

CHAPTER 156

HOUSING CODE

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156.01 SHORT TITLE. This chapter shall be known and designated as the Tiffin Housing Code, hereinafter referred to as the “Housing Code.”

156.02 PURPOSE. It is hereby declared that the purpose of the Tiffin Housing Code is to ensure that housing facilities and conditions are of the quality necessary to protect and promote the health, safety, and welfare not only of those persons utilizing the housing, but the general public as well. It is hereby further declared that the purpose of this chapter is to determine the responsibilities of owners, operators, occupants, and the City necessary to maintain and administer the standards of the Housing Code.

156.03 DEFINITIONS. As used in this chapter, the following definitions shall apply. Whenever the words “dwelling,” “dwelling unit,” “rooming house,” “rooming unit,” “Type III dwelling unit,” and “premises” are used in this chapter, they shall be construed as though they were followed by the words “or any part thereof.” Whenever the term “dwelling unit” is used in this chapter, it shall include Type III dwelling units.

1. “Accessory structure” means a detached structure not used or intended to be used for living or sleeping by human occupants.
2. “Adjoining grade” means the elevation of the ground which extends five feet from the perimeter of the dwelling.
3. “Appurtenance” means that which is directly or indirectly connected or accessory to a thing.
4. “Attic” means any story situated, wholly or partly, within the roof and so designed, arranged, or built to be used for business, storage, or habitation.
5. “Basement” means a portion or story of a building, next below the first or main floor, which may or may not be considered habitable space.
6. “Bath” means a bathtub or shower stall installed in compliance with the Tiffin Plumbing Code.
7. “Cellar” means a space below the first or main floor, used or intended to be used for storage and location for heating equipment and shall not be considered habitable space.
8. “Central heating system” means a single system supplying heat to one or more dwelling units or more than one rooming unit.

9. "Certificate of structure compliance" means a permanent document showing that the structure for which it is issued was in compliance with the provisions of Sections 156.17 and 156.18 of this chapter at the time of issuance.
10. "Chief" means the administrative head of the Fire Department.
11. "Communal" means used or shared by or intended to be used or shared by the occupants of two or more rooming units or two or more dwelling units.
12. "Condominium" means a dwelling unit in compliance or conformance with the requirements of the *Code of Iowa*, as amended.
13. "Cooperative" means a dwelling unit in compliance or conformance with the requirements the *Code of Iowa*, as amended.
14. "Court" means an open, unoccupied space, other than a yard, on the same lot with a dwelling. A court not extending to the street or front or rear yard is an inner court. A court extending to the street or front yard or rear yard is an outer court.
15. "Designated agent" means the person designated by the owners of rental property who are not residents of Johnson County, as well as condominium associations, who has authority to act on the owners' behalf to accept service of legal processes and notices and to authorize repairs as required.
16. "Dining room" means a habitable room used or intended to be used for the purpose of eating but not for cooking or the preparation of meals.
17. "Director" means the Director of the Department of Housing and Inspection Services.
18. "Duplex" means any habitable structure containing two single dwelling units. The classification shall be determined by the existence of two separate dwelling units, as defined herein, and shall not be based upon the identity of the occupants.
19. "Dwelling" means any building, structure or manufactured housing, except temporary housing, wholly or partly, used or intended to be used for living or sleeping by human occupants and includes any appurtenances attached thereto.
20. "Dwelling, multiple" – See "multiple dwelling."
21. "Dwelling, single-family" – See "single-family dwelling."
22. "Dwelling unit" means any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.
23. "Egress" means an arrangement of exit routes to provide a means of exit from buildings and/or premises.
24. "Exit" means a continuous and unobstructed means of egress to a public way and shall include intervening doors, doorways, corridors, exterior-exit balconies, ramps, stairways, smoke-proof enclosures, horizontal exit, exit passageway, exit court, walkways, sidewalks, and yards.
25. "Extermination" means the control and elimination of insects, rodents, or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating, or trapping, or by any other recognized and legal pest elimination methods approved by the inspector.
26. "Family" means one person or two or more persons related by blood, marriage, adoption, or placement by a governmental or social service agency, occupying a dwelling unit as one

housekeeping organization. A family may also be two, but not more than two, persons not related by blood, marriage, or adoption.

27. "Fraternity/sorority house" means a building used as a residence by a chapter of a fraternal or sororal nonprofit organization recognized by the University of Iowa. For purposes of this Code, a fraternity/sorority house shall be considered a rooming house. Occupancy classification for State of Iowa Fire Code is "dormitory."

28. "Habitable room" means a room or enclosed floor space, having a minimum of 70 square feet of total floor area within a dwelling unit or rooming unit, used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, pantries, laundries, foyers, communicating corridors, closets, storage spaces, stairways, and recreation rooms in basements (see "recreation room in basement").

29. "Infestation" means the presence, within or around a dwelling, of any insects, rodents, or other pests in such quantities as would be considered unsanitary.

30. "Inspector" means the official of the City appointed to administer the provisions of the Housing Code, together with duly authorized representatives and/or agents.

31. "Kitchen" means a habitable room used or intended to be used for cooking or the preparation of meals.

32. "Kitchen sink" means a basin for washing utensils used for cooking, eating, and drinking, located in a kitchen and connected to both hot and cold water lines.

33. "Kitchenette" means a food preparation area not less than 40 square feet in area.

34. "Lavatory" means a hand-washing basin connected to both hot and cold water lines and separate and distinct from a kitchen sink.

35. "Living room" means a habitable room within a dwelling unit used or intended to be used primarily for general living purposes.

36. "Manufactured housing" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons.

37. "Multiple dwelling" means any dwelling containing three or more dwelling units.

38. "Occupant" means any person, including owner or operator, living in, sleeping in, and/or cooking in or having actual possession of a dwelling unit or a rooming unit.

39. "Operator" means any person who rents to another or who has custody or control of a building or parts thereof in which dwelling units or rooming units are let or who has custody or control of the premises.

40. "Owner" means any person who has custody and/or control of any dwelling, dwelling unit, or rooming unit by virtue of a contractual interest in or legal or equitable title to said dwelling, dwelling unit, or rooming unit as guardian or conservator.

41. "Permit" – See "rental permit."

42. "Placard" means a display document showing that the unit for which it is issued has been determined to be unfit for human habitation.

43. "Plumbing" means and includes any or all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, solid waste disposal units, waste pipes, toilets, sinks, lavatories, bathtubs, shower baths, water-heating devices, catch basins,

drains, vents, and any other similar supplied fixture, together with all connections to water, sanitary sewer, or gas services.

44. “Premises” means a lot, plot, or parcel of land, including a buildings and/or accessory structures thereon.

45. “Privacy” means the existence of conditions which will permit a person to carry out an activity commenced without interruption or interference by unwanted persons.

46. “Public way” means any parcel of land, unobstructed from the ground to the sky, more than ten feet in width, dedicated to the free passage of the general public.

47. “Recreation room in basement” means a room located in a basement used for general recreation purposes and not used or intended to be used for sleeping. This room shall be in addition to the minimum space and facility requirements for a dwelling unit or rooming unit.

48. “Regulations” – See “rules and regulations.”

49. “Rental permit” means a document, issued periodically, which grants the owner or operator the option of letting a unit for rental purposes and showing that the unit for which it is issued was in compliance with the applicable provisions of this chapter at the time of issuance.

50. “Rental property” means any dwelling not owner occupied, regardless whether rent is paid.

51. “Reside” means the place where a person physically resides not less than ten months of any applicable calendar year.

