

# Minneapolis, Minnesota Housing Code

## CHAPTER 244. MAINTENANCE CODE

### ARTICLE I. GENERALLY

244.10. What constitutes. This chapter and Chapter 242 shall be known and may be cited as the Housing Maintenance Code. (Code 1960, As Amend., § 66.010)

244.20. Purpose and policy. The purpose of the housing maintenance code is to protect the public health, safety and welfare. Said code (a) Establishes minimum standards for basic equipment and facilities; for light, ventilation and heating; for safety from fire; for space, use and location; for safe and sanitary maintenance of all dwellings; (b) Determines the responsibilities of owners, operators and occupants of dwellings; (c) Provides, as an incident to the primary regulation, for registering the operation of certain dwellings; and (d) Provides for administration and enforcement. (Code 1960, As Amend., § 66.020)

244.30. Findings. The council finds there exist in the city numerous dwellings which are substandard in one or more important features of structure, equipment, maintenance or occupancy. Such conditions adversely affect public health and safety and lead to the continuation, extension and aggravation of urban blight. Adequate protection of public health, safety and welfare therefore requires the establishment and enforcement of minimum housing standards. (Code 1960, As Amend., § 66.030)

244.40. Definitions. The following words and phrases when used in the housing maintenance code shall have the meanings respectively ascribed to them in this section:  
*Approved:* Approved by the director of inspections pursuant to applicable provisions of this Code of Ordinances and other ordinances and regulations.

*Attic story* is any story situated wholly or partly in the roof, so designed, arranged or built as to be used for business, storage or habitation.

*Basement:* Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

*Bath:* A bathtub or shower bath.

*Bedroom:* A habitable room within a dwelling unit which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen or dining room.

*Block:* A portion of the city, whether occupied by buildings or not, which is enclosed by and bounded by adjoining streets having official street name designations.

*Chief of the fire prevention bureau:* The legally designated chief of the fire prevention bureau or authorized representative.

*Clean:* The condition of being completely free from readily noticeable dirt, soil, stain, left over food particles, or other material not intended to be a part of the object in question.

*Commissioner of health:* The commissioner of health or authorized representative in the department of health.

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*Communal:* Used or shared by, or intended to be used or shared by the occupants of two (2) or more rooming units or sleeping rooms.

*Communicable disease:* The following diseases for the purposes of the housing maintenance code, are deemed communicable: Chicken pox, diphtheria, poliomyelitis, smallpox, tuberculosis, typhoid fever and fevers with rash.

*Dining room:* A habitable room used or intended to be used for the purpose of eating but not for cooking or the preparation of meals.

*Director of inspections:* The legally designated director of inspections of the city or authorized representative.

*Dwelling:* Any building or structure, or portion thereof, except temporary housing, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

*Dwelling unit:* Any habitable room located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

*Efficiency living unit:* "Efficiency living unit" is any room having cooking facilities used for combined living, dining and sleeping purposes and for the purpose of this Code shall be deemed a dwelling unit.

*Emergency:* Any condition or combination of conditions which in the opinion of the commissioner of health, director of inspections or the chief of the fire prevention bureau requires immediate action for the protection of health, safety or welfare of the occupants of a dwelling or of the public.

*Extermination:* The control and elimination of insects, rodents, vermin or other pests.

*Family:* A "family" is an individual or two (2) or more persons related by blood, marriage, domestic partnership as defined in Chapter 142 of the Minneapolis Code of Ordinances, or adoption, including foster children and bona fide domestic servants employed on a full-time basis by the family in the dwelling unit, living together as a single housekeeping unit in a dwelling unit and also including roomers, provided that the family plus the roomers shall not exceed a total of five (5) persons; provided further that the limit of five (5) persons shall not apply where the entire group living in the dwelling unit consists of persons related by blood, marriage or adoption including foster children and domestic servants.

*Fire escape:* An emergency means of egress. A fire escape shall not constitute a required stairway.

*Fire resistance or fire-resistive construction:* Construction to resist the spread of fire, details of which are specified in section 85.100 and Chapter 87, Article II of this Code.

*Garbage:* Animal or vegetable waste resulting from the handling, preparation, cooking or consumption of food.

*Group Residential Facility:* A "group residential facility" is one operated by a lawfully established and existing philanthropic or charitable organization or agency and which employs personnel of demonstrated competency in the fields of social, spiritual and physical rehabilitation, and has and operates under its own charter, regulations, rules and standards. In order to qualify, such agency must furnish adequate proof of the soundness of its governing charter, regulations and code and of its prior successful existence and practice.

