

TAB 4

PALMETTO

516 8th Avenue West
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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

CITY OF PALMETTO CODE ENFORCEMENT BOARD

CITY OF PALMETTO
A political subdivision of the
State of Florida

Petitioner,

vs

Christopher Lee Dunbar
3008 16th Avenue East
Palmetto, Florida 34221

Case No. CEB 11-07

Respondent.

NOTICE OF HEARING

Address of Violation:
214 12th Street West
Palmetto, Florida 34221

Pursuant to Chapter 162, Florida Statutes, and City of Palmetto Code of Ordinances, Chapter 2, you are hereby called upon to take notice that a Public Hearing will be conducted before the City of Palmetto Code Enforcement Board (CEB) on the 26th day of April, 2011 at 6:00 P.M. in the Commission Chambers at City Hall, which is located at 516 8th Avenue West, Palmetto, Florida. The purpose of the hearing is to determine whether the City of Palmetto Code of Ordinances is being violated as set forth in the Notice of Violation dated March 16, 2011 and previously provided to you by Certified Mail/Return Receipt Requested on March 16, 2011. A copy of the Notice of Violation is attached to this Notice of Hearing as Exhibit A. The CEB will receive testimony and evidence at said Public Hearing and shall make such findings of fact and conclusions of law as are supported by the testimony and evidence pertaining to the matters alleged in the attached Notice of Violation. **If you are**

found to be in violation, a fine may be assessed against you, as provided by law. The purpose of the hearing shall be to conduct proceedings regarding the attached Notice of Violation attached hereto as Exhibit A.

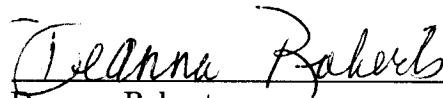
If you desire to appeal any decision of the CEB with respect to any matter considered at this Public Hearing, you will need a verbatim record of the proceedings and for that purpose, you need to insure that a verbatim record is made which includes the testimony, and evidence upon which the appeal is to be based. The hearing may be continued from time to time as deemed warranted and appropriate by the CEB. This case may be presented to the CEB even if the violation or repeat violation has been corrected prior to the hearing.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CODE ENFORCEMENT BOARD CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING AT (941) 723-4570.

PLEASE GOVERN YOURSELF ACCORDINGLY.

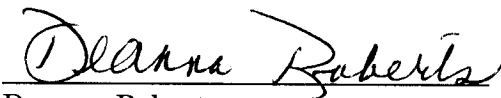
DATED: April 11, 2011

**CODE ENFORCEMENT BOARD OF THE
CITY OF PALMETTO, FLORIDA**



Deanna Roberts
Clerk of the Board

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Return Receipt Requested and by Regular Mail to the Respondent this 11th day of April, 2011.



Deanna Roberts
Clerk of the Board

cc: Mark Barnebey, City Attorney
David P. Persson, Code Enforcement Board Attorney

Draft

BUILDINGS AND BUILDING REGULATIONS

§ 7-151

<i>Impact Fee Schedule</i>					
	<i>General Govern- ment</i>	<i>Police</i>	<i>Parks & Recre- ation</i>	<i>Roads</i>	<i>Total</i>
<i>Land Use</i>					
(1) Estimated PM peak trips to be provided by a certified traffic engineer of applicant. City may require detailed documentation to support the estimated PM peak trips at its sole discretion.					
(2) Road impact fee represents an average across property types for illustrative purposes. Actual road impact fees will be based upon estimated PM peak trips per hour for each non-residential applicant.					

(Ord. No. 06-886, § 2, 7-24-06; Ord. No. 06-902, § 2, 10-16-06)

ARTICLES V, VI. RESERVED*

Secs. 7-76—7-150. Reserved.

ARTICLE VII. DANGEROUS AND UNSAFE BUILDINGS

➔ Sec. 7-151. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except when the context indicates a different meaning:

* *Abandoned* means a dilapidated, deteriorated or decayed building or structure that is vacant and unsecured.