52. “Roomer” means an occupant of a rooming house or rooming unit and also means an occupant of a dwelling who is not a member of the family occupying the dwelling.

53. “Rooming house” means any dwelling or that part of any dwelling containing one or more rooming units or Type III dwelling units, in which space is let by the owner or operator to four or more roomers. Occupants of units specifically designated as Type III dwelling units within a rooming house shall be included in the roomer count.

54. “Rooming unit” means any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used primarily for living and sleeping. A rooming unit shall have bath and toilet facilities available for the exclusive use of the occupants or for communal use in accordance with Section 156.18 of this chapter; and in addition, rooming units may be let with or without communal kitchen and/or communal dining room privileges in accordance with said Section 156.18.

55. “Rubbish” means inorganic waste material consisting of combustible and/or noncombustible materials.

56. “Rules and regulations” means those administrative procedures adopted by the Director for the efficient internal management of the Department of Housing and Inspection Services. All rules and regulations shall be limited to departmental administrative and procedural matters, rather than substantive matters and shall not be inconsistent with this chapter.

57. “Single-family dwelling” means a structure containing one dwelling unit.

58. “Solid waste” means animal or vegetable waste resulting from the handling, preparation, cooking, or consumption of food and also means combustible waste material. The term also includes paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, and other combustible materials.

59. “Solid waste container” means a watertight container that is constructed of metal or other durable material impervious to rodents and that is capable of being serviced without creating unsanitary conditions.

60. “Supplied” means paid for, furnished by, provided by, or under the control of the owner or operator.

61. “Temporary housing” means any tent, trailer, motor home, or other structure used for human shelter and designed to be transportable and not attached to the ground, to another structure or to any utilities system on the same premises for more than thirty (30) calendar days.

62. “Toilet” means a water closet, with a bowl and trap made in one piece, of such shape and form and holding a sufficient quantity of water so that no fecal matter will collect on the surface of the bowl, and which is equipped with a flushing rim or flushing rims.

63. “Type III dwelling unit” means any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals but does not have a toilet or bath available for the exclusive use of the occupants thereof.

156.04 SCOPE OF PROVISIONS. The provisions of this chapter apply to all dwellings within the jurisdiction of the City used or intended to be used for human occupancy, except said provisions are not applicable to temporary housing, as defined herein.

156.05 COMPLIANCE WITH STATE LAW. The City, in compliance with the requirements of the *Code of Iowa*, as amended, hereby adopts the December 17, 1979, version of the *Housing Quality Standards* promulgated by the United States Department of Housing and Urban Development (24 C.F.R. Section 882.109[a] through [1]) as the adopted model Housing Code for the City, as amended. The City has integrated the Housing Quality Standard in Sections 156.01 through 156.20 of this chapter, which provisions, to be enforced by the City, are as stringent as, or more stringent than, those in the model Housing Code as adopted.

156.06 ADMINISTRATION AND ENFORCEMENT OFFICIAL. The inspector is hereby authorized to administer and enforce the provisions of the Housing Code and to make inspections to determine the condition of all dwellings, dwelling units, rooming units, structures, and premises located within the City, in order that the inspector may perform the duty of safeguarding the health, safety, and welfare of the occupants of dwellings and of the general public under the provisions of the Housing Code.

156.07 INSPECTIONS.

1. Inspection of Owner-Occupied, Single-Family Dwellings. Inspections of owner-occupied, single-family dwellings shall occur only upon request or complaint to the inspector, and only the standards of Sections 156.17, 156.19 and 156.20 of this chapter shall be applicable.

2. Inspections of Structure Items. The provisions of Sections 156.17 and 156.18 of this chapter in effect at the time of issuance of a certificate of structure compliance shall be the only structure standards applicable to a dwelling. Upon the issuance of a certificate of structure compliance, there shall be no further inspection and enforcement of the structure items under Sections 156.17 and 156.18 of this chapter.

3. Maintenance Inspections. Inspections of the provisions of Section 156.19 of this chapter shall be conducted upon request, on a complaint basis and/or through a program of regular rental inspections. Regular inspections shall be conducted as determined by resolution of the Council.

4. Right to Access by Inspector.

A. The inspector is hereby authorized to conduct consensual inspections of any dwelling within Tiffin in order to perform the duty of safeguarding the health, safety, and general welfare of the occupants or the public. Whenever necessary to make an inspection to enforce any of the provisions of the Housing Code or whenever the inspector has reasonable cause to believe that there exists in any dwelling, dwelling unit, rooming unit, or premises any condition which makes such unit or premises in violation of any provision of the Housing Code or in response to a complaint that an alleged violation of a provision of the Housing Code may exist, the inspector may enter such unit or premises at all reasonable times to inspect the same or to perform any duty imposed upon the inspector by the Housing Code, provided if such unit or premises be occupied, the inspector shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. The inspector and/or authorized representative shall, at such time: (i) identify himself or herself and his or her position; and (ii) explain why entry is sought.

B. If entry is refused, the inspector shall request that the inspection be conducted at a reasonable time, suitable to the owner or occupant. If the request for future entry is refused, the inspector shall, at that time or at a later time, explain to the owner and/or occupant that: (i) the occupant may refuse, without penalty, entry without a search warrant; and (ii) the inspector may apply to the magistrate for a search warrant.

5. Search Warrant. If consent to inspect a building is withheld by any person having the lawful right to exclude, the inspector may apply to a magistrate of the Iowa District Court for a search warrant of the building. No owner or occupant or any other person having charge, care, or control of any dwelling, dwelling unit, rooming unit, structure, or premises shall fail or neglect, after presentation of a search warrant, to properly permit entry therein by the inspector or authorized representative for the purpose of inspection and examination pursuant to the Housing Code.

156.08 ACCESS BY OWNER OR OPERATOR FOR MAINTENANCE. Every occupant of a dwelling, dwelling unit, or rooming unit shall, upon proper notice, give access to the owner, operator, or agent or employee to any part of such dwelling, dwelling unit, rooming unit, or premises at all reasonable times for the purpose of effecting such maintenance, making such repairs, or making such alterations as are necessary to effect compliance with any lawful notice or order issued pursuant to the provisions of the Housing Code.

156.09 EMERGENCY ORDERS. Whenever the inspector, in the enforcement of the Housing Code, finds that a condition exists which requires immediate action to protect the health or safety of the occupants and/or the general public, the inspector may, without notice or hearing, issue an order reciting the existence of such a condition and requiring that action be taken such as the inspector deems necessary to abate the condition. If necessary, the Director may order that the premises be vacated forthwith, and said premises shall not be reoccupied until the order to make repairs has been complied with. Notwithstanding other provisions of the Housing Code, such order shall be effective immediately or in the time and manner prescribed by the order itself.

156.10 PLACARDING OF STRUCTURES; CONDEMNATION REFERRALS.

1. Placarding Procedures. Any dwelling, dwelling unit, or rooming unit found to be so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a hazard to the health or safety of the occupants or of the public shall be determined to be unfit for human habitation and shall be so designated and placarded by the Director.

2. Order to Vacate Placarded Dwelling. Any dwelling, dwelling unit, rooming unit, or any portion thereof placarded as being unfit for human habitation by the Director shall be vacated immediately or as ordered by the Director.

3. Approval Required to Reoccupy Placarded Dwelling. No dwelling, dwelling unit, rooming unit or portion thereof which has been placarded as unfit for human habitation shall not be used for human habitation again until written approval is secured from, and such placard is removed by, the Director. The Director shall remove such placard whenever the defects for which the dwelling was placarded have been eliminated.