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*Habitable floor area:* An area which has a ceiling height of seven and one-half (7 1/2) feet throughout. However, on floors above the first floor the habitable area shall have a minimum ceiling height of seven and one-half (7 1/2) feet over fifty (50) per cent or more of its area, and no part of any floor having a ceiling height of less than five (5) feet shall be considered as part of the habitable floor area; and further, in dwellings one story and attic in height, attic type bedrooms may be located above the first floor of each dwelling unit if such attic type bedrooms have a minimum ceiling height of not less than seven (7) feet over fifty (50) per cent of their floor area.

*Habitable room:* Any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, recreation rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

*Hazardous heating installations:* All heating installations except those which conform with the applicable laws regulating the installation of such space heating in effect now or at the time of installation and which have been maintained in good repair and working condition and are being used in a safe manner.

*Hazardous plumbing:* All plumbing except that which conforms with the applicable laws regulating the installation of such plumbing in effect now or at the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.

*Hazardous wiring:* All wiring except that which conforms with the applicable laws regulating the installation of such wiring in effect now or at the time of the installation, and which has been maintained in good condition and is being used in a safe manner.

*Hotel, licensed:* Any dwelling wherein sleeping or rooming accommodations are offered or furnished to the general public for a shorter period of time than one week, with or without meals. It shall not include rooming houses or lodging establishments.

*Hotel unit, licensed:* Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping in a licensed hotel, but not for cooking of meals.

*Infestation:* The presence of any insects, rodents, vermin or other pests within a dwelling or on the dwelling premises.

*Kitchen:* A habitable room used or intended to be used for cooking or the preparation of meals.

*Living room:* A habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

*Lodging establishment:* Every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished regularly to roomers, for periods of one week or more, and having five (5) or more sleeping rooms or five (5) or more beds to let. "Lodging establishment" shall not include that part of a building or structure containing "shared-bath dwellings" as that term is defined in Chapter 244 of the Minneapolis Housing Maintenance Code. The term "lodging establishment" shall include fraternities and sororities as defined in the Minneapolis Zoning Code.

*Lodging establishment with boarding:* A lodging establishment where in meals are prepared and/or served to tenants.

*Motel:* "Motel" shall mean "Hotel, licensed" as defined in this Code.

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*Multiple dwelling:* Any dwelling occupied, fitted up or arranged to be occupied as three (3) or more dwelling units and shall also include rooming houses and lodging establishments as defined herein.

*Nondwelling structure:* Any structure, except a dwelling, used or intended to be used for the shelter or enclosure of any animal or property of any kind.

*Occupant:* Any person over one year of age, including an owner or operator, living, sleeping, cooking or eating in, or having actual possession of a dwelling, dwelling unit, rooming unit, or sleeping room or hotel unit.

*Operator:* Any person who has charge, care or control of a building, or part thereof, in which dwelling units, rooming units, sleeping rooms or hotel units are let.

*Owner:* The person who is the last owner of record or the fee owner or the contract purchaser or the agent of the aforementioned person or member resident of a warrant-owned building as defined by Minnesota Statutes, Section 273.133, subdivision 1.

*Plumbing system:* The plumbing system of a building includes the water supply distributing pipes; the fixtures and fixture traps; the soil, waste and vent pipes; the building drain and building sewer; the storm water drainage, with their devices and appurtenances; and connections within the building and outside the building within the property line.

*Premises:* A platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure.

*Professional:* Whenever the words "professional state of maintenance and repair" are used in this Code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

*Recyclables or recyclable materials:* Recyclables are former items of rubbish which have been cleaned so as not to cause health or nuisance problems and separated into categories as follows for purposes of transportation, processing and final remanufacturing. Recyclables shall include, but not be limited to glass; aluminum, bi-metal, steel or tin cans, and other scrap metals such as brass, copper, lead; paper such as newsprint, corrugated cardboard, magazines, ledger paper, bond, computer printout paper, computer tab cards; housewares such as small and large appliances, furniture, utensils, tools; textiles such as clothing and linen.

Any of the above items which are not properly cleaned, prepared or stored such that they pose the threat of health, environmental or nuisance problems shall remain the responsibility and property of the individuals or household from which the materials originated.

