

Housing Codes for Metro DC

May 15, 2007

International Property Maintenance Code – Adoptions in Metro DC

- Maryland
 - Annapolis
 - Cambridge
 - Hartford County
 - Howard County – Rental Only
- Virginia
- Washington, DC

SECTION 101 GENERAL

101.1 Short title.

The Virginia Uniform Statewide Building Code, Part III, Maintenance, may be cited as the Virginia Maintenance Code.

101.2 Incorporation by reference.

Chapters 2 – 8 of the 2003 International Property Maintenance Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the Virginia Maintenance Code. The term “IPMC” means the 2003 International Property Maintenance Code, published by the International Code Council, Inc. Any codes and standards referenced in the IPMC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference.

Washington DC Housing Code¹

Title 12 – Construction Codes – 2003 Supplement

Section 101.4.5 D.C. Property Maintenance Code. The ICC International Property Maintenance Code/2000 as amended by the D.C. Property Maintenance Code Supplement/2003 (DCMR 12G) shall constitute the D.C. Property Maintenance Code/2003 hereinafter referred to as the “Property Maintenance Code”.

Title 14 – Housing

[Chapter 4](#) Housing Code: General Requirements

[Chapter 5](#) Housing Code: Heating, Lighting, and Ventilation

[Chapter 6](#) Housing Code: Facilities, Utilities, and Fixtures

[Chapter 7](#) Housing Code: Construction, Maintenance, and Repairs

[Chapter 8](#) Housing Code: Cleanliness, Sanitation, and Safety

¹ [www.amlegal.com/nxt/gateway.dll/Title%2012/code%20title00052/chapter00053.htm?f=templates\\$fn=main-nf.htm\\$3.0](http://www.amlegal.com/nxt/gateway.dll/Title%2012/code%20title00052/chapter00053.htm?f=templates$fn=main-nf.htm$3.0)

Housing Codes for Metro DC

May 15, 2007

500 GENERAL PROVISIONS

- 500.1 The owner of a building used for residential purposes shall provide that building with adequate facilities for heating, ventilating, and lighting.
- 500.2 Each facility provided and maintained to comply with this section shall be properly and safely installed, and shall be maintained in a safe and good working condition.

501 HEATING OF RESIDENTIAL BUILDINGS

- 501.1 Adequate heating facilities shall mean the provision and maintenance in good repair of one of the following:
- (a) A central heating facility;
 - (b) A non-portable, flue-connected heating facility; or
 - (c) An electric heating facility which may or may not be flue-connected.
- 501.2 The heating facility shall be capable of maintaining a minimum temperature of seventy degrees Fahrenheit (70° F.) in buildings or parts of buildings used for habitation.
- 501.3 Each heating facility shall be designed and installed to permit the control of the temperature resulting from the use of that facility in such manner that the maximum resulting temperature in the premises heated by such facility will not exceed the maximum temperature in the “Comfort Chart” contained in the 1951 Guide of the American Society of Heating and Ventilating Engineers.
- 501.4 Whenever the heating facilities of any habitation or bathroom are not under control of an occupant of the habitation, it shall be the responsibility of the owner or licensee to supply sufficient heat to maintain the following minimum temperatures for every occupied habitation and bathroom:
- (a) A minimum temperature of sixty-eight degrees Fahrenheit (68° F.) between the hours of 6:30 a.m. and 11:00 p.m.; and
 - (b) A minimum temperature of sixty-five degrees Fahrenheit (65° F.) between the hours of 11:00 p.m. and 6:30 a.m.
- 501.5 The temperatures referred to in this section shall be measured with all usually-closed outside openings closed in a normal manner.
- 501.6 The owner of a single-family dwelling, occupied in whole or in part by a tenant or tenants in which one (1) or more housing violation notices were issued because of a defective heating system under the control of the owner, shall cause the furnace, boiler, or other central heating or hot water system to be inspected by a qualified person in the period between March 1st and September 1st subsequent to the issuance of the violation notices.
- 501.7 In addition to testing the efficiency and adequacy of the heating and hot water systems, the flues, vents, and dampers shall be inspected for escape of carbon monoxide gas.
- 501.8 The findings on inspections shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs (“Department”) within fifteen (15) days following the inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of the receipt of the findings.
- 501.9 The owner shall correct all defects as found upon the inspection before October 1st of that year and shall certify to the Department that the corrections have been made.
- 501.10 The owner of a multiple dwelling, containing two (2) or more units, shall cause the furnace, boiler, or other central heating systems to be inspected by a qualified person between March 1st and September 1st of each year. Subsections 501.7 through 501.9 shall also apply to this subsection.

Housing Codes for Metro DC

May 15, 2007

501.11 For purposes of §§ 501.6 through 501.10, the term “qualified person” means a master plumber and gas fitter, heating and air conditioning contractor, master mechanic, licensed by the District, or a certified employee of a public utility.

501.12 The certifications required by §§ 501.6 through 501.10 shall be in writing and shall be signed by the owner and by a “qualified person.”

506 VENTILATION OF HABITABLE ROOMS

506.1 Each habitable room shall have either natural or mechanical ventilation at least equal to the requirements of this section.

506.2 Natural ventilation shall be provided by an opening directly to the outside, the area of which is at least equal to five percent (5%) of the floor area of the room served, except as otherwise provided in this section.

506.3 Rooms opening on enclosed porches and meeting the ventilation requirements of Article 501-01-e of the 1941 Building Code, as amended, and rooms ventilated through sunporches and meeting the ventilation requirements of § 3-515 of the 1961 Building Code, as amended, shall be deemed to have adequate natural ventilation.

506.4 At least fifty percent (50%) of the required ventilation shall be furnished by an openable window, louvres located in the upper fifty percent (50%) of the room, side light, transom, glazed door, or door of the horizontally divided (dutch) or vertically divided (french) type.

506.5 For buildings erected, altered, or converted under permits issued prior to July 1, 1961, mechanical ventilation where used shall provide habitable rooms, other than kitchens, with at least three (3) air changes per hour.

506.6 Kitchens shall be provided with at least four (4) air changes per hour.

506.7 Openable area directly to the outside at least equal to three percent (3%) of the floor area of the habitable space served shall be available for use in case of temporary failure of mechanical ventilation, except as provided in § 506.8.

506.8 Interior kitchens which are not daylighted as required by § 502 may be artificially lighted and mechanically ventilated if they comply with the following:

- (a) Total floor area shall not exceed one hundred square feet (100 ft.²);
- (b) Unobstructed floor space (after the installation of kitchen cabinets and equipment including space reserved for the installation of stove and refrigerator) shall not exceed fifty square feet (50 ft.²);
- (c) Mechanical ventilation shall be centrally controlled and operated and shall provide a minimum of eight (8) changes of air per hour through an independent duct system; and
- (d) The interior kitchen is not to be counted as a habitable room.

506.9 Not more than seventy-five percent (75%) of the air supplied by mechanical ventilation shall be recirculated air.

506.10 The recirculation of air from kitchens, bathrooms, furnace rooms, laundry rooms, and garages is prohibited.

506.11 No air supplied to habitable rooms shall be drawn from a plenum or system fed with air returned from habitable rooms occupied by other families, common space, or commercial or industrial establishments.

506.12 For buildings erected, altered, or converted under permits issued after June 30, 1961, the requirements for mechanical ventilation shall be in accordance with the applicable provisions of sections 3-527 through 3-533, inclusive, of the 1961 D.C. Building Code, as amended.