4. Removal of Placard Prohibited. No person shall deface or remove a placard from any dwelling, dwelling unit, or rooming unit which has been deemed unfit for human habitation and placarded as such, except as provided in subsection 3 of this section.

5. Condemnation Referral. After a reasonable period of time after a property has been placarded and no remedial action begun, the inspector may refer the case to the authority charged with enforcement of the *Uniform Code for the Abatement of Dangerous Buildings*, as amended, for appropriate action.

156.11 FEES. The Department of Housing and Inspection Services is authorized to assess permit and reinspection fees, the amounts of which shall be established by resolution of the City Council.

156.12 RULES AND REGULATIONS. The inspector shall make all rules and regulations available to the general public. Standard forms and blank notices shall also be available upon request.

156.13 APPEALS BOARD; VARIANCES AND APPEALS.

1. Jurisdiction of Appeals Board. Any persons affected by any written notice (not limited to the following notices) or any persons wishing to submit any petition (not limited to the following petitions) may appeal to the Appeals Board:

- A. Notice of Housing Code violation.
- B. Notice denying a certificate of structure compliance.
- C. Notice denying a rental permit.
- D. Notice revoking a rental permit.
- E. Notice of intent to placard.
- F. Notice of eligibility for rent escrow.
- G. Petition for relief.
- H. Petition for revocation of a certificate of structure compliance.
- I. Petition for variance.

If the Appeals Board sustains or modifies a notice, it shall be deemed to be an order, and the owner, operator, or occupant, as the case may require, shall comply with all provisions of such order within a reasonable period of time which shall be determined by the Appeals Board.

2. Appeals Board Procedures.

- A. The Appeals Board, upon receipt of an appeal request and payment of the filing fee, as established by resolution of the City Council, shall set a time and a place for the hearing. The applicant shall be advised, in writing, of such time and place at least seven (7) calendar days prior to the date of the hearing.

B. At such a hearing, the applicant shall have an opportunity to be heard and to show cause as to why such notice or order should be modified, extended, or revoked or why a variance should be granted.

C. The Appeals Board, by a majority vote, may sustain, modify, extend, or revoke a notice to grant or deny a variance.

D. The Appeals Board may grant variances or extensions of time to make repairs. In the event that an extension and/or variance is granted, the Appeals Board shall observe the following conditions:

(1) In lieu of or in addition to administrative extensions, the Appeals Board may grant an extension or extensions of time for the compliance of any order or notice, provided the Appeals Board makes specific findings of fact based on evidence relating to the following:

(a) There are practical difficulties or unnecessary hardships in carrying out the strict letter of any notice or order; and

(b) Such an extension is in harmony with the general purpose and intent of this chapter in securing the public health, safety, and general welfare.

(2) Except under extraordinary circumstances, the extension or sum of extensions shall not exceed 18 months.

(3) The Appeals Board may grant a variance in a specific case and from a specific provision of this chapter, subject to appropriate conditions, and provided the Appeals Board makes specific findings of fact based on the evidence presented on the record as a whole and relate to the following:

(a) There are practical difficulties or unnecessary hardships in carrying out a strict letter of any notice or order; and

(b) Due to the particular circumstances presented, the effect of the application of the provisions would be arbitrary in the specific case; and

(c) An extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships in this arbitrary effect; and

(d) Such variance is in harmony with the general purpose and intent of this chapter in securing the public health, safety, and general welfare.

(4) Upon appeal or by petition, the Appeals Board shall consider the adoption of a general variance. The Appeals Board, by a majority vote, may establish a general variance for existing structures which cannot practicably meet the standards of the Code. Prior to considering any general variance, public notice shall be given. A general variance, if granted, shall:

(a) State in what manner the variance from the specific provisions is to be allowed; and

(b) State the conditions under which the variance is to be made; and

(c) Be based upon specific findings of fact based on evidence related to the following: (i) there are practical difficulties or unnecessary hardships in carrying out the strict letter of the specific provision, common to dwellings, dwelling units or rooming units to which the

variance will apply; and (ii) such variance is in harmony with the general purpose and intent of this chapter in securing the public health, safety, and general welfare.

(5) The effective date of the variance shall be 30 calendar days after notification to the City Council unless vetoed by an extraordinary majority of the City Council during said 30-day period.

156.14 NOTICE OF VIOLATION. Whenever the inspector determines that there has been a violation of any provision of the Housing Code, the inspector shall give notice of such violation and an appeal request form to the person or persons responsible therefor. Such notice shall:

1. Be in writing.
2. Include a sufficiently detailed description of the violation, including the section of the Housing Code violated and the location of the violation on the premises, if applicable.
3. Include a statement of the reason or reasons why it is being issued.
4. Allow a reasonable time for the performance of any act it requires and may contain an outline of remedial action which, if taken, will effect compliance with the provisions of the Housing Code.
5. Be served upon the owner or operator or the occupant, as the case may require, provided such notice shall be deemed to be properly served upon such owner or upon such operator or upon such occupant if a copy thereof is delivered personally or, if not found, by leaving a copy thereof at the usual place of abode, in the presence of someone of the family of suitable age and discretion who shall be informed of the contents thereof, or by registered mail or by certified mail, with return receipt requested, to the last known address, or if the registered or certified letter with the copy is returned with a receipt showing it has not been delivered, by posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice.
6. Be effective notice to anyone having interest in the property, whether recorded or not, at the time of giving such notice and shall be effective against any subsequent owner of the premises as long as the violation exists and there remains an official copy of the notice in a public file maintained by the Department of Housing and Inspection Services.

156.15 DESIGNATION AND REGISTRATION OF DESIGNATED AGENT. Owners of rental property not residing in the County and/or condominium associations shall designate and register with the City in the office of the Department of Housing and Inspection Services a designated agent located in the County and empowered to represent a property owner in matters concerning compliance with the Tiffin Housing Code and as defined in Section 156.03 of this chapter. Failure to designate and register a designated agent is a violation of this chapter and may result in revocation of a rental permit.

156.16 CERTIFICATE OF STRUCTURE COMPLIANCE AND RENTAL PERMIT.

1. Certificate and Permit Required for Rental Property. It is a violation of this Code for any person to let to another for rent and occupancy any dwelling, dwelling unit, duplex, multiple dwelling, rooming unit (except a rooming unit or units within owner-occupied, single-family dwellings, containing no more roomers than permitted by the Zoning Ordinance), or rooming houses unless:
 - A. The owner or operator holds a valid certificate of structure compliance, issued by the Department of Housing and Inspection Services, applicable to those portions of the specific structure used for residential rental purposes.

B. The owner or operator holds a valid rental permit, issued by the Department of Housing and Inspection Services, in the name of the owner or operator, applicable to those portions of the specific structure used for residential rental purposes.

2. Certificate of Structure Compliance.

A. Scope of Certificate; Transfers; Contents. The certificate of structure compliance shall be a permanent document, except as noted below, which, when issued, shall satisfy the requirements of Sections 156.17 and 156.18 of this chapter. The certificate shall be transferable at the time of a change in ownership and shall remain a part of the Tiffin property file as a matter of public record. The certificate, in and of itself, shall not be interpreted as granting the owner or operator the privilege of letting the structure for residential occupancy but must be accompanied by a valid rental permit. The certificate of structure compliance shall state the date of issuance, type of structure for which the certificate is being issued, and street address of the structure to which it is applicable. All dwelling units and rooming units being let for rent and occupancy without a valid certificate of structure compliance or application for the same on file with the City and fees paid may be ordered vacated.