*Roomer:* An occupant of a rooming house or lodging establishment who is not a member of the family of the operator of that rooming house, and shall also mean an occupant of a dwelling unit who is not a member of the family occupying the dwelling unit. This shall not be construed as to include temporary nonpaying guests of the operator.

*Rooming house:* Any dwelling, or that part of any dwelling, containing one or more rooming units, in which space is let by the owner or operator to five (5) or more roomers, with or without meals. Rooming houses shall be in compliance with the zoning ordinance and the construction requirements for rooming houses created after January 1, 1971, and alterations made to existing rooming houses after January 1, 1971 shall be as required for Group R occupancies in the building code.

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*Rooming unit:* Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking of meals.

*Rubbish:* Combustible or noncombustible waste materials, including garbage; and the term shall include, but shall not be limited to, such material as ashes, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, scrap metal, mineral matter, glass, crockery and dust. Rubbish shall not include human excreta, sewage or motor lubricating oils.

*Sanitary:* The condition of being completely free from infective, physically hurtful, diseased, poisonous, unwholesome, or otherwise unhealthful substances or influence and being completely free from rodents or arthropods, from the traces of either, and from an environment conducive to the growth of either.

*Shared bath dwelling:* A dwelling unit which does not contain a water closet and a hand lavatory and a bathtub or shower for the exclusive use of the occupants of the unit.

*Single-family dwelling structure:* A detached building occupied as a dwelling by one family alone.

*Sleeping room:* Any room in a lodging establishment which is used, intended to be used, or offered or held out for use, as a place where roomers sleep.

*Story:* That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six (6) feet above grade, as defined herein, for more than fifty (50) per cent of the total perimeter, or is more than twelve (12) feet above grade, as defined herein, at any point, such basement, cellar or unused underfloor space shall be considered a story.

*Story, first:* The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four (4) feet below grade, as defined herein, for more than fifty (50) per cent of the total perimeter, or more than eight (8) feet below grade, as defined herein, at any point.

*Superficial floor area:* Clear floor space, exclusive of fixed or built-in cabinets or appliances.

*Supplied:* Furnished, provided by, or under the control of, the owner, operator or agent.

*Temporary housing:* Any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not permanently attached to the ground or to another structure.

*Two-family dwelling:* Any dwelling containing only two (2) dwelling units.

*Water closet:* A toilet, with a bowl and trap made in one piece, which is connected to the city water and sewer system or other approved water supply and sewer system.

*Wood-frame construction:* As applied to dwelling shall mean that type of construction in which the load bearing portions of the exterior walls or a portion thereof are of wood.

(Code 1960, As Amend., § 66.040; Ord. of 2-22-74, § 1; Ord. of 9-12-74, § 1; 78-Or-244, § 1, 11-22-78; 79-Or-160, § 1, 8-9-79; 82-Or-094, § 1, 5-28-82; 82-Or-106, § 1, 6-11-82; 83-Or-097, § 1, 4-29-83; Pet. No. 252271, § 6, 5-11-90; 91-Or-240, § 1, 12-6-91; 2003-Or-110, § 1, 8-22-03; 2006-Or-073, § 1, 6-30-06)

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244.50. Meaning of certain words.(a) Whenever the words "dwelling," "dwelling units," "shared bath dwelling," "shared bath units," "rooming house," "rooming unit," "lodging establishment," "sleeping room," "hotel," "hotel units" or "premises" are used, they shall be construed as though they were followed by the words "or any part thereof."

(b) Whenever the words "professional state of maintenance and repair" are used they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

(c) Whenever the words "properly installed," "properly maintained," "properly connected" or "properly constructed" are used they shall mean in conformance with such ordinances of the city applicable now or at the time of such installation which governed such installations, maintenance connections or construction. (Code 1960, As Amend., § 66.050; 81-Or-106, § 2, 6-11-82; Pet. No. 252271, § 7, 5-11-90; 2006-Or-073, § 2, 6-30-06)

244.60. Temporary housing prohibited; exception.(a) Unless otherwise provided in this section, no camp car, house trailer, automobile, tent or other temporary structure may be parked or placed upon any public street or on any public or private premises or street in the city and used as a shelter or enclosure of persons and their effects for the purpose of living therein.

(b) The director of inspections may issue a permit to allow for temporary housing when a specified emergency creates the need to allow for such housing. A permit may be issued only when the emergency creating the need is an act of nature, a technological failure or malfunction, a terrorist incident, a public health emergency, an industrial accident, a hazardous material accident, or destruction caused by a civil disturbance.

