constitute fire, health, life or safety hazards.

(l) **Inadequate Maintenance.** Any building or portion thereof which is determined to be an unsafe building in accordance with Section 102A of the Building Code.

(m) **Inadequate Exit.** All buildings or portions thereof not provided with adequate exits as defined in Chapter 10 of the Building Code. When it is determined by the Director that an unsafe condition exists through lack of or improper location of exits, additional exits may be required to be installed.

(n) **Inadequate Fire Protection Equipment.** All buildings or portions thereof which are not provided with the fire-resistive construction or fire-protection systems or equipment required by this Code.

(o) **Improper Occupancy.** All buildings or portions thereof occupied for living, sleeping, cooking or eating purposes which were not designed or intended to be used for such occupancies.

(p) **Inadequate structural resistance to horizontal forces.**

CHAPTER 13 - MAINTENANCE, SANITATION AND REPAIR

§ 1301. PAINTING.

The walls and ceiling of every room, lobby, entryway or hallway in an apartment house or hotel shall be well maintained. Repairs, paint or paper shall be applied as often as may be necessary to maintain clean and sanitary walls and ceilings free from mildew, dampness and vermin.

§ 1302. COURTS AND SHAFTS.

The walls of courts and shafts shall be painted as often as may be necessary to maintain weatherproofing, free from dampness and mildew.

§ 1303. WALLPAPER.

All thicknesses of wallpaper placed upon any wall, partition or ceiling of any room in any apartment house or hotel shall be well maintained, free of dampness and mildew. If any wall, partition or ceiling with two thicknesses of wallpaper in any such room is to be repapered, the old wallpaper shall be removed. Painting over wallpaper shall be permissible.

§ 1304. GARBAGE RECEPTACLES.

(a) A sufficient number of receptacles with close-fitting covers for garbage refuse, ashes and rubbish as may be considered necessary by the Director or the Department of Public Health, or an approved garbage chute or shaft, shall be kept in a clean condition by the following persons:

- (1) In the case of a receptacle in a hotel, by the owner or person in charge of the hotel;
- (2) In the case of a receptacle in an apartment house or dwelling, by the person in charge of the building, occupants or tenants of the building;
- (3) In the case of a chute or shaft in any building, by the person in charge of the building.

(b) Garbage cans in apartment houses and hotels shall be of noncombustible construction. Plastic garbage cans will be acceptable when the following conditions have been met:

- (1) The room in which the can(s) are contained is fully sprinklered;
- (2) The garbage chute, if any, is sprinklered in accordance with the Building Code;
- (3) The garbage can storage room is constructed in accordance with Section 711.5 of the Building Code.

§ 1305. GARBAGE RECEPTACLE COMPARTMENT.

Every closet or compartment in a building used for storing a garbage receptacle shall be lined on all its sides and on the inside of all its doors with galvanized steel, with all joints made tight.

For garbage chute shaft construction, see Section 711 of the Building Code.

For garbage room construction, see Section 707 of this Code.

§ 1306. SANITATION.

Each room, hallway, passageway, stairway, wall, partition, ceiling, floor, skylight, glass windows, door, carpet, rug, matting, window curtain, water closet compartment or room, toilet room, bathroom, slop-sink room, wash room, plumbing fixture, drain, roof, closet, basement, yard, court, lot, and the premises of every building shall be kept in every part clean, sanitary, and free from all accumulation of debris, filth, rubbish, garbage, vermin, mold and mildew and offensive matter. Those portions of the residential building identified by this Section that can no longer be cleaned or made sanitary shall be replaced in an appropriate manner.

§ 1307. DEPOSIT OF RUBBISH, ETC.

No person shall do, or permit or cause another person to do, any of the following:

(a) Deposit any swell, garbage, bottles, ashes, cans, or other improper substance in, or in any way obstruct, any water-closet, sink, slop hopper, bathtub, shower, catchbasin, or plumbing fixture connection or drain;

(b) Put any filth, urine or other foul matter in any place other than the place provided; or

(c) Keep any filth, urine or other foul matter in any room, or elsewhere in or about the premises, of any building for such length of time as will result in the creation of a nuisance.

§ 1308. BEDDING.

In every apartment house or hotel every part of every bed, including the mattresses, sheets, blankets and bedding, shall be kept in a clean, dry and sanitary condition, free from filth, urine or other foul matter, and from the infestation of lice, bedbugs or other insects. The bed linen of a bed in a hotel shall be changed as often as a new guest occupies the bed.

§ 1309. TOWELS.

No roller or public towel shall be kept or maintained in a hotel for common use.

§ 1310. DANGEROUS ARTICLES.

Neither any article that is dangerous or detrimental to life or to the health of the occupants; or any feed, hay, straw, excelsior, cotton, paper stock, rags, junk, or any material that may create a fire hazard, shall be kept, stored or handled in any part of an apartment house or hotel, or the lot on which such building is situated, except upon a written permit obtained from the officer or agency authorized by law to issue the permit. Every permit shall be made in duplicate, and a copy shall remain on file in the office of the officer or agency issuing it. Every filed copy constitutes a public record.

§ 1311. CARETAKER.

A janitor, housekeeper or other responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and of every hotel in which there are 12 or more guestrooms, in the event that the owner of any such apartment house or hotel does not reside upon said premises. If the owner does not reside upon the premises of any apartment house in which there are more than four but less than 16 apartments, a notice stating his name and address, or the name and address of his agent in charge of the apartment house, shall be posted in a conspicuous place on the premises.

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