B. Application for Certificate. The owner or operator shall file, in duplicate, an application for a certificate of structure compliance with the Department of Housing and Inspection Services on application forms provided by the inspector.

C. Issuance of Certificate. When the provisions of Sections 156.17 and 156.18 of this chapter have been complied with by the owner or operator, the Department of Housing and Inspection Services shall issue a certificate of structure compliance upon payment of a fee, the amount of which shall be set by resolution of the City Council.

D. Revocation of Certificate. The certificate of structure compliance shall be permanent, except when there has been fraud, collusion or illegality in the inspection process applicable to this certificate of structure compliance or when there exists a material and substantial noncompliance with Section 156.17 or 156.18 of this chapter which directly affects the health and/or safety of the occupants therein. The inspector or any other individual who believes that there exist grounds for revocation may petition the Appeals Board to revoke the certificate of structure compliance. The burden of proof shall be upon the party seeking the revocation. The owner or operator of the affected property shall be properly notified of the petition for revocation and shall be notified of the date, place, and time of the Appeals Board's consideration of the petition and may appear and defend. Upon final determination by the Appeals Board, a certificate of structure compliance may be modified to reflect the compliance of each dwelling unit and/or rooming unit with Sections 156.17 and/or 156.18 of this chapter or may be revoked in whole or in part.

3. Rental Permit.

A. Scope of Permit; Transfers; Contents. A rental permit shall be a document indicating compliance with Section 156.19 of this chapter at the time of issuance and shall be valid for a specified period of time. The document shall be transferable from one owner or operator to another at any time prior to its expiration, termination, or revocation. The owner or operator shall notify the Department of Housing and Inspection Services of any change of interest or ownership in the property within 30 calendar days of any conveyance or transfer of interest affecting the property and provide the name and address of all persons who have acquired an interest therein. In the event that the Department of Housing and Inspection Services has not been notified of such conveyance

or transfer within the designated period of time, the rental permit shall be transferred from one owner or operator to another only upon payment of a fee, the amount of which shall be established by resolution of the City Council which shall be assessed to the new owner or operator. The rental permit shall state the date of issuance, the address of the structure to which it is applicable, the name of the new owner or operator to which it is applicable, and its new expiration date. All dwelling units and rooming units being let for rent and occupancy without a valid rental permit may be ordered vacated.

B. Application for Permit. The owner or operator shall file, in duplicate, an application for rental permit with the Department of Housing and Inspection Services on application forms provided by the inspector.

C. Issuance of Permit. When all provisions of Section 156.19 of this chapter have been complied with by the owner or operator, the Department of Housing and Inspection Services shall issue a rental permit upon payment of all permit and reinspection fees, the amounts of which shall be established by resolution of the City Council.

D. Expiration of Permit; Extensions. Rental permits shall be valid through the expiration date contained thereon. However, extensions shall be granted to cover any time period between the stated expiration date and the period of time permitted by the inspector to remedy any violations cited subsequent to a maintenance inspection, provided a rental application is on file with fees paid.

E. Revocation of Permit. The Appeals Board shall consider the revocation of a rental permit upon the expiration of a rent escrow account if petitioned by the inspector for such revocation. The owner or operator of the affected property shall be properly notified of the petition for revocation and shall be notified of the date, place, and time of the Appeals Board's consideration of the petition and may appear and defend. The Appeals Board may revoke a rental permit upon a finding of a violation of any provision of Section 156.19 of this chapter.

4. Hearing Upon Denial of Certificate or Permit. Any person whose application for a certificate of structure compliance or rental permit has been denied may request, and shall be granted, a hearing on the matter before the Appeals Board. Application for the appeal hearing must be made within ten (10) calendar days of receipt of the written notice of denial.

156.17 MINIMUM STRUCTURE STANDARDS FOR ALL DWELLINGS.

1. Safety of Supplied Facility. Every supplied facility, piece of equipment, or required utility shall be constructed and/or installed so that it will function safely.

2. Kitchens. Every dwelling unit shall have a kitchen room or kitchenette equipped with the following:

A. An approved kitchen sink.

B. Space capable of properly accommodating a refrigerator and a stove or range.

C. Proper access terminals to utilities necessary to properly operate a refrigerator and stove or range.

D. Adequate space for the storage and preparation of food.

3. Toilets, Baths and Lavatories.

A. Every dwelling unit shall contain the following:

(1) A toilet.

- (2) A bath.
- (3) A lavatory basin within or adjacent to the room containing the toilet.

B. Every toilet and every bath shall be contained within a room or within separate rooms which afford privacy for a person within said rooms.

4. Water-Heating Facilities. Every kitchen sink, bath, and lavatory basin required in accordance with the provisions of the Housing Code shall be properly connected with supplied water-heating facilities. Every supplied water-heating facility shall be properly connected and shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every kitchen sink and lavatory basin required under the provisions of the Housing Code at a temperature of not less than 120 degrees Fahrenheit. Such supplied water-heating facilities shall be capable of meeting the requirements of this section when the required space heating facilities are not in operation.

5. Connection of Sanitary Facilities to Water and Sanitary Sewer Systems. Every kitchen sink, toilet, lavatory basin, bath, and clothes washer shall be properly connected to an approved water and sanitary sewer system.

6. Exits.

A. Every structure containing a dwelling unit or dwelling units or structure containing a rooming unit or rooming units or a combination thereof shall comply with the following exit requirements:

- (1) Every structure or usable portion thereof shall have at least one exit.
- (2) Single-family and duplex structures over 3,000 square feet in gross floor area shall have access to two exits.
- (3) Multiple dwellings and rooming houses with an occupant load of ten or more shall have access to two exits.
- (4) Where only one exit is required, it shall be a continuous and unobstructed means of egress which discharges directly or via corridors or stairways to a public way.
- (5) Where at least two exits are required, they shall be independent, unobstructed means of egress remote from each other, and both shall discharge directly or via corridors or stairways or both to a public way or yard. If both means of egress are designated to a common corridor, they shall be in opposite directions immediately upon exiting the dwelling unit or rooming unit, except a common path of travel may be permitted for the first 20 feet. Dead-end corridors shall not exceed 20 feet in length. However, any existing fire escape shall not be deemed a sufficient means of egress unless it is in compliance with the Fire Codes of the State and the City.

(6) Basements and floors above the second story shall have not less than two exits, except when such floors or basements are used exclusively for the service of the building. Dwelling units and/or rooming units in a basement may have access to only one common exit when the occupant load served by that exit does not exceed ten. Escape and rescue windows must be supplied for each sleeping room. Such windows shall comply with the *Uniform Building Code* specification S2. Existing third floor and attic areas less than 500 square feet may be used as habitable rooms if the following conditions are met: (i) one exit fully meets *Uniform Building Code* requirements to the outside of the building; (ii) the other

exit can be an attic fire escape. If access to the attic fire escape is through a window, such window must meet the *Uniform Building Code* requirements for escape and rescue windows.

(7) Every doorway providing ingress or egress from any dwelling unit, rooming unit, or habitable room shall be at least six feet, four inches high and two feet, four inches wide.

B. Every means of egress shall comply with the following requirements:

(1) Stairways. All stairways comprised of four or more risers shall be provided with a substantial and safe handrail. New construction or remodeling shall comply with the City Building Code.