(c) When the director of inspections issues a permit to allow for temporary housing, the director shall provide that the permit will expire after a specific period of time, not to exceed six (6) months. The director shall attempt to set the expiration date to coincide with the elimination of the need for temporary housing. The director may grant one (1) six-month extension of this permit.

(d) The director of inspections may set conditions on the use of the permit to mitigate the negative impacts of the permit. These conditions may include compliance with applicable statutes, ordinances and/or rules, including but not limited to the Minneapolis Fire Code, Minneapolis Health Code, Minneapolis Building Code, Minneapolis Housing Maintenance Code, and the Minneapolis Zoning Code. In addition, the director may impose any additional appropriate conditions to the use of the temporary housing permit.

(e) The director of inspections may revoke the permit if the need for such temporary housing ends, or if the permit holder fails to comply with the conditions set by the director as to the use of the temporary housing permit. (Code 1960, As Amend., § 66.060; 2005-Or-145, § 1, 12-23-05)

244.70. Continuing violations.Each day's continuance of any violation of the housing maintenance code after due notice has been served in accordance with the terms and provisions of section 244.150 shall be deemed a separate offense. (Code 1960, As Amend., § 66.070)

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244.80. Enforcement by suit.(a) In addition to the punishments provided in this Code of Ordinances, the city through the officer charged with the enforcement of the various provisions of the housing maintenance code, or any person with standing to sue may seek enforcement thereof in any court of competent jurisdiction by any appropriate form of civil action and may seek enjoinder of any continued violation thereof and seek to compel obedience thereto by mandatory orders and writs.

(b) No tenancy of a dwelling, dwelling unit, two-family dwelling or multiple dwelling covered by the housing maintenance code may be terminated because of the commencement of an action pursuant to this section or because of the report to the proper code enforcement authorities of a condition believed to be in violation of the housing maintenance code. In any action brought for the restitution of premises covered by the housing maintenance code, the lessee may show that notice of termination was received subsequent to the making of a violation report to the proper enforcement authorities or subsequent to the commencement of an action pursuant to this section. Such evidence shall be prima facie proof that the tenancy was terminated in violation of this section. The lessor may rebut the presumption of illegal termination through proof that the termination was for other good cause, including nonpayment of rent, or by showing that in fact no report of a violation was made or an action commenced, prior to notice to terminate being given. (Code 1960, As Amend., § 66.080)

244.90. Powers declared additional.The powers conferred on the director of inspections shall be in addition to the power already conferred upon said director of inspections and shall not be construed as in any way limiting these powers. (Code 1960, As Amend., § 66.090; Pet. No. 252271, § 8, 5-11-90)

244.100--244.110. Reserved.

### ARTICLE VI. MAINTENANCE BY OWNER

244.490. Compliance required.No person shall occupy as owner-occupant or let or allow another to occupy any building or other structure or portion thereof, for the purpose of living therein, which does not comply with the requirements set forth in this article. (Code 1960, As Amend., § 72.010)

244.495. Defacement of property.(a) No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti.

(b) It shall be the responsibility of the owner to restore said surface to an approved professional state of maintenance and repair.

(c) The parent or guardian of the person of a minor, who is under the age of eighteen (18) that is living with the parent or guardian, and which minor violates the provisions of paragraph (a) of this section in regard to any property in the city, is liable for the payment of a civil fine of not more than one hundred dollars (\$100.00) for each offense based on the conduct of such minor. The civil fine provided for in this subparagraph is in addition

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to and not in lieu of any compensatory or other liability which may exist at law, by statute or pursuant to ordinance. (82-Or-106, § 15, 6-11-82; 2000-Or-076, § 1, 7-28-00)

244.500. Foundations, roofs, exterior walls and surfaces.(a) All exterior surfaces shall be of a material manufactured or processed specifically for use in such a weather-exposed location, including redwood and other naturally suitable materials, and every exterior wall, chimney, foundation and roof shall be reasonably weathertight, watertight and rodentproof; and shall be kept in a professional state of maintenance and repair. Exterior walls shall be maintained and kept free from dilapidation by cracks, tears or breaks or from deteriorated plaster, stucco, brick, wood or other material that is extensive and gives evidence of long neglect.