* *Dilapidated, deteriorated and decayed* mean structures, dwellings, dwelling units, multiple dwellings, apartments or apartment houses, including garages, sheds and similar accessory structures and fences, which by reason of inadequate maintenance, obsolescence or abandon-

***Editor's note**—Ord. No. 02-01, § 3—5, adopted January 7, 2002, amended the Code by repealing former arts. IV through VI, §§ 7-51—7-65 and 7-81—7-89, 7-111—7-116, and 7-131—7-135 respectively, in their entirety. Former art. IV pertained to electrical standards, and derived from Ord. No. 326, adopted August 17, 1987; Ord. No. 400, adopted March 19, 1990; Ord. No. 512, adopted March 21, 1994; and Ord. No. 589, adopted April 21, 1997. Art. V pertained to plumbing standards, and derived from the Code of 1975, §§ 20-16, 20-19, and 20-20; Ord. No. 201, adopted February 6, 1984; Ord. No. 250, adopted October 8, 1985; Ord. No. 385, adopted November 6, 1989; Ord. No. 458, adopted August 5, 1991; and Ord. No. 549, adopted October 6, 1995. Art. VI pertained to the mechanical code and the gas code, the Code of 1975, § 7-103; Ord. No. 202, adopted February 6, 1984; Ord. No. 252, adopted October 7, 1985; Ord. No. 384, adopted November 6, 1989; Ord. No. 458, adopted August 5, 1991; Ord. No. 549, adopted October 6, 1995; Ord. No. 625, adopted October 5, 1998.

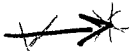
ment are unsafe, unsanitary, constitute a fire hazard or are otherwise dangerous to human life or property or are no longer adequate for the purposes for which they were originally intended. (Code 1975, § 7-36)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 7-152. Reporting unsafe dwellings or structures.

Members of the fire service, the police department, the public works department and any other city departments may make written reports to the administrative official of dwellings or structures which appear to be unsafe, within the terms of this article. The administrative official is authorized to utilize the services of private engineers, architects or other professionals, in order to determine the condition of the structure in question and such costs shall be assessed in the same manner as provided for in section 7-160.

(Code 1975, § 7-45)



Sec. 7-153. Unfit or unsafe dwellings or structures, declared nuisance.

→ (a) When a dwelling or other structure, or any portion thereof, including accessory buildings, is found unfit for human habitation, or may imperil the health, safety, welfare and morals of the occupants thereof or of the surrounding areas, upon inspection by the administrative official of the land use and development regulations, or his designee, such official shall require the repair, securing, demolition or removal thereof.

→ (b) The term "unfit or unsafe dwelling or structure or portion thereof, including accessory buildings," shall include:

- (1) Dwellings or structures, or portions thereof, including accessory buildings, that are structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities;
- (2) Any structure not provided with permanent means of adequately securing all openings against unauthorized entry;
- (3) Constituting a fire hazard;
- (4) Unsuitable or improper for the use of occupancy for which they are intended;
- (5) Constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment;
- (6) Dangerous to life or property; or
- (7) Otherwise in violation of the Standard Housing Code, the Standard Building Code, the National Electrical Code, the Standard Plumbing Code, the Standard Mechanical Code, the National Fire Prevention Code and Standard Gas Code.

→ (c) Such structures are further declared a nuisance or unsafe dwelling or structure. (Code 1975, § 7-35)

Chapter 16

HEALTH AND SANITATION*

- Art. I. In General, §§ 16-1—16-25**
Art. II. Nuisances, §§ 16-26—16-45
Div. 1. Generally, §§ 16-26, 16-27
Div. 2. Sanitary Nuisances, § 16-28
Div. 3. Nuisance Abatement Procedures, §§ 16-29—16-45
Art. III. Control of Stormwater Discharge, §§ 16-46—16-48

ARTICLE I. IN GENERAL

Sec. 16-1. Reserved.

Editor's note—Formerly, § 16-1 adopted F.S. Ch. 381 as the sanitary code of the city. Inasmuch as reference to such statute is obsolete, the section has been deleted at the request of the city.