(2) Guardrails. All unenclosed floor and roof openings, open and glazed sides of landings and ramps, balconies or porches which are more than 30 inches above grade or above the floor below and any roof used for other than service of the building shall be protected by a substantial and safe guardrail. New construction or remodeling shall comply with the City Building Code.

(3) Riser and Tread. Every stairway shall have a uniform riser height and uniform tread width which shall be adequate for safe use.

(4) Exits. Doors and windows readily accessible from outside the unit shall be lockable from inside the unit. Double cylinder deadbolts may not be used on doors located in habitable areas or on any exit door. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

(5) Escape Window. In basement units where one means of egress is a window, such window shall have an unobstructed opening no less in area than that required in the Building and/or Fire Codes.

(6) Fire Escapes. No existing fire escape shall be deemed a sufficient means of egress unless it is in compliance with the Fire Codes of the State and the City.

(7) Doorways. Every doorway providing ingress or egress from any dwelling unit, rooming unit or habitable room shall be at least six feet, four inches high and 24 inches wide.

7. Natural Light.

A. Every habitable room, except a kitchen, shall have at least one window or skylight facing directly to the outdoors. The minimum total glazed window or skylight area, for every habitable room, except the kitchen, shall be at least eight percent of the floor area of such room.

B. For the purpose of determining natural light and natural ventilation requirements, any room may be considered as a portion of an adjoining room when one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room or 25 square feet, whichever is greater.

8. Ventilation.

A. Interior Air Quality. Every dwelling unit and rooming unit shall be free from dangerous levels of air pollution from carbon monoxide, sanitary sewer gas, fuel gas, dust, and other harmful air pollutants.

B. Natural Ventilation.

(1) Every window or other device with openings to the outdoor space, used for ventilation, shall be supplied with screens of not less than 16 mesh per inch.

(2) The total openable window area, as measured between stops, in every habitable room shall be equal to at least four percent of the floor area of such room.

(3) Every door opening directly from a dwelling unit or rooming unit to outdoor space, the use of which is necessary to meet the minimum ventilation requirements of this Code, shall have a supplied screen or screens and a self-closing device.

(4) Every cellar window, soffit or roof vent used or intended to be used for ventilation and every other opening to a cellar, crawl space, or interior roof area which might provide an entry for rodents or birds shall be supplied with a heavy wire screen of not larger than one-fourth inch mesh or such device as will effectively prevent entrance.

(5) For natural ventilation, every bathroom or toilet compartment shall have at least one openable window facing directly to the outdoors and at least 45 percent of the window must be openable.

C. Mechanical Ventilation.

(1) In lieu of openable windows for natural ventilation, adequate ventilation may be a system of mechanical ventilation which provides not less than two air changes per hour in all habitable rooms and/or bathrooms or toilet compartments.

(2) No mechanical exhaust system exhausting vapors, gases, or odors shall be discharged into an attic, crawl space, or cellar unless such attic, crawl space, or cellar is adequately vented to the outside.

(3) Any kitchen or kitchenette lacking natural ventilation shall be equipped with a system of mechanical ventilation which provides at least two air changes per hour in said room. The system shall exhaust and discharge directly to outside air.

9. Heating.

A. Every dwelling shall have heating facilities which are properly installed and are capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms located therein to a temperature of at least 68 degrees Fahrenheit and shall be capable of maintaining in all said locations a minimum temperature of 65 degrees Fahrenheit at a distance of three feet above the floor level at all times. Such heating facilities shall be so designed and equipped that heat, as herein specified, is available for all dwelling units and rooming units.

B. Every central heating unit, space heater, water heater, and cooking appliance shall be located and installed in such a manner so as to afford reasonable protection against involvement of egress facilities or egress routes in the event of uncontrolled fire in the structure.

C. Every fuel burning heating unit or water heater shall be effectively vented in a safe manner to a chimney or duct leading to the exterior of the building. The chimney, duct, and vent shall be of such design as to assure proper draft and shall be adequately supported.

D. No fuel burning furnace shall be located within any sleeping room or bathroom unless provided with adequate ducting for air supply from the exterior, and the combustion chamber for such heating unit shall be sealed from the room in an airtight manner. Fuel burning water heaters are prohibited in bathrooms and sleeping rooms.

E. Every steam or hot water boiler and every water heater shall be protected against overheating by appropriate pressure and temperature limit controls. Such controls shall have a properly installed extension pipe on the pressure temperature control valve.

F. Every fuel burning space heating unit and water heater shall be equipped with an electronic ignition or with a pilot light and an automatic control to interrupt the flow of fuel to the unit in the event of a failure of the ignition device. All such heating units shall have a limit control to prevent overheating.

10. Electrical Requirements.

A. Every habitable room shall contain at least two separate floor- or wall-type electric double convenience outlets which shall be situated a distance apart equivalent to at least 25 percent of the perimeter of the room. Every such outlet and fixture shall be properly installed.

B. Every habitable room, toilet room, bathroom, laundry room, furnace room, basement, and cellar shall contain at least one supplied ceiling- or wall-type electric light fixture or switched outlet. Every such outlet and fixture shall be properly installed.

C. Temporary wiring or extension cords shall not be used as permanent wiring.

11. Minimum Space, Use and Location Requirements.

A. Floor Area Per Occupant:

(1) Every dwelling unit shall contain at least 120 square feet of habitable floor space for the first occupant thereof and at least 100 additional square feet of habitable floor space for every additional occupant thereof.

(2) For the purpose of determining the maximum permissible occupancy, the floor area of that part of a room where the ceiling height is less than five feet shall not be considered when computing the total floor area of the room.

B. Maximum Occupancy. Not more than one family, plus that number of roomers permitted in the Zoning Ordinance, except for guests, shall occupy a dwelling unit unless a rental permit for a rooming house has been granted.

C. Sleeping Rooms. In every dwelling unit of two or more rooms and every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 40 square feet of floor space for each additional occupant thereof, except two-bedroom manufactured housing shall be required to have only one bedroom in compliance with this section.

D. Ceiling Height. The ceiling height of every habitable room shall be at least seven feet.

(1) In any habitable room where the ceiling is a part of a sloping roof, at least one-half of the floor area shall have a ceiling height of at least seven feet. Floor area, as stated above, means the area of the floor where the vertical measurement from floor to ceiling is five feet or more.

(2) Obstructions of space by such items as water and gas pipes and cabinetry shall be permitted when such obstructions are located within two feet of a partition or wall, do not interfere with normal ingress and egress, would not interfere with an emergency ingress or egress, and are approved by the inspector. Obstruction of ceiling space shall be permitted when such obstruction is located at a height of not less than six feet, four inches from the floor and which does not occupy more than 25 percent of the cubic area of the space within a room further than six feet, four inches from the floor.

12. Fire Protection Equipment. All fire extinguishers and early warning fire protection systems shall be properly installed according to the City Fire Code.

156.18 MINIMUM STRUCTURE STANDARDS FOR ALL RENTAL HOUSING.

1. Direct Access. Access to each dwelling unit or rooming unit shall not require first entering any other dwelling unit or rooming unit, except access to rooming units may be through a living room or kitchen of a unit occupied by the owner-operator of the structure. No dwelling, dwelling unit or rooming unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room or Type III dwelling unit is available only by going through another sleeping room or Type III dwelling unit, nor shall room arrangements be such that access to a sleeping room or Type III dwelling unit is available only by going through another sleeping room or Type III dwelling unit. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hallway, basement, or cellar or to the exterior of the dwelling unit or rooming unit.