Housing Codes for Metro DC

May 15, 2007

507 VENTILATION OF BATHROOMS

- 507.1 Each bathroom shall be naturally or mechanically ventilated, at least equivalent to the requirements of this section.
- 507.2 Natural ventilation shall be provided by openings, other than a door, directly to the outside, the openable area of which is at least equal to five percent (5%) of the floor area of the room served.
- 507.3 No opening for ventilation of a bathroom shall contain less than two square feet (2 ft.²).
- 507.4 If mechanical ventilation is used, it shall provide for each bathroom with a single water closet outside air in a minimum quantity of one and one half cubic feet per minute per square foot of floor area (1½ ft.³/min./ft.²), with no recirculation permitted.
- 507.5 A bathroom having more than one water closet shall be provided with a minimum outside air quantity of two and one half cubic feet per minute per square foot of floor area (2½ ft.³/min./ft.²), with no recirculation permitted.
- 507.6 A mechanically ventilated bathroom shall not serve or open into any area that opens on, or is served by, a bathroom that is not similarly ventilated.

508 CONTROL AND MAINTENANCE OF MECHANICAL VENTILATION

- 508.1 If mechanical ventilation is provided for any residential building by the owner or licensee, the owner or licensee shall maintain that system in safe and good working condition.
- 508.2 If the mechanical ventilation system is not under the control of the occupant of any habitation, the owner or licensee of the residential building shall keep that equipment in constant and continuous operation.

509 OBSTRUCTIONS TO VENTILATION

- 509.1 If a habitation is located on the ground floor of a residential building, the yard of the building which lies immediately outside the habitation shall be maintained clear of any obstruction to ventilation for a distance of at least three feet (3 ft.) from the exterior wall of the building, or such further distance as may be required by any other law or regulation.
- 509.2 A reasonable amount of trees or shrubbery shall not be considered to be a violation of this section.

510 AIR CONDITIONING

- 510.1 The owner of a rental habitation, who provides air conditioning as a service either through individual air conditioning units or a central air conditioning system, shall maintain such unit or system in safe and good working condition so that it provides an inside temperature at least fifteen degrees Fahrenheit (15° F.) less than the outside temperature.
- 510.2 The owner shall also have the individual units or central system inspected each year, between September 1st and May 1st, by a master refrigeration and air conditioning mechanic or master refrigeration and air conditioning mechanic limited, licensed by the District of Columbia to ensure compliance with this section and with the Fire Prevention Code (12D DCMR F101.6(5)).
- 510.3 The findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs (“Department”) within fifteen (15) days following inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of receipt of the findings.
- 510.4 The owner shall correct all defects as found upon the inspection by June 1st of each year, and shall submit written certification to the Department that the corrections have been made.

Housing Codes for Metro DC

May 15, 2007

510.5 The written certification shall be signed by the owner and by a master refrigeration and air conditioning mechanic, or master refrigeration and air conditioning mechanic limited, licensed by the District of Columbia.

600 GENERAL PROVISIONS

600.1 The owner or licensee of each residential building shall provide and maintain the facilities, utilities, and fixtures required by this section.

600.2 Each facility, utility or fixture shall be properly and safely installed, and shall be maintained in a safe and good working condition.

600.3 Where a utility (such as water, electricity, gas or other fuels, or sewer or refuse service) is the responsibility of, or under the control of, the owner or licensee of any residential building, the utility shall be furnished and maintained by the owner or licensee in the quantities needed for normal occupancy.

600.4 Whenever an owner or licensee of any residential building furnishes any facilities for cooking, storage, or refrigeration of food, those facilities shall be maintained by the owner or licensee in a safe and good working condition.

601 PLUMBING FACILITIES

601.1 Minimum basic plumbing facilities in buildings used in whole or in part to house one (1) or more habitations shall be as required in this section, except as specifically provided otherwise in § 602.

601.2 Each dwelling unit, except a bachelor apartment, shall contain a kitchen sink for the exclusive use of the occupant(s) of that dwelling unit.

601.3 Each dwelling unit and each rooming unit shall have available for the use of the occupant(s) of that unit a lavatory, a water closet, and a bathing facility.

601.4 Each kitchen sink, lavatory, and bathing facility required by this chapter shall be properly connected with both hot and cold water lines.

601.5 All plumbing fixtures shall be properly connected to the public water system and to an approved sewerage system.

601.6 Any lavatory required to be installed by this subtitle shall be located in the room or compartment with the required water closet, or as close to it as practicable, except as provided in § 601.7

601.7 If a lavatory is not provided in the same room with the water closet, the specific location of the lavatory shall be approved by the director.

603 WATERPROOF FLOORS IN TOILETS

603.1 The owner of a building used for residential purposes shall provide each water closet compartment, privy, toilet room, and bathroom in the building with a waterproof floor surface and wall base.

603.2 The wall base shall be at least three inches (3") in height.

603.3 The waterproof floor surface shall consist of one of the following:

- (a) Smooth-finished tile or masonry which is effectively sealed so that it has a nonporous surface, laid in a manner free from cracks or open joints, and tightly joined to the base;
- (b) Tongue-and-groove hardwood flooring that is tightly laid without open cracks or joints, and which is tightly joined to the base. Both the base and surface shall be covered with a seal coat of waterproof finish; or

Housing Codes for Metro DC

May 15, 2007

- (c) Linoleum, plastic, or rubber floor covering, or linoleum, asphalt, rubber or plastic floor tiles, firmly cemented to a smooth substantial subfloor, laid without overlapping or open joints, and tightly joined to the base.

603.4 The term “linoleum” as used in this section, means a floor covering made of special preparations of linseed oil, gum, coloring matter, and wood flour, firmly affixed to a cloth or feltpaper base, and does not include enameled and cottonlinter composition coverings.

605 ELECTRICAL OUTLETS

605.1 Each habitable room shall be provided with at least two (2) separate electric outlets, at least one (1) of which shall be a wall or floor convenience outlet.

605.2 Each furnace room, laundry room, stairway, and bathroom shall be provided with at least one (1) electric light outlet.

606 WATER HEATING FACILITIES

606.1 Each residential building shall be provided with a water heating facility which is properly connected with the hot water lines of the required fixtures, and which is capable of providing sufficient hot water at a temperature of not less than one hundred twenty degrees Fahrenheit (120° F.) at those fixtures to meet normal demands.

606.2 Where the hot water heating facility is not under the control of the occupant of any habitation, the owner or licensee of that residential building shall provide and maintain a continuous supply of running hot water to meet normal needs.

606.3 The owner of a single-family dwelling, occupied in whole or in part by a tenant or tenants in which one (1) or more housing violation notices were issued because of a defective water heating facility, under the control of the owner, and whose water heating facility is separate from the central heating system, shall cause the water heating facility to be inspected by a qualified person in the period between March 1 and September 1, subsequent to the issuance of the violation notices.

606.4 In addition to testing the efficiency of the water heating facility, the flues, vents and dampers shall be inspected for escape of carbon monoxide gas.

606.5 The findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs (“Department”) within fifteen (15) days following the inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of receipt of the findings.

606.6 The owner shall correct all defects as found upon the inspection before October 1 of that year and shall certify to the Department that the corrections have been made.

606.7 The owner of a multiple dwelling containing two (2) or more units, whose water heating facility is separate from the central heating system, shall cause the water heating facility to be inspected by a qualified person between March 1 and September 1 of each year.

606.8 Pursuant to § 606.7, in addition to testing the efficiency of the water heating facility, the valves, vents and dampers shall be inspected for escape of carbon monoxide gas.

606.9 Pursuant to § 606.7, the findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs within fifteen (15) days following the inspection and shall be delivered to the owner, who shall correct all defects as found upon the inspection before October 1 of each year, and shall certify to the Department that the corrections have been made.

Housing Codes for Metro DC

May 15, 2007

606.10 For the purposes of §§ 606.3 through 606.9 and 606.11, the term “qualified person” means a master plumber and gas fitter, heater and air conditioning contractor, master mechanic, licensed by the District of Columbia, or a certified employee of a public utility.

606.11 The certifications required by §§ 606.3 through 606.9 shall be in writing and shall be signed by the owner and by a qualified person.