Secs. 16-2—16-25. Reserved.

ARTICLE II. NUISANCES†

DIVISION 1. GENERALLY

Sec. 16-26. Definition, enumeration of unlawful conditions or acts.

Every condition, substance or activity within the city which exists or occurs in such manner and to such extent as to threaten or endanger the public health, safety or welfare, or adversely affect and impair the economic welfare of adjacent property, is hereby declared to be a

***Cross references**—Administration, Ch. 2; code enforcement, § 2-81 et seq.; animals, Ch. 6; sanitation regulations for lots, stables, etc., where any livestock or fowl are kept, § 6-29; buildings and building regulations, Ch. 7; coastal areas and waterways, Ch. 10; garbage, trash and refuse, Ch. 15; housing, Ch. 17; junked, wrecked, abandoned property, Ch. 18; mobile homes, Ch. 21; streets, sidewalks and other public places, Ch. 25; utilities, Ch. 29.

State law references—Nuisances injurious to health, F.S. Ch. 386; mosquito control, F.S. Ch. 388.

†Editor's note—Ord. No. 05-843, §§ 2, 3, adopted April 4, 2005, repealed article II, §§ 16-26—16-31, in its entirety and replaced it with a new article II, §§ 16-26—16-33. Former article II pertained to hazardous conditions on land and derived from the Code of 1975, §§ 13-27—13-32; and Ord. No. 659, § 1, adopted Nov. 1, 1999.

Cross references—Housing, Ch. 17; junked, wrecked, abandoned property, Ch. 18; licenses and business regulations, Ch. 19; mobile homes, Ch. 21; planning and development, Ch. 23; streets, sidewalks and other public places, Ch. 25; subdivisions, Ch. 26.

nuisance. Without in any way limiting the foregoing definition, the following conditions, substances and activities are hereby specifically declared to be a nuisance within the intent and meaning of this section:

- (1) Low places upon any lot, tract or parcel of land, improved or unimproved, within one hundred (100) feet of the boundary line of any improved property within the city to the extent and in the manner that such lot, tract or parcel of land is or may reasonably become a breeding place for mosquitoes, or may reasonably cause disease, or otherwise threatens or endangers the public health, safety or welfare, or is likely to adversely affect and impair the economic welfare of adjacent property.
- (2) The accumulation or maintenance of trash, filth, rubbish, garbage, dead animals or fish, improperly treated sewage or other materials in such manner and to the extent as to cause infestation by rodents and other wild animals, the breeding of mosquitoes and vermin, or that threatens or endangers the public health, safety or welfare, or is likely to adversely affect and impair the economic welfare of adjacent property.
- (3) The existence of excessive accumulation or untended growth of weeds, undergrowth or other dead or living plant life upon any body of water, lot, tract or parcel of land, improved or unimproved, within one hundred (100) feet of the boundary line of any improved property within the city to the extent and in the manner that such lot, tract or parcel of land is or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, or may reasonably cause disease, or is likely to adversely affect and impair the economic welfare of adjacent property.
- (4) Partition fences, buildings or other structures which have fallen into such a poor state of repair to the extent and in the manner that they may reasonably become infested or inhabited by rodents, vermin or wild animals, or may threaten or endanger the public health, safety or welfare, or is likely to adversely affect and impair the economic welfare of adjacent property.
- (5) The unauthorized accumulation or maintenance of lumber, stone, concrete, sand or any other building or construction material on a lot, tract or parcel when construction activity is not actively taking place on the property, in such manner and to the extent as to threaten or endanger the public health, safety or welfare.
- (6) Landscaping or other obstacles located in or protruding into a public right of way so as to create a traffic or pedestrian hazard, or otherwise threaten or endanger the public health, safety and welfare.
- (7) Any foul, offensive or unlawful emissions, odors or stench and the causes thereof which threatens or endangers the public health, safety and welfare, or which is likely to adversely affect and impair the economic welfare of adjacent properties.
- (8) The pollution of any well, water body or drainage system by sewage, dead animals, industrial waste, debris or any other substance so as to threaten or endanger the public health, safety and welfare.