2. Lighting of Public Halls and Stairways.

A. Public passageways and stairways in dwellings accommodating two to four dwelling units or rooming units shall be provided with a convenient wall-mounted light switch which activates an adequate lighting system.

B. Public passageways and stairways in buildings accommodating more than four dwelling units or rooming units shall be lighted at all times with an adequate artificial lighting system, except such artificial lighting may be omitted from sunrise to sunset where an adequate natural lighting system is provided. Whenever the occupancy of a building exceeds 100 persons, the artificial lighting system as required herein shall be on an emergency circuit.

3. Fire Extinguishers. Fire extinguishers which are approved by the Fire Marshal shall be provided within every single-family dwelling, dwelling unit within a duplex, and dwelling unit within a multiple dwelling. Multiple dwellings shall have fire extinguishers located within each laundry room and central mechanical room; except where these rooms are contiguous, they may be served by one fire extinguisher. Laundry rooms and central mechanical rooms which are equipped with an automatic sprinkler system are exempt. The minimum size fire extinguisher is a 2-A 10-B:C. Fire extinguishers must be properly mounted and in an area of easy access. Fire extinguishers with a classification less than 2-A 10-B:C or lacking an ABC rating shall be replaced with a 2-A 10-B:C or larger unit by July 31, 1994. Rooming houses are required to have a 2-A 10-B:C rated fire extinguisher supplied on each floor level, including habitable basement areas, and in each kitchen. Fire extinguishers supplied in areas of public access shall be contained within an approved tamper-proof cabinet.

4. Early Warning Fire Protection System. All dwelling units and rooming units shall be provided with smoke detectors as approved by the Fire Marshal. Smoke detectors shall be

installed in accordance with the manufacturer's instructions. Dwelling units shall have smoke detectors located on each floor level, including basements. Multi-family and rooming houses shall have smoke detectors in each dwelling unit or rooming unit and in common corridors, stair towers, and stairways constructed prior to 1978. Smoke detectors shall be operable at all times, and when actuated, the detector shall provide an alarm for the dwelling unit or rooming unit. An owner or owner's agent of a multiple unit residential building, rooming house, duplex, or single-family dwelling shall supply light-emitting smoke detectors, upon request, for a tenant with a hearing impairment. New construction and remodeling shall be in accordance with the *Uniform Building Code*.

5. Toilets, Lavatory Basins and Baths.

A. At least one toilet and one lavatory basin shall be supplied for each eight persons or fraction thereof residing within a dwelling containing a rooming unit or units and/or Type III dwelling unit or units, including members of the operator's family whenever they share the said facilities; provided, in a rooming house or where rooms or Type III dwelling units are let only to males, flush urinals may be substituted for not more than one-half of the number of required toilets.

B. At least one bath shall be supplied for each eight persons or fraction thereof residing within a dwelling containing a rooming unit or units and/or Type III dwelling unit or units, including members of the operator's family whenever they share the use of said facilities.

C. Communal toilets and baths shall be located on the same floor or the floor immediately above or below the rooming unit or Type III dwelling unit.

6. Lead-Based Paint. Every owner or operator of a dwelling unit or rooming unit being let for rent and/or occupancy shall, on forms provided by the City, certify that the dwelling is in accordance with HUD lead-based paint regulations, 24 CFR, Part 35, issued pursuant to the Lead-Based Paint Poisoning Prevention Act, as amended.

7. Communal Kitchens. If a communal kitchen is supplied, it shall comply with the following requirements:

A. The minimum floor area of a communal kitchen shall be 60 square feet.

B. The minimum floor area of a communal kitchen in which roomers are permitted to prepare and eat meals shall be 100 square feet.

C. It shall contain a refrigerator with an adequate food storage capacity.

D. It shall contain an approved kitchen sink.

E. It shall contain a stove or range.

F. It shall include at least one cabinet of adequate size suitable for the storage of food and eating and cooking utensils.

G. It shall contain at least six square feet of surface area easily cleanable and suitable for the preparation of food.

H. It shall contain a table and adequate chairs for the normal use of the facilities if a communal dining room is not supplied.

I. Every communal kitchen shall be located within a room accessible to the occupants of each rooming unit sharing the use of such kitchen, without going outside the dwelling and without going through a dwelling unit or rooming unit of another occupant.

8. Communal Dining Rooms. Every dwelling or rooming house within which the occupant of any rooming unit is permitted to prepare meals or cook within a communal kitchen containing less than 100 square feet of floor area, as provided in subsection 7 of this section, shall contain a communal dining room which complies with all of the following requirements:
 - A. Every communal dining room shall be located on the same floor of the rooming house as the communal kitchen, and such dining room shall be as nearly adjacent to the communal kitchen as is practicable.
 - B. Every communal dining room shall be located within a room accessible to the occupants of each rooming unit sharing such dining room, without going outside the dwelling and without going through a dwelling unit or rooming unit of another occupant.
 - C. It shall contain a table and adequate chairs for the normal use of the facilities.
 - D. Every communal dining room shall contain not less than 70 square feet of floor area.
9. Shades, Draperies and Window Coverings.
 - A. Every window in rooms used for sleeping purposes in rooming units and furnished dwelling units shall be supplied with shades, draperies, or other devices or materials which, when properly used, will afford privacy to the occupants.
 - B. Every window in rooms used for sleeping purposes in unfurnished dwelling units shall be supplied with hardware necessary to support shades, draperies, or other devices or materials which, when properly used, will afford privacy to the occupants.
10. Kitchen Stoves and Refrigerators. Kitchens or kitchenettes in multiple dwellings, rooming houses, and duplexes shall be supplied with a stove or range and a refrigerator by the owner or operator.
11. Tie-Downs. In the case of manufactured housing, the housing shall be securely anchored by a tie-down device which distributes and transfers the load posed by the unit to appropriate ground anchors so as to resist wind overturning and sliding.

156.19 RESPONSIBILITIES OF OWNERS.

1. Maintenance of Structure.
 - A. Structure.
 - (1) Every foundation, roof, floor, wall, ceiling, stair, step, elevator, handrail, guardrail, porch, sidewalk, and appurtenance thereto shall be maintained in a safe and sound condition and shall be capable of supporting the loads that normal use may cause to be placed thereon.
 - (2) Every structure shall be maintained in compliance with Section 661, Chapter 5 of the Iowa Administrative Code (*State Fire Code*), as amended, and the building codes in effect at the time the building was constructed. If the use or occupancy is changed, compliance with currently adopted codes is required.
 - (3) The required occupancy separations shall be provided and maintained in all structures having mixed or multiple occupancies. The one-hour occupancy separation between dwellings and garages shall be provided regardless of the date of construction and may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a tight fitting, 20-minute rated door or approved equivalent opening protection.