607 MISCELLANEOUS SERVICES TO BE PROVIDED BY HOUSING BUSINESSES

607.1 When furnished by the operator of a housing business, mattresses shall not be made of moss, sea grass, excelsior, husks, or shoddy.

607.2 The owner or operator of a housing business shall provide to each tenant, when the tenant first enters into possession of a habitation, an adequate lock and key for each door used, or capable of being used, as an entrance to or egress from the habitation, and shall keep each lock in good repair. Each lock shall be capable of being locked from inside and outside the habitation.

701 GENERAL MAINTENANCE AND REPAIRS

701.1 All structures located on a premises including, but not limited to, accessory structures (such as walls, garages, fences, and sheds) shall be maintained in a sanitary and structurally sound condition and in good repair.

701.2 All walkways on private property shall be maintained in good repair, free of holes and safe for walking purposes.

701.3 Material used in making any repair shall be of a quality and kind suitable for the purpose for which it is used, and of a kind normally used by a good mechanic in the appropriate trade. Each repair shall be done in a workmanlike manner.

701.4 Construction details for alterations, additions or other work done as a result of any standard established in this subtitle shall be accomplished under permit and in the manner provided in the Building Code, Electrical Code, Plumbing Code, or other building regulations of the District of Columbia, as applicable.

702 ROOFS AND CHIMNEYS

702.1 The roof shall be maintained so it does not leak, and all rain water shall be drained and conveyed from the roof so that it does not cause wet walls or ceilings.

702.2 Each smoke pipe and each chimney shall be adequately supported, free from obstruction, and maintained in such condition that there will be no leakage or backing up of noxious or dangerous gases.

702.3 Each chimney shall be reasonably plumb.

702.4 The total area of all flue openings shall not exceed the net area of the chimney flue.

702.5 Unrequired openings in chimneys shall be closed with masonry.

702.6 All flue openings in chimneys shall be supplied with flue crocks, or metal or masonry thimbles.

703 GUTTERS AND DRAINAGE

703.1 All gutters and downspouts shall be properly connected, and shall be maintained in good condition, free of holes and obstructions.

703.2 Water shall be conveyed off premises in accordance with the plumbing regulations of the District of Columbia.

Housing Codes for Metro DC

May 15, 2007

- 703.3 The owner of any premises used in whole or in part for residential purposes shall cause the yard or area at the premises to be graded and paved so that all drainage flows freely from all parts of the premises into any sewer traps which may have been provided for that purpose.
- 703.4 If there are no sewer traps, the drainage shall flow away from any inhabited building on the premises.
- 703.5 Yard spaces and other areas appurtenant to a residential building shall be graded by the owner to avoid the accumulation of water.

704 FOUNDATIONS, STRUCTURAL MEMBERS, AND EXTERIOR WALLS

- 704.1 Foundations and structural members shall provide a safe, firm, and substantial base and support for the structure at all points.
- 704.2 Exterior walls shall be structurally sound and free of cracks and holes through which rodents or the elements can enter the buildings.
- 704.3 Masonry walls shall be kept pointed.
- 704.4 All exterior surfacing materials shall be kept securely fastened in place.
- 704.5 All exterior wood surfaces shall be kept painted, varnished, shellacked, or covered with other preservative, unless the wood is customarily used in its natural state.

705 WINDOWS AND DOORS

- 705.1 Each window shall be fully supplied with window panes which are without open cracks or holes.
- 705.2 Each window sash shall be in good condition and shall fit reasonably well within its frame.
- 705.3 Each window, other than fixed windows, shall be capable of being easily opened and held in open or closed position by window hardware.
- 705.4 Each door, transom, side light, skylight, door hinge, and door latch shall be in good condition.
- 705.5 Each exterior door, when closed, shall fit reasonably well within its frame and shall be equipped with a lock which will permit easy egress without a key but will prevent entrance to the multi-unit dwelling without a key unless the door is opened from the inside, electrically or otherwise, by one (1) of the tenants or by an employee of the building owner.
- 705.6 All windows, doors, and their frames shall be constructed and maintained in relation to each other and to wall construction to do the following:
 - (a) Exclude rain completely from entering the structure: and
 - (b) Exclude wind substantially from entering the structure.
- 705.7 Each basement hatchway shall be constructed and maintained to prevent the entrance of rodents, rain, and surface drainage water into the dwelling.

706 INTERIOR WALLS, FLOORS, AND CEILINGS

- 706.1 Each interior wall or ceiling shall be structurally sound and free of loose plaster or other loose structural or surfacing material.
- 706.2 Each interior wall or ceiling shall be free of holes and wide cracks.
- 706.3 Each floor shall be structurally sound, reasonably level, and free of holes and wide cracks.
- 706.4 Each floor shall be free of loose, splintered, protruding, or rotting floor boards.
- 706.5 The floors and interior wall surfaces of residential buildings shall be maintained reasonably free of dampness.
- 706.6 In any habitable room where any wall or floor surface is damp, that condition shall be corrected, and the wall or floor shall be maintained in a corrected condition.

Housing Codes for Metro DC

May 15, 2007

707 PEELING WALL COVERING OR PAINT

- 707.1 Loose or peeling wall covering or paint on interior surfaces shall be removed, and the surface so exposed shall be repainted or repaired by the owner, except as provided otherwise in § 707.2.
- 707.2 If a room or ceiling is completely replastered and white-coated, that room or ceiling need not be painted or papered.
- 707.3 The owner of any residential premises in which there resides a child under the age of eight (8) years or to which a child under the age of eight (8) years is a regular visitor who spends a substantial portion of his or her time in the premises, shall maintain the interior and exterior surfaces of the residential premises free of lead or lead in its compounds in any quantity exceeding five-tenths (0.5) of one percent (1%) of the total weight of the material or more than seven-tenths of a milligram per square centimeter (0.7 mg/cm^2), or in any quantity sufficient to constitute a hazard to the health of any resident of the residential premises or any regular visitor to the residential premises who spends a substantial portion of his or her time in the residential premises.
- 707.4 The Director of the Department of Housing and Community Development shall order the owner of the residential premises as described in § 707.3 in which a lead poisoning hazard was found to do any of the following:
- (a) Remove all materials containing lead or lead in its compounds from the interior or exterior surfaces to their base surface, under the safety conditions approved by the Director of Housing and Community Development, and then either cover surfaces with a paint not containing lead or lead in its compounds in a quantity exceeding five-tenths (0.5) of one percent (1%) of the total weight of the material or seven-tenths of a milligram per square centimeter (0.7 mg/cm^2) of the material or leave the surfaces in their natural state provided that the flame spread rating of the natural state is at least equal to that required by the Second Amendment to the 1972 D.C. Building Code.
 - (b) Cover the interior or exterior surfaces with a durable material approved by the Director of the Department of Housing and Community Development; or
 - (c) Eliminate the lead hazard by other methods approved by the Director of the Department of Housing and Community Development.
- 707.5 Inaccessible exterior surfaces shall be scraped to remove peeling and flaking paint and to make the surface tight.
- 707.6 No surface which is the subject of a notice pursuant to § 707.4 shall be refinished until an inspector from the Department of Housing and Community Development has certified in writing that the condition affecting the surface has been abated in accordance with these regulations.
- 707.7 Any owner who is served with an order pursuant to § 707.4 shall comply with the order within ten (10) days of its service upon him or her or shall obtain an extension of the ten (10)-day period from the Director of the Department of Housing and Community Development. No extension shall exceed thirty (30) days, but thirty (30)-day extensions may be renewed at the discretion of the Director of the Department of Housing and Community Development.
- 707.8 The Mayor of the District of Columbia shall designate an agent of the District of Columbia to inspect any residential premises where there is reason to believe lead may present a health hazard because of the presence of a child under the age of eight (8) years who lives in the premises or is a regular visitor to the premises who spends a substantial portion of his or her time there.
- 707.9 For the purpose of this section, the phrase “a substantial portion of his or her time” means at least ten (10) hours per week in the aggregate on a regular basis.