(b) The protective surface on exterior walls of a building above ground level shall be maintained in good repair so as to provide a sufficient covering and protection of the structural surface underneath against its deterioration. Without limiting the generality of this section, a protective surface of a building shall be deemed to be out of repair if:

(1) The protective surface has paint which is blistered, cracked, flaked, scaled or chalked away, including window trim, cornice members, porch railings and other such areas;

(2) The pointing of any chimney or the pointing of any brick or stone wall is loose or has fallen out.

(c) Any exterior surface or plane required to be repaired under the provisions of this section shall be repaired in its entirety.

(d) No exterior wall of any dwelling or building accessory thereto shall have paint which is blistered, cracked, flaked, scaled or chalked away.

(e) No person shall apply any paint on the exterior surface of any dwelling or building accessory thereto unless such paint contains less than 0.06 per cent lead. (Code 1960, As Amend., § 72.020; 78-Or-244, § 18, 11-22-78; 82-Or-106, §§ 2, 16, 6-11-82; 89-Or-151, § 1, 8-11-89; 94-Or-087, § 2, 7-1-94)

244.510. Interior.(a) Every interior partition, wall, floor, door, window, trim surface, radiator and ceiling shall be kept in a professional state of repair. In other than owner-occupied dwellings such interior partitions, walls and ceilings shall be provided with an interior finish material specifically manufactured for, and intended to be used as, an interior finished surface. Walls, floors and ceilings that are required to be fire rated by new construction regulations shall be maintained and repaired to prevent a lowering of the resistance to fire or the spread of fire. In addition, maintenance and repairs to walls, floors and ceilings separating dwelling units, or dwelling units from public corridors or stairways shall be done in a manner which will not reduce the sound transmission class of such walls, floors or ceilings. Dwelling unit doors leading to communal, shared or public areas, when replaced, shall be replaced with an approved solid core door not less than one and three-eighths (1 3/8) inches in thickness. For the purposes of this section, professional state of repair shall apply to the repair and application of interior finishes. Interior finishes shall meet the flame spread classification set forth in Chapter 42 of the Building Code when such interior finishes are hereafter altered, refinished, repaired or replaced. Bathroom and toilet room floor surfaces shall be reasonably impervious to moisture.



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(b) No person shall apply any paint on the interior surface of any dwelling or dwelling unit, unless such paint contains less than 0.06 per cent lead.

(c) No interior wall of any dwelling or building accessory thereto shall have paint which is blistered, cracked, flaked, scaled or chalked away. (Code 1960, As Amend., § 72.030; Ord. of 6-13-75, § 1; 78-Or-244, § 19, 11-22-78; 82-Or-106, §§ 2, 17, 6-11-82; 89-Or-151, § 1, 8-11-89; 94-Or-087, § 3, 7-1-94)

244.520. Rainwater drainage. All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings, or floors of any portion of the dwelling or of any adjacent building or structure. Gutters and downspouts, if provided, shall be kept in a professional state of repair and in compliance with the provisions of section 244.500. (Code 1960, As Amend., § 72.040; 78-Or-244, § 20, 11-22-78; 82-Or-106, § 2, 6-11-82; 90-Or-174, § 1, 6-29-90)

244.530. Windows, exterior doors, hatchways. Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodentproof; and shall be kept in a professional state of maintenance and repair. Every exterior window or door of habitable rooms, bath and toilet rooms shall be supplied with a storm window or storm door or the equivalent for ventilation, light and insulation. Unless otherwise provided for by written agreement, the owner or operator shall install such storm windows and storm doors not later than November first of each year. Such written agreements shall be applicable only to one- and two-family dwellings. All exterior doors of dwellings, except those which are required to be outswinging based on occupant load, shall be provided with a storm door unless the principal door has an "R" value of two (2) or more. The following energy conservation measures are required:

(1) Install weatherstripping between exterior operable window sash and frames and between exterior doors and frames.

Exception: Weatherstripping not required on storm doors or storm windows.