- (9) The partial or total blockage of any drainage inlets, outfalls, pipes, ditches, swales, canals, channels, culverts or streams so as to threaten or endanger the public health, safety and welfare.
- (10) Tampering or interference with any public facilities maintained for the purpose of furnishing sewer, potable water, reclaimed water or telecommunication services to the public, so as to threaten or endanger the public health, safety and welfare.
- (11) Any condition constituting a flood or fire hazard so as to threaten or endanger the public health, safety and welfare.
- (12) Any activity or condition that is declared elsewhere in this Code of Ordinances or other applicable law to be a nuisance.
- (13) Any trees, shrubs, or other landscaping material, or parts thereof, that threaten or endanger the public health, safety or welfare, or adversely affect and impair the economic welfare of adjacent properties, as a result of either of the following conditions:
- a. A contagious disease or infestation is found on a tree, shrub or other landscaping material; or
 - b. Disease, vines, insects, age or other defect has caused a tree, shrub or other landscaping material, or part thereof, to be unstable such that there exists a reasonable likelihood that it will fall upon any sidewalk, street or building, or result in injury to person or property.
- (14) Any unauthorized disturbance of land where a permit for such activity is required, including but not limited to alteration of the grade or contour of land, or the removal of vegetation from land, that may increase surface water runoff onto neighboring properties or otherwise threaten the public health, safety or welfare.
- (15) Any activity or condition which is manifestly injurious to the morals or manners of the public, as described in F.S. § 823.01.

(Ord. No. 05-843, §§ 2, 3, 4-4-05)

→ **Sec. 16-27. Prohibition and enforcement.**

- (a) Nuisances are hereby prohibited. It shall be unlawful for any person to cause such nuisance to come into existence anywhere within the city, or to permit the same to exist on property owned, leased, occupied or otherwise under the control of such person.
- (b) This article may be enforced against any violator, which may include the owner of the premises on which a nuisance exists, or the person or persons generating the nuisance.
- (c) This article shall be enforced as provided for by Florida law, including referral or citation to the city's code enforcement board, issuance of a citation as may be provided for by city ordinance, the entering onto the property and the abatement of the nuisance by the city, or the

filing of an action in a court of competent jurisdiction to obtain civil remedies, including a restraining order, injunction and damages. Any enumeration of enforcement mechanisms set forth herein is supplemental and not exclusive.

(Ord. No. 05-843, §§ 2, 3, 4-4-05; Ord. No. 07-920, § 2, 4-16-07)

DIVISION 2. SANITARY NUISANCES

Sec. 16-28. Sanitary nuisance.

(a) A sanitary nuisance is the commission of any act, by an individual, municipality, organization, or corporation, or the keeping, maintaining, propagation, existence, or permission of anything, by an individual, municipality, organization, or corporation, by which the health or life of an individual, or the health or lives of individuals, may be threatened or impaired, or by which or through which, directly or indirectly, disease may be caused. Not all nuisances are sanitary nuisances.

(b) Abatement of sanitary nuisances shall occur in the same manner as provided for all other nuisances in division 3 of this article II, except that the city is required to give only ten (10) days' notice to abate the sanitary nuisance or request a hearing.

(Ord. No. 05-843, §§ 2, 3, 4-4-05; Ord. No. 07-920, § 3, 4-16-07)

DIVISION 3. NUISANCE ABATEMENT PROCEDURE*

Sec. 16-29. Notice.