Housing Codes for Metro DC

May 15, 2007

- 707.10 The designated agent is authorized to secure specimens of paint, plaster, or structural materials, and to analyze or cause an analysis to be made of the specimens to determine the quantity of lead or lead in its compounds contained in the material whenever the agent:
- (a) Upon inspection finds the presence of flaking, peeling, chipped or loose paint, plaster, or structural materials on any interior or exterior surface of any residential premises; or
 - (b) Has other reasonable grounds to believe that a hazard may exist to the health of any inhabitant of or visitor to the residential premises because of the presence of lead or lead in its compounds on the surfaces.
- 707.11 The agent may, instead of securing specimens, as described in § 707.10, test a surface with an *in situ* analyzer device.
- 707.12 In instances where suspected lead poisoning has been reported and verified, the Mayor or his or her designated agent may cause the inspection of any exterior surface, beyond those surfaces specifically defined in §199, and order corrections of any exterior surface condition found hazardous under § 707.13; provided, that there is a reasonable probability that the exterior surface conditions on the property other than those specifically defined in § 199 are related to the reported lead poisoning.
- 707.13 In any case in which analysis reveals the presence of lead or lead in its compounds in a quantity exceeding five-tenths (0.5) of one percent (1%) or more of the total weight of materials or seven-tenths of a milligram or more per square centimeter (0.7 mg/cm^2) or in a quantity otherwise sufficient to constitute a hazard to the health of any inhabitant of the residential premises under the age of eight (8) years, or regular visitor to the residential premises under the age eight (8) years who spends a substantial portion of his or her time there, the agency shall notify the Director of the Department of Housing and Community Development, in writing, within seventy-two (72) hours, that a lead poisoning hazard exists.
- 707.14 The Director of the Department of Housing and Community Development shall notify, in writing, the inhabitants and the owner of record of the property that lead in a quantity sufficient to constitute a hazard was found and that a lead poisoning hazard exists.
- 707.15 In order to determine compliance with the provisions of this section, the Mayor and any other duly authorized official of the District of Columbia having jurisdiction over, or responsibilities pertaining to, any residential premises shall have the right, after presenting official credentials of identification and authority issued by the District of Columbia either with or without prior notice, to enter upon and into any residential premises in which any of the following conditions exist:
- (a) One (1) or more children under the age of eight (8) years reside at the premises and there is chipped, peeling, or flaking paint, or other materials on one (1) or more surfaces which are reasonably accessible to children under the age of eight (8) years; or
 - (b) A medical evaluation completed within the sixty (60)-day period preceding an inspection has revealed the presence of lead toxicity in any occupant or regular visitor to the premises who spends a substantial portion of his or her time there.
- 707.16 The entry and inspection pursuant to § 707.15 shall take place with the least possible disruption to the occupants.
- 707.17 The right of entry and inspection set forth in 707.15 shall be extended to any residential premises which the Mayor has reason to believe are in violation of the provisions of this section.
- 707.18 No entry or inspection of any residential premises shall be made without the permission of the occupant of the premises unless a warrant is obtained first from the Superior Court of the District of Columbia pursuant to D.C. Official Code § 11-941 (2001), authorizing the entry and inspection for the purpose of determining compliance with provisions of this section.

Housing Codes for Metro DC

May 15, 2007

707.19 Any entry and inspection shall be made with the least possible disruption to the occupants.

708 STAIRWAYS, STEPS, AND PORCHES

- 708.1 Stairways, steps, and porches shall be firm, and the walking surfaces shall be sufficiently smooth so as to be readily cleaned and provide safe passageways free of tripping hazards.
- 708.2 Treads shall be reasonably level and in any flight evenly spaced.
- 708.3 Interior stairs more than two (2) risers high shall have an enclosing wall, balustrade, or other guard on each side, and shall have a handrail on at least one side.
- 708.4 All stair well openings shall have a balustrade or other guard along the entire length of any open or otherwise unprotected side.
- 708.5 Open porches forty-two inches (42") or more above the ground shall have balustrades or other guards not more than forty-two inches (42") in height along the entire length of any open, unprotected side.
- 708.6 Open porches less than forty-two inches (42") but more than twenty-four inches (24") above the ground shall have balustrades, or other guards not more than forty-two inches (42") in height or a top rail not more than forty-two inches (42") above the porch floor with an intermediate rail approximately midway between the floor and top rail along the entire length of any open unprotected side.
- 708.7 Exterior flights of stairs more than twenty-four inches (24") in height, attached to buildings or an appurtenance of buildings, including a porch or landing, shall be protected with a handrail, balustrade, or other guard on at least one side.
- 708.8 If an exterior flight of stairs extends more than forty-two inches (42"), each side of the stairs shall be protected by either a handrail, balustrade, or wall.
- 708.9 If an exterior flight of stairs is protected by two (2) walls, one shall have a handrail which will clear the wall by not less than one and one-half inches (1½") to provide maximum safety.
- 708.10 The vertical distance from the top of any handrail, balustrade, or other guard to the surface of any platform or front edge of any stair tread shall be not less than thirty inches (30") and not more than forty-two inches (42").
- 708.11 All steps, rails, balustrades, or other guards shall be of sound material and securely fastened.

800 GENERAL PROVISIONS

- 800.1 All premises occupied for residential purposes shall be kept in a clean, safe, and sanitary condition, including, but not limited to, the requirements of this chapter.
- 800.2 Floors, floor coverings, and other walking surfaces shall be clean and free of dirt, dust, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.
- 800.3 Walls, ceilings, windows, and doorways shall be clean and free of cobwebs, dirt, dust, greasy film, soot, or any other insanitary matter.
- 800.4 Plumbing fixtures shall be kept in a clean, sanitary condition, and shall be kept free of dirt, filth, human or animal wastes, or any other insanitary matter. Each occupant shall exercise care in the proper use and operation of plumbing fixtures.
- 800.5 Areaways, walkways, and yards shall be clean and free of ashes, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.
- 800.6 Other portions of each premises which are not specifically listed in this section shall be kept clean, and in a safe and sanitary condition.

Housing Codes for Metro DC

May 15, 2007

800.7 The owner, user, or any person having the right to use any private passageway or alley, shall not permit any ashes, debris, dirt, filth, garbage, human or animal waste, litter, refuse, stagnant water, or any other insanitary matter to remain on that passageway or alley.

801 RESPONSIBILITIES OF OWNERS AND LANDLORDS

801.1 If there are more than five (5) families residing in any multiple dwelling in which the owner does not reside, the owner(s) or lessee(s) of the building, when required by the Director, shall place in that building a janitor, housekeeper, or some other responsible person who shall reside in, and have charge of, the building.

801.2 In those portions of premises occupied for residential purposes which are vacant, used as common space, or are not under the exclusive control of a tenant, the owner or licensee shall be responsible for the observance of the provisions of this chapter.

802 RESPONSIBILITIES OF TENANTS

802.1 In those portions of premises occupied for residential purposes under the exclusive control of a tenant, it shall be the responsibility of the tenant to observe the provisions of this chapter, unless otherwise indicated in this chapter.

802.2 In addition to the tenant's responsibilities under § 800, the tenant shall specifically be responsible for the following:

- (a) Keeping the part of the premises that the tenant occupies and uses as clean and sanitary as the conditions of the premises permit;
- (b) Disposing from the tenant's dwelling unit all rubbish, garbage, and other organic or flammable waste, in a clean, safe, and sanitary manner;
- (c) Keeping all plumbing fixtures as clean and sanitary as the condition of those fixtures permit;
- (d) Properly using and operating all electrical, gas, plumbing, and heating fixtures and appliances.