(2) Caulk, gasket or otherwise seal exterior joints between foundation and rim joist, around window and door frames, between wall and roof, between wall panels, at penetrations for utility services through walls, floors, and roofs and all other openings in the exterior envelope. (Code 1960, As Amend., § 72.050; 78-Or-222, § 1, 10-27-78; 80-Or-051, § 1, 4-11-80; 82-Or-106, § 2, 6-11-82; 83-Or-109, § 2, 5-13-83; 83-Or-273, § 1, 11-10-83; 85-Or-056, § 1, 3-8-85)

244.540. Shades, drapes. Every window of every room let to another for sleeping purposes and the windows of bath and toilet rooms used in conjunction with such sleeping rooms shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room. However, upon written agreement of the owner and the occupant, separate from other lease agreement, said shades, drapes or devices need not be provided. (Code 1960, As Amend., § 72.055; Ord. of 8-10-73, § 1; 82-Or-106, § 18, 6-11-82)

244.550. Stairways and porches. (a) [ *Construction and maintenance generally; live load.* ] Every inside and all outside stairways attached to a dwelling, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of

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supporting the load that normal use may cause to be placed thereon; and shall be kept in a professional state of maintenance and repair. Normal use live load shall be the uniform load as set out in the state building code, one hundred (100) pounds per square foot.

(b) [*Handrails.*] Every inside and all outside stairways attached to a dwelling that have four (4) or more risers shall have at least one handrail, and all such stairways which are forty-four (44) inches or more in width, or which are open on both sides, shall have a handrail on each side. If a stairway is open on one side, the required handrail shall be placed on the open side, when required by the director of inspections. Stairways required to be more than eighty-eight (88) inches in width shall be provided with an intermediate handrail. However, only one handrail shall be required when such an outside stairway serves a one- or two-family dwelling and the stairway is not more than forty-two (42) inches above the adjacent surface. All handrails shall be not less than thirty (30) inches nor more than thirty-four (34) inches vertically above the nose of the stair treads or stairway platforms.

(c) *Exception:* Outside stairways attached to owner-occupied single-family dwellings are exempt from the handrail requirements of this section unless such outside stairways are more than forty-two (42) inches above the adjacent surface or are remodeled pursuant to a permit as required by Chapter 89 of this Code of Ordinances.

(d) [*To be kept clean of snow, etc.*] Required means of egress that are exposed to the elements shall be kept clear at all times of rubbish, snow, ice or other obstructions when such egress serves a multiple dwelling. (Code 1960, As Amend., § 72.060; 78-Or-244, § 21, 11-22-78; 82-Or-106, §§ 2, 19, 6-11-82)

**Cross references:** Handrails on egress stairways, § 244.960 (f), (g).

244.555. Guardrails. All accessible doorways, unenclosed floor and roof openings, open stairs, porches, balconies, walkways and landings which are more than thirty (30) inches above grade or the surface below shall be protected by an approved guardrail. The guardrail shall be not less than thirty-six (36) inches in height and, when in the opinion of the director of inspections, it is necessary to protect the public safety, intermediate rails, balusters, or other approved members shall be provided so that no object nine (9) inches in diameter can pass through the guardrails. New installations or replacements of guardrails shall be in compliance with the state building code. (78-Or-244, § 22, 11-22-78; 82-Or-106, § 20, 6-11-82)

244.560. Plumbing fixtures. Every supplied plumbing fixture and all water and waste pipes shall be installed in a nonhazardous manner and maintained free from defects, leaks or obstructions. Water closets shall be provided with seats which can be maintained in a sanitary condition. (Code 1960, As Amend., § 72.070; 78-Or-244, § 23, 11-22-78)

244.570. Bathroom and toilet floors. Every toilet room floor and bathroom floor shall be so constructed and maintained as to be reasonably impervious to moisture and all such floor and floor coverings shall be kept in a clean and sanitary condition. (Code 1960, As Amend., § 72.080; 78-Or-244, § 24, 11-22-78)

244.580. Supplied facilities. Prior to leasing, the owner shall notify the tenant in writing of any metered utility service paid exclusively by said tenant which serves any area not

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leased and controlled by the tenant. Such notification shall be in a type size as large as elite, twelve (12) characters per inch. Every supplied facility, piece of equipment, or utility which is required under the housing maintenance code shall be so constructed and installed that it will function safely and effectively, and shall be kept in a professional state of maintenance and repair. Appliances used for cooking, air conditioning or refrigeration, when supplied by the lessor, shall be installed and maintained so they will function safely and effectively. (Code 1960, As Amend., § 72.090; Ord. of 2-22-74, § 1; 78-Or-244, § 25, 11-22-78; 82-Or-106, §§ 2, 21, 6-11-82)

244.590. Discontinuance of required services.(a) No owner or operator shall cause any service, facility, equipment or utility which is required to be supplied under the housing maintenance code to be removed, shut off, or discontinued in any occupied rooming unit, hotel unit, dwelling or dwelling unit let or occupied by said owner, or operator, except for such temporary interruption as may be necessary while actual repairs, replacements or alterations are in process of being made.