- B. Exterior. Every foundation, floor, exterior wall, exterior door, window, and roof shall be maintained in a weather-tight, watertight, rodent-proof, and insect-proof condition.
 - C. Doors. Every door, door hinge, door latch, door lock, or any associated door hardware shall be maintained in good and functional condition, and every door, when closed, shall fit well within its frame.
 - D. Windows. Every window, existing storm window, window latch, window lock, aperture covering, and any associated hardware shall be maintained in good and functional condition and shall fit well with its frame.
 - E. Interior. Every interior partition, wall, floor, ceiling, and other interior surface shall be maintained so as to permit it to be kept in a clean and sanitary condition. All building interior public and service areas shall be maintained in a sanitary condition.
2. Accessory Structure. Every foundation, exterior wall, roof, window, exterior door, and appurtenance of every accessory structure shall be so maintained as to prevent the structure from becoming a harborage for vermin and shall be maintained in a good state of repair.
3. Rain Water Drainage System. All gutters, downspouts, and associated or other roof drainage equipment on the premises shall be maintained in a good state of repair and so installed as to direct water away from the structure. All cisterns or similar water storage facilities shall be securely covered or protected.
4. Grading, Drainage and Landscaping of Premises. Every premises shall be graded and maintained so as no stagnant water will accumulate or stand thereon. Every premises shall be graded and drained in a manner to cause the flow of rain water or other surface water away from the structure. Every premises shall be continuously maintained by suitable landscaping with grass, trees, shrubs, planted ground cover, or other landscaping materials. Landscaping shall be designed and maintained to prevent erosion and control dust. This chapter shall not affect the existence of approved storm water detention systems.
5. Chimneys and Flue Piping. Every chimney and all flue piping shall be adequately supported, maintained, clean, and in a good state of repair.
6. Exterior Surfaces. All exterior surfaces of a dwelling and its accessory structures, fences, porches, and similar appurtenances which are subject to decay or deterioration shall be protected from the elements and against decay or deterioration by properly primed and painted non-lead-based paint or other approved protective coating.
7. Exits.
- A. Every means of egress shall be maintained in good condition and shall be free of obstruction at all times. Fire escapes, exit corridors, exit stairways, and escape and rescue windows and any other means of egress shall be maintained in a good state of repair at all times. Exit signs, emergency lighting, early warning systems, and sprinkler systems shall be maintained in good condition at all times. Required fire doors shall be maintained self-closing and self-latching. Fire doors for stairway enclosures may be self-closing as provided for in Section 3309(c) of the *Uniform Building Code*.
 - B. Fire drills shall be conducted once per academic semester for all fraternities and sororities as approved by the Fire Department.
8. Screens and Storm Windows. On structures having interchangeable storm windows and screens, the owner or operator of the premises shall be responsible for hanging all screens and storm windows, except when written agreement between the owner and the occupant provides

otherwise. Screens shall be provided no later than May 1 of each year, and storm windows shall be provided no later than November 1 of each year. All windows manufactured to be operable for ventilation shall be provided with screens of not less than 16 mesh per square inch. However, windows in areas not accessible to tenants or areas which are exclusively service areas shall be exempted from screen requirements. All single-pane windows which serve habitable rooms and bathrooms shall be provided with storm windows.

9. Electrical System. The electrical system of every dwelling or accessory structure shall not, by reason of over loading, dilapidation, lack of insulation, improper fusing or for any other cause, expose the occupants to hazards of electrical shock or fire, and every electrical outlet, switch and fixture shall be complete as manufactured and maintained in a good and safe working condition. Only approved extension cords and multi-plug adapters or other devices approved by the inspector shall be allowed. All electrical wiring newly installed or replaced shall be in compliance with the *National Electrical Code*.

10. Plumbing System. Every supplied plumbing fixture, water piping, and waste piping shall be maintained in a good and sanitary condition. All plumbing installed or replaced shall be so designed as to prevent contamination of the water supply through backflow, back siphonage, or cross connection. All plumbing newly installed or replaced shall be in compliance with the *Uniform Plumbing Code*. A minimum water pressure of 15 pounds shall be maintained to all open outlets at all times.

11. Gas Piping and Appliances. All gas piping shall be properly installed, properly supported and shall be maintained free of leaks, corrosion, or obstruction so as to reduce gas pressure or volume. Every gas appliance shall be connected to a gas line with solid metal piping or approved listed metal appliance connector preceded by an approved listed shutoff valve. Gas pressure shall be adequate to permit a proper flow of gas from all open gas valves at all times. All gas piping shall be in compliance with the *Uniform Plumbing Code*.

12. Heating and Cooling Equipment. The heating equipment of each dwelling shall be maintained in good and safe working condition and shall be capable of heating all habitable rooms, bathrooms, and toilet rooms located therein to the minimum temperature required by this Code. Supplied cooling equipment shall be maintained in a good and safe working condition. However, heating and supplied cooling equipment shall not be required to be maintained in operational condition during that time of the year when said equipment is not normally used. No combustible material shall be stored within three feet of a fuel burning furnace and/or fuel burning hot water heater.

13. Kitchen and Bathroom Flooring. Every toilet room, bathroom, and kitchen floor surface shall be constructed and maintained so as to permit such floor to be easily kept in a clean, dry, and sanitary condition.

14. Supplied Facilities.

A. Every facility, utility, and piece of equipment required by this Code and/or present in the unit and/or designated for the exclusive use of the occupants of said unit, at the time that either the rental agreement is signed or possession is given, shall function safely, and shall be maintained in proper working condition. Maintenance of facilities, utilities, and equipment not required by this Code shall be the owner's responsibility unless stated to the contrary in the rental agreement.

B. No supplied facility shall be removed, shut off, or disconnected from any occupied dwelling unit or rooming unit except for such temporary interruptions as may be necessary while actual repairs, replacements, or alterations are being made.

15. Equipment Rooms. Boiler rooms, mechanical rooms, and electrical panel rooms shall not be used for the storage of combustible material or equipment. A minimum three-foot clearance shall be maintained in front of electrical panels and disconnects.

16. Pest Extermination. Whenever infestation exists in two or more dwelling units or rooming units of any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units or more than one rooming unit, the extermination thereof shall be the responsibility of the owner.

17. Fire Protection. All fire extinguishing devices and all early warning fire protection systems shall be maintained in good working condition at all times. All fire protection equipment and early warning equipment shall be maintained in compliance with the *Uniform Fire Code*, the State Fire Code, the Tiffin Fire Code, and subsections 156.18(3) and (4) of this chapter. Buildings which are required to have an automatic fire alarm system shall have that alarm system tested annually by a qualified alarm technician to certify that the alarm system is in compliance with the current standard of N.F.P.A. 72. Buildings which are required to have an automatic sprinkling system shall have that system tested biennially by a qualified sprinkler system technician to certify that the system is in compliance with the current standard of N.F.P.A. Chapter 25, as amended.

18. Address Numbers. Approved numbers or addresses shall be placed on all buildings in such a position as to be plainly visible and legible from the public way fronting the property, and from the vehicle access area if vehicle access is from other than the front of the building. Said numbers and letters shall contrast with their background and shall be a minimum of four inches in height. Where access to or within a multi-family structure or any area is unduly difficult because of secured openings or where immediate access is necessary for life saving and firefighting purposes, a key box shall be installed in an approved location. The key box shall be a type approved by the Fire Chief and shall contain keys and/or access codes necessary to gain access. If applicable, a key switch may be installed in an approved location.

19. Guardrails and Handrails. All guardrails and handrails shall be maintained in a safe and sound condition at all times. Guardrails shall be provided where there is an abrupt elevation change exceeding 30 inches adjacent to pedestrian areas. Guardrails and handrails which are newly installed or replaced shall comply with the *Uniform Building Code*.

20. Sealed Passages. All pipe passages, chutes, and similar openings through walls, floors, or ceilings shall be adequately closed or sealed to prevent the spread of fire or the passage of vermin.

21. Trees and Plant Materials. All trees and plant materials shall be maintained in a manner which prevents damage or decay to a structure. Trees required by the Tiffin Tree Ordinance shall be maintained.

22. Clean Units. No owner or operator shall permit occupancy of any vacant dwelling unit or rooming unit unless it is clean, safe, sanitary, and fit for human occupancy.