802.3 A tenant shall not do or permit any person on the premises with the tenant's permission to do any of the following:

- (a) Willfully or wantonly destroy, deface, damage, impair, or remove any part of the structure or dwelling unit; or
- (b) Willfully or wantonly destroy, deface, damage, impair, or remove any part of the facilities, equipment, or appurtenances to the dwelling unit.

802.4 The tenant of each dwelling unit in multiple dwellings shall provide as needed for the tenant's own use sufficient, lawful and separate receptacles for the storage of ashes, garbage, and refuse in the tenant's own unit.

802.5 All garbage, refuse, and ashes of each unit shall be placed by the tenant in receptacles and transferred by the tenant to the designated place of common storage on the premises, unless the collection and transfer is provided by the operator.

803 STORAGE OF ASHES, GARBAGE, AND REFUSE

803.1 In each multiple dwelling where the occupants of habitations are responsible for taking the ashes, garbage, or refuse from their respective quarters to a place of common storage or disposal, the place of common storage or disposal shall be readily accessible to all occupants at all times through common space within the premises.

Housing Codes for Metro DC

May 15, 2007

- 803.2 In multiple dwellings where the owner or licensee is responsible for the collection or removal of ashes, garbage, or refuse from the individual habitations to a place of common storage or disposal, the owner or licensee shall cause sufficient daily collections, at an hour to be specified by the owner or licensee, to be made as may be necessary to keep the common space of the premises free from any accumulation of ashes, garbage, or refuse.
- 803.3 The principal occupant of a single or two-family dwelling, and the owners or licensees of multiple dwellings, shall provide and maintain water-tight metal receptacles with tight-fitting metal covers sufficient for the separate storage of all ashes, garbage, or refuse accumulating on the premises during the usual interval between collections of the ashes, garbage, and refuse.
- 803.4 If residential buildings are provided with interior refuse storage bins, the variety and number of those metal receptacles may be modified accordingly.
- 803.5 Persons required by this section to provide and maintain storage receptacles shall keep them free of accumulated grease, filth, or insect breeding, and shall keep them in a clean condition.

804 RATPROOFING

- 804.1 Every residential building shall be ratproofed and maintained in a ratproof condition by the owner or licensee of that building.
- 804.2 Ratproofing shall include construction designed to prevent rats from entering a building by blocking off or stopping up all passages by which rats may gain entry.
- 804.3 Ratproofing shall also include the closing of openings in exterior walls with materials through which rats cannot penetrate.
- 804.4 Ratproofing shall also include such interior rat stoppage, harborage removal, and cleanup as may be necessary to reduce or eliminate rat-breeding places.

805 EXTERMINATION

- 805.1 The occupant of any single-family dwelling shall keep the premises free from vermin, rodents, and rodent harborage.
- 805.2 The occupant of any habitation in a two-family or multiple dwelling shall be responsible for the extermination of vermin and rodents whenever his or her habitation is the only one infested, except as provided otherwise in § 805.3.
- 805.3 If an infestation of a single habitation is caused by failure of the owner or licensee to maintain a residential building in a rodent-proof or reasonably insect-proof condition, the exterminating shall be done by the owner or licensee.
- 805.4 The owner or licensee of a two-family or multiple dwelling shall keep the common space in that residential building free from vermin and rodents, and rodent harborages.
- 805.5 The extermination of vermin and rodents shall be done by the owner or licensee whenever infestation exists in two (2) or more of the habitations in two-family or multiple dwellings.

806 SCREENING

- 806.1 The owner or licensee of each residential building shall provide screens for all openings to the external air from March 15th through November 15th (both dates inclusive) of each year; provided, that effective means other than screens may be substituted for screens when specifically approved by the Director.
- 806.2 Screens shall have a minimum of sixteen (16) meshes to the inch or the equivalent effectiveness of sixteen (16) meshes to the inch.

Housing Codes for Metro DC

May 15, 2007

806.3 Screens shall be maintained to prevent effectively the entrance of flies and mosquitoes into the building.

806.4 All hinged screen doors shall open outwardly and be self-closing.

808 INSANITARY OR UNSAFE SHEDS AND FENCES

808.1 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Fire Chief finds constitutes a fire hazard to any nearby structure.

808.2 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Director of the Department of Consumer and Regulatory Affairs finds constitutes a safety hazard.

808.3 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Director of Human Services finds is dilapidated, and which facilitates the accumulation of or interferes with the collection of trash, garbage, ashes or other materials which constitute a health hazard; or which harbors or provides harborage for rodents.

808.4 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Chief of Police determines interferes with the performance of the duty of members of the Metropolitan Police force or constitutes a menace to the public safety.

808.5 Whenever an official listed in §§ 808.1 through 808.4 or any designated agent of that official finds that any fence or shed is hazardous as set forth in this section, he or she shall give the owner, owner's agent, or manager written notice to remove the hazard.

808.6 The written notice provided under § 808.5 shall state the following:

- (a) The reason or reasons for ordering the removal of the fence or shed; and
- (b) That the person receiving the notice shall comply with the requirements of the notice not later than thirty (30) days after the date of receipt of the notice, unless within that period of time he or she has appealed under § 808.7.

808.7 Any owner, owner's agent, or manager receiving notice to remove a shed or fence under this section shall have thirty (30) calendar days in which to comply or to appeal in writing to the Board of Appeals and Review.

808.8 If within the time allowed, the owner, owner's agent, or manager files an appeal, he or she shall be given opportunity to appear at a hearing before the Board of Appeals and Review.

808.9 The decision of the Board of Appeals and Review shall be final. If the decision is adverse to the appellant, the appellant shall comply with the provisions of the order appealed from (as that order may have been sustained or modified by the Board) within ten (10) calendar days after receipt of notice of the decision of the Board. Failure to comply shall constitute a violation of the order.

808.10 Any shed removed in compliance with a notice issued pursuant to the authority herein contained may be replaced only by a shed constructed in accordance with the Building Code.

808.11 Whenever any fence or shed is ordered removed, a copy of the notice ordering the removal shall be forwarded to the responsible official who shall issue permits for the construction of fences and sheds in accordance with the provisions of the order and who shall maintain a file of all notices.

808.12 Any fence removed in compliance with a notice issued pursuant to the authority of this section may be replaced only by one of the following:

- (a) An open-pattern, noncombustible fence which is not more than seven feet (7') in height; or

Housing Codes for Metro DC

May 15, 2007

- (b) A combustible fence which is not more than three feet six inches (3'6") in height, constructed of pickets, palings, or boards, each of which is not more than four inches (4") in width and is separated from the immediately adjacent pickets, palings, or boards by spaces that are not less than two inches (2") in width.

808.13 Notwithstanding any of the provisions of this section, if there is a change in the ownership of any property affected by this section, or if that property is substantially improved or renovated, any fence or shed ordered removed from the property may be replaced by a fence or shed constructed in accordance with applicable laws and regulations.

Housing Codes for Metro DC

May 15, 2007

Montgomery County Maryland Housing Code²

- § [26-1](#). Purpose.
- § [26-2](#). Definitions.
- § [26-3](#). Applicability; exemptions.
- § [26-4](#). Compliance with other laws.
- § [26-5](#). Space, use, and location.
- § [26-6](#). Basic equipment and facilities.
- § [26-7](#). Light, ventilation and heating, temperature control.
- § [26-8](#). Fire safety and security.
- § [26-9](#). Maintenance of dwelling units.
- § [26-10](#). Maintenance of nonresidential property.
- § [26-11](#). Inspections; warrants; right of entry of inspectors and owners.
- § [26-12](#). Notice of violation; order to comply.
- § [26-13](#). Designation of unfit dwellings and unsafe nonresidential structures; condemnation.
- § [26-14](#). Repair or removal of condemned buildings or structures.
- § [26-15](#). Severe conditions and corrective actions.
- § [26-16](#). Penalty for violation of Chapter.
- § [26-17](#). Waivers.
- § [26-18](#). Regulations.

Sec. 26-1. Purpose.