(b) An administrative fee of fifty dollars (\$50.00) shall be charged to the bill payer of a property where water services have been shut off for a period of forty-eight (48) hours for non-payment. An additional one hundred dollars (\$100.00) administrative fee shall be charged to the bill payer of a property where the property is placarded with a letter of intent to condemn for lack of utilities resulting from the water services being shut off for non-payment.

(c) Administrative fees charged for water shut off for non-payment shall be added to the property's utility services bill as set forth in section 509.870.

Utility companies supplying service through a single meter to equipment or facilities that are required by the housing maintenance code shall post, on or near the front and rear entrances of a multiple dwelling or duplex containing such equipment or facilities, a notice of delinquency in payment of utility bills after the utility bills are sixty (60) days in arrears, or a notice of intent to discontinue such service for failure to pay utility bills not less than fifteen (15) calendar days prior to the actual discontinuance of the service. Said notice shall inform tenants of their right to make rent payments directly to the utility company. When the discontinuance of the service is done by said utility, they shall notify the director of inspections' authorized designee, the supervisor of housing, either by mail, phone, or hand delivery within forty-eight (48) hours after the discontinuance of the service.

After a utility company has posted either notice described above, the tenants in the building may pay any rents owing to the owner or operator of the building directly to the utility company. The utility company shall make available to any requesting tenant or tenant's representative the utility account of the multiple dwelling or duplex housing which has been posted pursuant to this article. Any such payment shall be considered a reduction of rent owed by the tenant and a reduction of the utility bill owed by the owner or operator of the building.

A utility company shall not discontinue service if it has received payments from the tenants sufficient to:

(1) Cover one hundred (100) per cent of the current bill and one-third ( 1/3) of the past-due bill within thirty (30) days after posting the original notice.

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(2) Cover one hundred (100) per cent of the current bill and two-thirds ( 2/3) of the past-due bill within sixty (60) days after posting the original notice.

(3) Cover one hundred (100) per cent of the current bill and one hundred (100) per cent of the past-due bill within ninety (90) days after posting the original notice.

The utility company may discontinue service without further notice if it has not received the payments specified above.

No person shall deface or remove any notice posted by a utility company pursuant to this section. Such notice shall be removed only by the utility company which posted the notice or with its consent.

For the purposes of this section only, the term "utility company" shall include the water and sewer department of the City of Minneapolis. (Code 1960, As Amend., § 72.100; Ord. of 5-10-74, § 1; 78-Or-144, § 1, 8-11-78; 81-Or-304, § 1, 12-28-81; Pet. No. 252271, § 16, 5-11-90; 91-Or-144, § 1, 7-26-91; 2006-Or-136, § 1, 11-17-06)

244.600. Pest extermination. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for the extermination of insects, rodents, vermin or other pests on the premises. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner. The director of inspections may order the extermination done by a person licensed to do such work by the provisions of Chapter 325 when in the director's opinion the infestation is widespread and severe. (Code 1960, As Amend., § 72.110)

**Cross references:** Pest and vermin control generally, Ch. 229.

244.610. Cleanliness of public areas. Every owner of a dwelling containing three (3) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the communal, shared or public areas of the dwelling and premises thereof. (Code 1960, As Amend., § 72.120; 78-Or-244, § 26, 11-22-78)

244.620. Vacant dwelling units. No owner shall occupy or permit any other person to occupy any vacant dwelling unit, rooming unit or hotel unit, unless it is clean, sanitary and complies with all provisions of the housing maintenance code. The owner of any dwelling shall be responsible for the removal of all garbage, rubbish and other discarded debris left on the premises where the dwelling unit is vacant. (Code 1960, As Amend., § 72.130)

244.630. Hanging of screens. Every owner of a dwelling let to another shall be responsible for hanging all screens whenever the same are required under the provisions of this code. Screens shall be hung not later than the first day of May of each year. This provision shall not preclude the owner and tenant from agreeing by written contract to have said tenant hang the screens as required above for other than multiple dwellings. Nothing in this section shall be construed to prevent the owner from engaging a tenant, caretaker or any person from hanging the screens for remuneration. (Code 1960, As Amend., § 72.140; 78-Or-244, § 27, 11-22-78)