(a) If the director of public works, or in his absence or unavailability, his designee, finds and determines that a nuisance exists, he shall so notify the record owner or owners of the property on which the nuisance exists in writing and demand that the owner cause the condition to be remedied. All notices required by this section shall be provided to the alleged violator either by:

- (1) Certified mail, return receipt requested, sent to a property owner at the address listed in the county tax collector's records for tax notices, and at any other address provided to the city by a property owner. Mailed notice to a person who is not owner of the property where the violation is located shall be to the street address of the property where the violation is located; or
- (2) Regular mail sent to a property owner at the address listed in the county tax collector's records for tax notices, and at any other address provided to the city by a property owner; and posting for at least ten (10) days in at least two (2) locations, one (1) of which shall be the property upon which the violation is alleged to exist and the other of which shall be at city hall. Mailed notice to a person who is not owner of the property where the violation is located shall be to the street address of the property where the

***Editor's note**—Section 4 of Ord. No. 07-920, adopted April 16, 2007, amended §§ 16-29—16-45 in their entirety to read as herein set out under a new Div. 3. Former §§ 16-29—16-33 pertained to similar subject matter and derived from Ord. No. 05-843, adopted April 4, 2005.

Chapter 17

HOUSING*

- Art. I.** In General, §§ 17-1—17-25
Art. II. Housing Standards, §§ 17-26—17-46
Art. III. Attainable Housing, §§ 17-47—17-65
Art. IV. Fair Housing Code, §§ 17-66—17-77

ARTICLE I. IN GENERAL

Secs. 17-1—17-25. Reserved.

ARTICLE II. HOUSING STANDARDS

Sec. 17-26. Florida Building Code adopted.

The Florida Building Code, as promulgated by the Florida Building Commission and adopted in keeping with the provisions of F.S. chapter 553, part VII, is hereby adopted as the housing standards and the fair housing regulations for the city to the extent provided by the Florida Building Code. One (1) copy of the Florida Building Code with amendments and revisions shall remain on file in the office of the city clerk for the use of the public and one (1) copy of the said code, with amendments and revisions, shall remain on file in the office of the city building official.

(Code No. 149, § 1, 5-17-82; Ord. No. 251, § 1, 10-7-85; Ord. No. 383, § 2, 11-6-89; Ord. No. 02-01, § 7, 1-7-02)

Sec. 17-27. City officials corresponding to code officials.

When reference is made to the duties of certain officials named within the housing code, the designated official of the city who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

(Ord. No. 149, § 3, 5-17-82; Ord. No. 251, § 3, 10-7-85; Ord. No. 383, § 2, 11-6-89)

***Cross references**—Code enforcement, § 2-18 et seq.; animals, Ch. 6; buildings and building regulations, Ch. 7; coastal areas and waterways, Ch. 10; community development, Ch. 11; fire prevention and protection, Ch. 13; floodplain management, Ch. 14; garbage, trash and refuse, Ch. 15; health and sanitation, Ch. 16; procedure for abatement of nuisances involving excessive growth of weeds or other noxious plants, accumulations of trash fill and other matter, excavations or depressions in which pools of water are located, § 16-26 et seq.; junked, wrecked, abandoned property, Ch. 18; mobile homes, Ch. 21; planning and development, Ch. 23; streets, sidewalks and other public places, Ch. 25; subdivision regulations, Ch. 26; utilities, Ch. 29; zoning, App. B.

→ **Sec. 17-28. Palmetto Property Maintenance Code.**

1. The below sections of the "International Property Maintenance Code, Edition 2006," as published by the International Code Commission, Inc. and amended from time to time, are hereby adopted by reference as if fully rewritten herein and shall be referred to as the Palmetto Property Maintenance Code.