This Chapter is intended to protect the people of the County against the consequences of urban blight, assure the continued economic and social stability of structures and neighborhoods, and protect the health, safety and welfare of residents, by authorizing the enforcement of:

- (a) minimum standards of health and safety, fire protection, light and ventilation, cleanliness, repair and maintenance, and occupancy for residential properties; and
- (b) minimum standards of repair and maintenance for nonresidential properties. ([2002 L.M.C., ch. 15](#), § 1.)

Sec. 26-2. Definitions.

In this Chapter, the following words and phrases have the following meanings unless the context clearly indicates otherwise:

Basement: That portion of a building located below the first floor joists, at least half of whose clear ceiling height is above the mean level of the adjacent ground.

Cellar: That portion of a building located below the first floor joists, at least half of whose clear ceiling height is below the mean level of the adjacent ground.

Exterminate: Control or eliminate insects, rodents, or other vermin by:

- (a) eliminating harborage points;
- (b) removing or making inaccessible materials that may serve as food;
- (c) lawful poisoning, spraying, fumigating, or trapping; or
- (d) any other method approved by an enforcing agency.

²[www.amlegal.com/nxt/gateway.dll/Maryland/montgom/partiilocallawsordinancesresolutionsetc/chapter26housingandbuilding/maintenancest?fn=altmain-nf.htm\\$=templates\\$3.0#LPTOC1](http://www.amlegal.com/nxt/gateway.dll/Maryland/montgom/partiilocallawsordinancesresolutionsetc/chapter26housingandbuilding/maintenancest?fn=altmain-nf.htm$=templates$3.0#LPTOC1)

Housing Codes for Metro DC

May 15, 2007

Garbage: All organic waste, consisting of the residue of animal, fruit or vegetable matter, resulting from the preparation, cooking, handling, or storage of food, but not including human or animal feces.

Infestation: The presence, in or around a dwelling, of any insect, rodent, or other vermin.

Public nuisance: Any dwelling, dwelling unit, or nonresidential structure, or any part of any of them, that is:

(a) a threat or hazard to the health and safety of the community, including any vacant unsecured building, unprotected or abandoned well, open shaft, open basement, excavation, unsafe fence, unsafe stairway, or unsafe step;

(b) unsanitary, littered with rubbish or garbage, used for outdoor storage or abandonment of appliances for more than 48 hours or equipment which poses a threat of injury or danger to life;

(c) severely deteriorated, dilapidated, structurally unsafe, or fire-damaged;

(d) not equipped with properly functioning sanitary sewage and plumbing facilities;

(e) creating a condition that would or could result in substantial damage to another property;

(f) unsafe or unhealthful to any occupant, neighbor, employee, visitor, guest, or tradesman; or

(g) creating a visual blight.

Ventilation: The process of supplying air to, or removing air from, any space by natural or mechanical means.

Visual blight: Keeping, storing, scattering over, or accumulating any of the following which can be viewed at ground level from a public right-of-way or from neighboring premises:

(a) rubbish, lumber, packing materials, or building materials;

(b) abandoned, discarded or unused object or equipment, including any furniture, appliance, can or container, automobile part or equipment;

(c) abandoned, disabled, dismantled, or unused vehicle or part of a vehicle; or

(d) pile of dirt, mulch, sand, gravel, concrete, or other similar construction materials.

Visual blight also includes any other condition or use of a building or surrounding land which because of its appearance, viewed at ground level from a public right-of-way or from neighboring premises, is likely to reduce the value of nearby property. *Visual blight* does not include building or construction materials intended to be used for any repair or renovation activity for which a building permit was issued and has not expired, and stored for the time reasonably necessary to promptly complete the work for which the permit was issued.

Workmanlike: Executed in a skilled manner; for example, general plumb, level, square, in line, undamaged, and without marring adjacent work.

Sec. 26-3. Applicability; exemptions.

(a) *Residential.* An owner and any occupant of a dwelling, individual living unit, or rooming unit must comply with all applicable provisions of this Chapter. An owner must not occupy, or initially let to any other occupant, any vacant dwelling, individual living unit, or rooming unit unless it complies with all applicable provisions of law.

(b) *Exemptions.* This Chapter does not apply to any sanitarium, hospital, nursing home, care home, child day care center, or similar institutional facility which is operated under a license issued by a state or County agency.

(c) *Nonresidential.* Each owner of a nonresidential property must comply with all applicable provisions of this Chapter. (Mont. Co. Code 1965, § 91-3; [2002 L.M.C., ch. 15](#), § 1.)

Housing Codes for Metro DC

May 15, 2007

Sec. 26-4. Compliance with other laws.

(a) *Other County laws apply.* In addition to this Chapter, each owner of property must also comply with any property and structure maintenance requirements in Chapter 8, Chapter 17, Chapter 22, Chapter 29, Chapter 48, Chapter 55, Chapter 58, and Chapter 59.

(b) *Historic properties.* If an enforcement action taken under this Chapter would directly affect any building or structure which has been designated on the master plan for historic preservation as a historic site or a historic resource in a historic district, or which is listed on the locational atlas and index of historic sites maintained by the Planning Board, the enforcing agency must apply for a historic area work permit under Section 24-7 or a permit under Section 24A-10, whichever applies, before the enforcing agency removes the building or structure, substantially alters its exterior features, or contracts to do either.

(c) *Conflict of laws.* If any provision of this Chapter conflicts with any other County, municipal, state, or federal law, the more stringent law applies. (Mont. Co. Code 1965, § 91-16; 1993 L.M.C., ch. 26, § 4; [2002 L.M.C., ch. 15](#), § 1.)

Sec. 26-5. Space, use, and location.

The owner of any dwelling or dwelling unit must assure compliance with the following standards during human habitation:

(a) *Floor area, dwelling unit.* Every dwelling unit must contain at least 150 square feet of floor area for the first occupant and at least 100 additional square feet of floor area for every additional occupant. The floor area of that part of any room where the ceiling height is less than 5 feet or where the room width is less than 7 feet must not be considered in computing the habitable space of the room to decide its maximum permissible occupancy.

(b) *Floor area, sleeping.* In every dwelling unit of 2 or more rooms, every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of habitable space, and every room occupied for sleeping purposes by more than one occupant must contain at least 50 square feet of habitable space for each occupant. However, in a mobile home every room occupied for sleeping purposes by one occupant must contain at least 50 square feet of habitable space; by 2 occupants, at least 70 square feet of habitable space; and by more than 2 occupants, at least an additional 50 square feet of habitable space for each additional occupant.

(c) *Floor area, individual living unit.* Each individual living unit must contain at least 150 square feet of floor area for each occupant. The floor area of that part of any room where the ceiling height is less than 5 feet or where the room width is less than 7 feet must not be considered in computing the habitable space of the room to decide its maximum permissible occupancy.

(d) *Ceiling height.* At least one-half of the floor area of every habitable room must have a ceiling height of at least 7 feet.

(e) *Cellar space.* Cellar space must not be used as habitable space without written permission from an enforcing agency.

(f) *Basement space.* Basement space must not be used as habitable space unless, in addition to all other requirements of this Chapter:

(1) the floor and walls are impervious to leakage of underground and surface runoff water and insulated against dampness; and

(2) the minimum aggregate glass area of windows required by this Chapter is located entirely above the grade of the ground adjoining the window area.

Housing Codes for Metro DC

May 15, 2007

(g) *Access to sleeping room.* The access to any sleeping room must not pass through another sleeping room.

(h) *Privacy.* Each dwelling unit and individual living unit must be arranged to provide privacy, with doors and floor to ceiling walls. (Mont. Co. Code 1965, § 91-8; 1979 L.M.C., ch. 11, § 4; 1980 L.M.C., ch. 29, § 1; 1988 L.M.C., ch. 23, § 1; 1997 L.M.C., ch. 1, § 1; [2002 L.M.C., ch. 15](#), § 1.)