244.640. Prohibited uses. No person shall use or permit the use of any dwelling or any

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building or any lot or premises in a residence or multiple-dwelling district as defined in the zoning ordinance for any use not permitted by said zoning ordinance. (Code 1960, As Amend., § 72.150)

**Cross references:** Zoning ordinance, Title 20.

244.650. Numbering units. All habitable units let to another in a multiple dwelling shall be numbered or lettered in an approved and conspicuous manner on each passage door leading from such unit. All passage doors from each unit shall have the same number or letter and no two (2) units shall bear the same number or letter. (Code 1960, As Amend., § 72.180; 78-Or-244, § 28, 11-22-78; 82-Or-106, § 22, 6-11-82)

**Cross references:** Numbering of buildings, Ch. 435.

244.655. Mailboxes. Every owner shall provide a suitable mail deposit box for each rental unit. Such mail deposit box shall be approved by the United States Postal Service. (82-Or-106, § 23, 6-11-82)

244.660. Changing or altering locks. No person shall change or alter any keyed lock, or place such a new lock on the entrance of a dwelling unit without first providing the tenant or owner of that dwelling unit with a suitable functional key to operate such a lock. A tenant shall obtain permission of the owner, in writing, before installing permanent locks. (Code 1960, As Amend., § 72.190; Ord. of 3-27-75, § 1; 78-Or-244, § 29, 11-22-78; 82-Or-106, § 24, 6-11-82)

244.670. Doorbells or buzzers. Every multiple dwelling of four (4) or more dwelling units or ten (10) or more rooming units shall be equipped with an operable system of bells, buzzers or other signaling devices which operate from the exterior of a locked entryway and signal either within each dwelling unit and rooming unit or in the hallway or common area of each floor of the building. (82-Or-002, § 1, 1-15-82; 82-Or-106, § 25, 6-11-82; 86-Or-024, § 1, 2-14-86)

244.675. Secured egress and ingress to be provided for certain multiple dwellings. All multiple dwellings containing four (4) or more dwelling units or ten (10) or more rooming units existing now or hereafter created shall provide the following security measures: all doorways leading to the exterior or to an exterior vestibule or entry must be secured by a locking device approved by the director of inspections. The locking devices provided for required egress doorways shall be of a type that will engage and lock automatically when the door is in the closed position within the frame provided. Further, locks on such required egress doors shall be openable from the exterior by the use of a key or other approved device. All doors, whether required egress doors or auxiliary, shall be openable from the inside without the use of a key or any special knowledge or effort. All locking devices required by this section shall be kept in a professional state of maintenance and repair. The security locks and devices required by this section shall be provided not later than January 1, 1987. However, when, in the opinion of the director of inspections, conditions exist which warrant the installation of said security devices and locks within a shorter time period than previously set out, the director shall be

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empowered to order and secure the installation of such security and locking devices within a reasonable time period. (86-Or-024, § 2, 2-14-86)

244.680. City of Minneapolis rental property energy efficiency standards. The State of Minnesota Rules for the Department of Energy and Economic Development, Sections 0100, 4100, and 4105 of Chapter 4170 are hereby incorporated in this title as fully as if set forth herein and shall be in force and effect as the City of Minneapolis rental property energy efficiency standards. Section 1710 of Chapter 4170 is also adopted for guidance in the enforcement of the aforementioned rules. Upon request, by complaint, or when in the opinion of the director of inspections an energy audit is warranted, the Minneapolis Energy Office shall conduct a determination of status to determine whether or not buildings are in compliance with the aforementioned rental energy efficiency standards and shall charge a fee not to exceed twenty-five dollars (\$25.00) for each determination of status conducted. (85-Or-056, § 2, 3-8-85; 85-Or-126, § 1, 6-28-85; Pet. No. 252271, § 17, 5-11-90)

244.685. Certificate of compliance. If the building is determined to be in compliance with the rental energy standards, the energy office shall issue a certificate of compliance to the building owner and shall charge a processing fee not to exceed twenty-five dollars (\$25.00) for the issuance of the certificate. Such certificate shall be nonexpiring and be in effect until such time as the building is found to be in noncompliance with the City of Minneapolis rental property energy efficiency standards. (85-Or-056, § 3, 3-8-85; 85-Or-126, § 2, 6-28-85)