Chapter 1 ADMINISTRATION

Section 108 Unsafe Structures And Equipment

108.1 General

108.1.1 Unsafe Structures

108.1.2 Unsafe Equipment

108.1.3 Structure Unfit For Occupancy

108.1.4 Unlawful Structure

108.2 Closing Vacant Structures

108.4 Placarding

108.5 Prohibited Occupancy

Chapter 2 DEFINITIONS

All Sections

Chapter 3 GENERAL REQUIREMENTS

Section 301 General

301.1 Scope

301.2 Responsibility

301.3 Vacant Structures & Land

Section 302 Exterior Property Areas

302.1 Sanitation

302.3 Sidewalks & Driveways

302.5 Rodent Harborage

302.6 Exhaust Vents

Section 304 Exterior Structure

304.1 General

304.2 Protective Treatment

304.4 Structural Members

304.6 Exterior Walls

304.7 Roofs & Drainage

- 304.8 Decorative Features
- 304.9 Overhang Extensions
- 304.10 Stairways, Decks, Porches
- 304.11 Chimneys & Towers
- 304.12 Handrails & Guards
- 304.13 Window, Door Frames
 - 304.13.1 Glazing
 - 304.13.2 Openable Windows
- 304.14 Insect Screens
- 304.15 Doors
- 304.18 Building Security

Section 305 Interior Structure

- 305.1 General
- 305.2 Structural Members
- 305.3 Interior Surfaces
- 305.4 Stairs & Walking Surfaces
- 305.5 Handrails & Guards
- 305.6 Interior Doors

Section 307 Rubbish and Garbage

- 307.1 Accumulation of Garbage
- 307.2.2 Refrigerators

Section 308 Extermination

- 308.1 Infestation

Chapter 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section 401 General

- 401.3 Alternative Devices

Section 402 Light

- 402.1 Habitable Spaces
- 402.2 Common Halls & Stairways
- 402.3 Other Spaces

Section 403 Ventilation

- 403.1 Habitable Spaces
- 403.2 Bathrooms & Toilet Rooms

403.3 Cooking Facilities

403.5 Clothes Dryer Exhaust

Section 404 Occupancy Limitations

404.1 Privacy

404.2 Minimum Room Widths

404.4 Bedroom & Living Room

404.4.1 Room Area

404.4.2 Access From Bedrooms

404.4.3 Water Closet Accessibility

404.4.4 Prohibited Occupancy

404.4.5 Other Requirements

404.5 Overcrowding

404.6 Efficiency Unit

404.7 Food Preparation

Chapter 4 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

Section 501 General

501.2 Responsibility

Section 502 Required Facilities

502.1 Dwelling Units

502.4 Employees Facilities

Section 503 Toilet Rooms

503.1 Privacy

Section 504 Plumbing Systems and Fixtures

504.1 General

504.2 Fixture Clearances

504.3 Plumbing System Hazards

Section 505 Water System

505.1 General

505.3 Supply

505.4 Water Heater Facilities

Section 506 Sanitary Drainage System

506.1 General

506.2 Maintenance

Section 507 Storm Drainage**507.1 Storm Drainage****Chapter 6 MECHANICAL AND ELECTRICAL REQUIREMENTS****Section 601 General****601.2 Responsibility****Section 602 Heating Facilities****602.2 Residential Occupancies****602.5 Room Temperature Measurement****Section 603 Mechanical Equipment****603.1 Mechanical Appliances****603.2 Removal of Combustion Products****603.3 Clearances****603.4 Safety Controls****603.5 Combustion Air****Section 604 Electrical Facilities****604.1 Facilities Required****604.3 Electrical System Hazards****Section 605 Electrical Equipment****605.1 Installation****605.2 Receptacles****Section 607 Duct Systems****607.1 General**

Printed copies of the Palmetto Property Maintenance Code shall be available for review at the Office of the City Clerk and the Building Department.

2. The provisions of the Palmetto Property Maintenance Code shall not be mandatory for existing buildings or structures when such buildings or structures are:

- (a) more than fifty (50) years old; and
- (b) determined by the City Planner to be significant in the history, architecture, archeology, or culture of the city, county, state or United States; and
- (c) determined, in the sole judgment of the City Building Official, to be safe and in the best interest of the public health, safety and welfare.

Structures or buildings listed on the National Register of Historic Places or the state inventory of historic places shall be deemed to have met the criteria provided in section (b) of this subsection.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

SECTION 304 EXTERIOR STRUCTURE

→ **304.1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

→ **304.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

→ **304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

→ **304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

→ **304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 nun), and every screen door used for insect control shall have a self-closing device in good working condition

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.