Sec. 26-6. Basic equipment and facilities.

All equipment and facilities must be properly installed, maintained, and kept in good repair. The owner of any dwelling or dwelling unit must assure compliance with the following standards during human habitation:

(a) *Electric service.* Where electric service is available from power lines which are not more than 300 feet away, each dwelling, dwelling unit, personal living quarters, transient lodging facility, and all public and common areas must be supplied with electric service, outlets and fixtures which are properly installed, maintained in good and safe working condition, and connected to the source of electric power in a manner consistent with applicable County regulations. The capacity of the services and the number of outlets and fixtures must meet the following requirements:

(1) Every habitable room must have an electric service and outlets or fixtures, or both, capable of providing at least 3 watts per square foot of floor area.

(2) Every habitable room must have at least one floor or wall electric convenience outlet for each 60 square feet of floor area, and in no case less than 2 outlets.

(3) Every water closet compartment, bathroom, laundry room, furnace room and public hall must contain at least one supplied ceiling or wall electric light fixture.

(4) Every cooking area must be supplied with at least one circuit rated for at least 20 ampere service capacity.

(5) Circuit breakers, fuses and other circuit protection devices must:

(A) not exceed the rated capacity of the circuit; and

(B) be sufficient for normal household use.

(6) Each individual room air conditioning unit, regardless of its current rating, must be served by not less than an individual 20-amp circuit using No. 12 copper wire which terminates in a single receptacle.

(b) *Water and sewer service.*

(1) All plumbing fixtures and systems must be installed and maintained as prescribed by applicable County or Washington Suburban Sanitary Commission regulations.

(2) Any dwelling unit on property where Washington Suburban Sanitary Commission water or sewer service is not available and a private water supply and sewage disposal system cannot be legally installed may receive a waiver under conditions set by regulation.

(3) In mobile homes, plumbing systems must be protected from freezing.

(c) *Kitchen.*

(1) Every dwelling unit and personal living quarters building must contain a room or space with the following equipment and facilities to store, prepare, and cook food:

(A) cooking and baking facilities;

(B) storage cabinets;

(C) a refrigerator and freezer (compartment or separate unit) for perishable food storage.

Each refrigerator must be capable of maintaining a temperature below 45 degrees Fahrenheit. Each freezer or freezer unit must be capable of maintaining a temperature between 6 and 12 degrees Fahrenheit;

Housing Codes for Metro DC

May 15, 2007

(D) a kitchen sink in good working condition, properly connected to a hot and cold running water system under pressure and an approved sewer system.

(2) Any cooking equipment which is installed in every individual living unit in a personal living quarters building need not be installed in a shared kitchen. However, an individual living unit must not be equipped with complete cooking facilities.

(3) The owner of a rooming house must post in each occupied rooming unit a sign stating "No Cooking Permitted in This Room" in letters at least inch high.

(d) *Bathroom.* Each dwelling unit, personal living quarters building, and transient lodging facility must be equipped with a complete bathroom fixture group, consisting of a flush water closet, lavatory basin, and bathtub or shower in good working condition, installed and maintained as prescribed by applicable County or Washington Suburban Sanitary Commission regulations.

(1) The bathroom fixture group must be properly connected to an approved sewage disposal system and an approved hot and cold running water system under pressure, except that the flush water closet must be connected to an approved sewage disposal system and an approved cold running water system under pressure.

(2) The flush water closet, lavatory basin, and bathtub or shower need not be installed in the same room, but the room where any of them is installed must afford privacy to a person in that room. A flush water closet and lavatory must be accessible from each bedroom without passing through another bedroom.

(3) Every personal living quarters building and every transient lodging facility that does not contain a flush water closet, lavatory basin, and bathtub or shower in each individual living unit must contain shared facilities, located in the building and accessible to all occupants from common halls or passageways. At least one flush water closet, lavatory basin, and bathtub or shower must be installed for each 6 occupants or fraction of 6. In a transient lodging facility where rooms are let only to males, flush urinals may be substituted for not more than half the required water closets.

(e) *Rubbish and garbage storage.* Each dwelling unit, personal living quarters, and transient lodging facility must be supplied with adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage containers as required by Chapter 48.

(f) *Additional requirements for certain mobile homes.* Each mobile home, except a mobile home located in a licensed mobile home park, must be:

(1) placed on a permanent foundation which meets the requirements of Chapter 8; and

(2) securely tied down with ties and ground anchors which meet the requirements of Chapter 8.

(2002 L.M.C., ch. 15, § 1.)

Sec. 26-7. Light, ventilation and heating, temperature control.

The owner of each dwelling or dwelling unit must assure compliance with the following standards during human habitation:

(a) *Natural light.* Each habitable room must contain windows, skylights, shutters, monitors, glazed doors, transoms, glass block panels, or other light transmitting media open to the sky or to a public street, yard or court which comply with the requirements for lighting in Chapter 8.

(1) When windows and exterior doors are used to provide natural light and ventilation, their aggregate glass area must be at least 8 percent of the floor area of each habitable room.

(2) If walls or other portions of structures face a window of any habitable room and are located less than 3 feet from the window and extend above the ceiling of the room, the window must not be included in the required minimum total window area.

Housing Codes for Metro DC

May 15, 2007

(3) If the only window in a room is a skylight in the ceiling, the minimum aggregate glass area of the skylight must be at least 15 percent of the floor area of the room.

(4) Alternate arrangements of windows, doors or other methods that will provide the equivalent minimum light performance as prescribed in Chapter 8 may be used, but every individual living unit must have at least one window which aggregate glass area greater than 4 percent of the floor area of all rooms in the individual living unit.

(b) *Artificial light.* Each common hallway and stairway in a multiple dwelling and personal living quarters building must be adequately lighted with lighting facilities sufficient to provide at least 3 foot-candles of light at the floor or stair tread level at all times. Each common hallway and stairway in a structure devoted solely to dwelling occupancy and containing not more than 4 dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(c) *Ventilation.* Each habitable room must provide adequate ventilation that meets the minimum standards prescribed in Chapter 8.

(1) When ventilation is provided by windows and exterior doors, the total of the openable window or door area in each habitable room must be at least 45 percent of the minimum aggregate glass area of the window or skylight as required in subsection (a) or 4 percent of the floor area of every habitable room.

(2) Every window or opening to outdoor space, used or intended to be used for ventilation, must be supplied with screens or other method of insect control approved by the Director.

(3) Every window used or intended to be used for ventilation, and every other opening in any dwelling which might provide an entry for rodents, must be supplied with a screen or other device which effectively prevents their entrance.

(d) *Light and ventilation for bathrooms.* Each bathroom and water closet compartment must comply with the light and ventilation requirements in Chapter 34 or applicable plumbing regulations of the Washington Suburban Sanitary District.

(e) *Space and water heating.* Each dwelling or dwelling unit, personal living quarters building, and transient lodging facility must be supplied with space and water heating facilities which are properly installed and are maintained in safe and good working condition. Either central or space heating may be used, but each must meet the following requirements:

(1) *Central heating.* Each central heating unit or central hot water heating unit must:

(A) have each heat duct, steam pipe, or hot water pipe free of leaks and functioning properly to provide a sufficient amount of heat and hot water to the intended place of delivery;

(B) be equipped with seals between sections of hot air furnaces to prevent the escape of toxic gases into heat ducts;

(C) if the unit uses electricity, be connected to an electric circuit of sufficient capacity in an approved manner; and

(D) be provided with automatic safety devices which are installed and operated as required by applicable County regulations.

(2) *Space heating; hot water.* Each space heating or hot water unit must:

(A) not use gasoline as a fuel;

(B) not be manufactured or designed to be portable if the unit uses solid, liquid, or gaseous fuel;

(C) if the unit uses a flame, be connected to a flue or vent as required by applicable County regulations;

(D) if the unit uses gaseous fuel, be connected with a non-flexible metal tubing;

Housing Codes for Metro DC

May 15, 2007

- (E) if the unit uses solid or liquid fuels, have a fire resistant panel beneath it;
- (F) be located at least 2 feet away from any wall, or be equipped with insulation sufficient to prevent the overheating of any wall as prescribed by applicable standards of the American National Standards Association or the National Fire Protection Association;
- (G) if the unit uses electricity, be connected to an electric circuit of sufficient capacity in an approved manner; and
- (H) be installed and operated as required by applicable County regulations.

(3) *Temperature control - space heating.*

- (A) Each owner of a dwelling unit or individual living unit where the heat is not under the control of the tenant must maintain a temperature of at least 68 degrees Fahrenheit in each habitable room, bathroom, and water closet compartment at a distance of 3 feet above floor level.
- (B) Each owner of a dwelling unit or individual living unit where the heat is under the control of the tenant must provide in working condition heating equipment capable of maintaining a temperature of at least 68 degrees Fahrenheit in each habitable room, bathroom, and water closet compartment at a distance of 3 feet above floor level.
- (C) If the thermostat or other mechanism governing the heat in more than one dwelling unit in a multiple dwelling or individual living unit in a personal living quarters building is located in a dwelling unit or individual living unit where the occupant of that unit controls the heat delivery to other dwelling units or individual living units, the owner must provide each tenant with an emergency phone number to directly contact a person who has 24-hour access to adjust the heat and who will adjust the heat within 2 hours.

(4) *Temperature control - hot water.* Water-heating facilities necessary to provide hot water required by this Chapter must be capable of heating water to a temperature that permits a sufficient amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees or more than 140 degrees Fahrenheit. The supplied water-heating facilities must be capable of meeting applicable water heat requirements when heating facilities required under this Chapter are not operating. ([2002 L.M.C., ch. 15](#), § 1.)

Sec. 26-9. Maintenance of dwelling units.

Unless otherwise stated, the owner of each dwelling or dwelling unit must assure compliance with the following standards at all times. All installation, repair, and replacement must be performed in a workmanlike manner and with materials having properties and qualities substantially equal to or better than the original materials.

(a) *Basic requirements.*

- (1) Each structure must be maintained in good repair.
- (2) Each window, door, and hatchway must be maintained in sound working condition.
- (3) In any renovation, addition or new construction of a dwelling or other structure on the premises, the owner must complete each exterior surface, including windows, wall siding, and roof within one year after the building permit was first issued, or within one year after construction started if no building permit was required. This subsection does not apply to any dwelling containing more than 4 dwelling units.
- (4) Each supplied facility, piece of equipment, or utility which is required under this Chapter must be constructed or installed so that it will function safely and effectively, and must be maintained in satisfactory working condition.
- (5) Each owner of a multiple dwelling or personal living quarters building must maintain:
 - (A) the shared or common area of the land and buildings in clean and sanitary condition; and

Housing Codes for Metro DC

May 15, 2007

(B) all equipment and facilities in laundry rooms and other shared spaces in clean condition and good working order.

(6) Each occupant of a dwelling, dwelling unit, or individual living unit must maintain in safe and sanitary condition that part of the dwelling, dwelling unit, individual living unit, and premises which the occupant occupies and control.

(7) An owner or occupant must not cause any service, facility, equipment, or utility which is required by this Chapter to be removed or discontinued for any occupied dwelling, except for a temporary interruption that is necessary while repairs or alterations are actually taking place, or during a temporary emergency when discontinuance of service is approved by an enforcing agency. If a rental dwelling unit or individual living unit is not equipped with a separate meter for a utility, the owner must make sufficient utility payments to prevent the utility service from being discontinued.

(8) All rubbish and garbage must be stored and maintained in approved containers as required by Chapter 48. Rubbish and garbage must not remain outside of approved storage containers, or containment areas approved for bulk objects, for more than 24 hours.

(A) The owner must provide a sufficient number of containers for storage of rubbish and garbage to prevent overflow and must maintain the containers as required by Chapter 48.

(B) Each occupant of a dwelling, dwelling unit, or individual living unit must dispose of all rubbish and garbage in a clean and sanitary manner by placing it in appropriate containers as required by Chapter 48.

(9) Each occupant of a dwelling containing a single dwelling unit must exterminate any insects, rodents, or other vermin in or on the premises. Each occupant of a dwelling unit or individual living unit in a dwelling containing more than one unit must exterminate if that unit is the only infested unit. The owner must exterminate if the infestation:

(A) includes more than one unit or the shared or common areas of a dwelling, or

(B) was caused by the owner's failure to maintain the dwelling in a rat-proof or reasonably insect-proof condition.

(10) The exterior surfaces of each structure and the interior surfaces of all common areas in each multi-family dwelling must be maintained free of graffiti, as defined in Section 32-12A.

(11) All water must be drained and conveyed from every roof and paved surface so it does not cause dampness in any wall, ceiling or floor.

(12) Each owner, after notice, must eliminate any condition which creates a public nuisance in a manner that will prevent the nuisance from reoccurring.

(b) *Exterior.*

(1) Each foundation, floor, wall, ceiling, and roof must be reasonably weather-tight, water-tight, rodent-proof, free from foreign matter, and capable of affording privacy.

(2) Each window, exterior door, and hatchway must be reasonably weather-tight, water-tight, and rodent-proof. Each occupant must hang all window screens unless the owner has agreed to do so.

(3) All exterior surfaces must be adequately protected from water seepage and against decay. All exterior surfaces must be free of flaking, peeling, or loose paint.

(4) The owner must maintain the paved or gravel surface of each entry apron, driveway, sidewalk and walkway, parking lot, and patio in good, serviceable, and safe condition.

(5) Each lawn and other land not covered by a structure must be reasonably free of erosion or gullyng. Any grass or weeds must not be allowed to grow more than 12 inches high where required by Chapter 58. Shrubbery, trees, vines, hedges, and other vegetation, including dead trees and branches, must be maintained so they do not pose a danger to health or safety.

Housing Codes for Metro DC

May 15, 2007

(A) The owner of a multiple dwelling or personal living quarters, the owner of a vacant building, each occupant of a single-family dwelling, and any occupant of a dwelling unit in a multifamily dwelling who controls a lawn or yard area, must keep grass and weeds below any required height limit.

(B) The owner must keep the premises free of erosion or gulying and replace damaged ground cover.

(C) The owner must maintain shrubbery, trees, vines, hedges, and other vegetation.

(6) Each owner must direct any exterior lighting away from the windows of any adjacent dwelling unit or individual living unit.

(c) *Interior.*

(1) Each plumbing fixture and water and waste pipe must be properly installed and maintained in good sanitary working condition, free from defects, leaks, and obstructions. Each occupant of a dwelling unit or individual living unit must maintain all plumbing fixtures in the unit in a clean and sanitary condition and must exercise reasonable care in their use and operation.

(2) Each water closet compartment floor surface and bathroom floor surface must be constructed and maintained reasonably impervious to water and to permit the floor to be easily maintained in a clean and sanitary condition.

(3) All walls, ceilings, floors, interior woodwork, doors and windows must be maintained in sound condition and good repair, and free of flaking, peeling, or loose paint. Only lead-free paint may be used.

(4) The owner of a rental dwelling unit or individual living unit must repaint the painted interior surfaces of the unit:

(A) (i) if after the third year of tenancy, the paint is stained, or is not intact and cleanable; and

(ii) this condition is not due to tenant abuse; and

(B) at least every 5 years.

Any painting required under this subsection may be postponed for 5 years or until a change in occupancy, whichever occurs first, if an occupant certifies that all occupants do not want the unit to be painted at the scheduled time.

(5) All floor coverings must be in good repair and sanitary condition. ([2002 L.M.C., ch. 15](#), § 1.)