23. Exterior Area Maintenance.

A. Every owner or operator shall be responsible for maintaining the exterior areas in a safe, clean, and sanitary condition.

B. Every fence shall be maintained in a good state of repair and shall comply with the Tiffin Zoning Ordinance.

24. Solid Waste Facilities. Every owner of a dwelling or rental structure shall supply adequate facilities for the disposal of solid waste which are approved by the inspector and/or are in compliance with the Tiffin Solid Waste Ordinance.

25. Occupancy Requirements.
 - A. A dwelling unit shall not be occupied by a number of persons greater than allowed by the Tiffin Zoning Ordinance.
 - B. No room shall be used as a habitable room unless certified as a habitable room at the time the certificate of structural compliance is issued or amended.
26. Cooking in Rooming Units. No owner or operator shall knowingly allow the use of cooking equipment within any rooming unit.

156.20 RESPONSIBILITIES OF OCCUPANTS.

1. Controlled Area.
 - A. Every occupant of a dwelling unit or rooming unit shall keep in a clean, safe, and sanitary condition that part of the dwelling unit, rooming unit, or premises thereof which the occupant occupies and controls.
 - B. Every floor and floor covering shall be kept reasonably clean and sanitary.
 - C. Every wall and ceiling shall be kept reasonably clean and free of dirt or greasy film.
 - D. No dwelling or the premises thereof shall be used for the storage or handling of solid waste.
 - E. No dwelling or the premises thereof shall be used for the storage or handling of dangerous or hazardous materials.
2. Plumbing Fixtures. The occupants of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care, proper use, and proper operation thereof.
3. Extermination of Pests. Every occupant of a single-family dwelling shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; every occupant of a dwelling containing more than one dwelling unit or rooming unit shall be responsible for such extermination within the unit occupied whenever said unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a reasonably rodent-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
4. Storage and Disposal of Solid Waste. Every occupant of a dwelling shall dispose of solid waste and any other organic waste in a clean and sanitary manner by placing it in the supplied disposal facilities or storage containers required by this Code.
5. Use and Operation of Supplied Heating Facilities. Every occupant of a dwelling unit or rooming unit shall be responsible for the exercise of reasonable care, proper use, and proper operation of supplied heating facilities. No combustible material shall be stored within three feet of a fuel burning furnace and/or fuel burning water heater.
6. Electrical Wiring. No temporary wiring shall be used. Approved extension cords may be used but shall not lie beneath floor coverings or extend through doorways, transoms or similar apertures and structural elements or attached thereto. The occupant shall not overload the circuitry of the dwelling unit or rooming unit.
7. Supplied Facilities. Every occupant of a dwelling unit shall keep all supplied fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care, proper use, and proper operation thereof.

8. Cooking or Eating in Rooming Units. No occupant of a rooming unit shall prepare or eat meals or store cooking utensils in the rooming unit unless an approved kitchen or dining room is contained within the rooming unit. The cooking and eating of meals may take place in dwellings containing a rooming unit or units if the provisions of subsections 156.18(7) and (8) of this chapter are complied with.
9. Occupancy Control.
 - A. A dwelling unit shall not be occupied by a number of persons greater than allowed by the City Zoning Ordinance.
 - B. No room shall be used as a habitable room unless certified as a habitable room at the time the certificate of structure compliance is issued or amended.
10. Fire Protection Equipment. All fire extinguishers and early warning fire protection systems shall be maintained in good working condition at all times. Fire extinguishers shall be mounted and meet the requirements of the City Fire Code.

156.21 TITLE 24 OF THE CODE OF FEDERAL REGULATIONS; SECTION 882.109(a) THROUGH (I); HOUSING QUALITY STANDARDS. Housing used in this program shall meet the performance requirements set forth in this section. In addition, the housing shall meet the acceptability criteria set forth in this section except for such variations as are proposed by the PHA and approved by HUD. Local climatic or geological conditions or local codes are examples which may justify such variations. The term “this program” shall be interpreted to mean the Section VIII Housing Assistance Payments Program. Further, in accordance with the *Code of Iowa*, as amended, this section has provided the basis for provisions of the Tiffin Housing Code.

1. Sanitary Facilities.
 - A. Performance Requirement. The dwelling unit shall include its own facilities which are in proper operating condition, can be used in privacy, and are adequate for personal cleanliness and the disposal of human waste.
 - B. Acceptability Criteria. A flush toilet in a separate, private room, a fixed basin with hot and cold running water shall be present in the dwelling unit, all in proper operating condition. These facilities shall utilize an approved public or private disposal system.
2. Food Preparation and Solid Waste Disposal.
 - A. Performance Requirement. The dwelling unit shall contain suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and solid waste, including facilities for temporary storage where necessary.
 - B. Acceptability Criteria. The unit shall contain the following equipment in proper operating condition: cooking stove or range and a refrigerator of appropriate size for the unit, supplied by either the owner or the family, and a kitchen sink with hot and cold running water. The sink shall drain into an approved public or private system. Adequate space for the storage, preparation, and serving of food shall be provided. There shall be adequate facilities and services for the sanitary disposal of food wastes and solid waste, including facilities for temporary storage where necessary, e.g., garbage cans.
3. Space and Security.
 - A. Performance Requirement. The dwelling unit shall afford the family adequate space and security.

- B. Acceptability Criteria. A living room, kitchen area, and bathroom shall be present, and the dwelling unit shall contain at least one sleeping or living/sleeping room of appropriate size for each two persons. Exterior doors and windows accessible from outside the unit shall be lockable.
4. Thermal Environment.
- A. Performance Requirement. The dwelling unit shall have and be capable of maintaining a thermal environment healthy for the human body.
- B. Acceptability Criteria. The dwelling unit shall contain safe heating and/or cooling facilities which are in proper operating condition and can provide adequate heat and/or cooling to each room in the dwelling unit appropriate for the climate to assure a healthy living environment. Unvented room heaters which burn gas, oil, or kerosene are unacceptable.
5. Illumination and Electricity.
- A. Performance Requirement. Each room shall have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. Sufficient electrical sources shall be provided to permit use of essential electrical appliances while assuring safety from fire.
- B. Acceptability Criteria. Living and sleeping rooms shall include at least one window. A ceiling- or wall-type light fixture shall be present and working in the bathroom and kitchen area. At least two electrical outlets, one of which may be an overhead light, shall be present and operable in the living area, kitchen area, and each bedroom area.
6. Structure and Materials.
- A. Performance Requirement. The dwelling unit shall be structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the occupants from the environment.
- B. Acceptability Criteria. Ceilings, walls, and floors shall not have any serious defects, such as severe bulging or leaning, large holes, loose surface materials, severe buckling or noticeable movement under walking stress, missing parts or other serious damage. The roof structure shall be firm, and the roof shall be weather-tight. The exterior wall structure and exterior wall surface shall not have any serious defects, such as serious leaning, buckling, sagging, cracks or holes, loose siding, or other serious damage. The condition and equipment of interior and exterior stairways, halls, porches, and walkways shall be such as not to present a danger of tripping or falling. Elevators shall be maintained in safe and operating condition. In the case of manufactured housing, the housing shall be securely anchored by a tie-down device which distributes and transfers the load posed by the unit to appropriate ground anchors so as to resist wind overturning and sliding.
7. Interior Air Quality.
- A. Performance Requirement. The dwelling unit shall be free of pollutants in the air at levels which threaten the health of the occupants.
- B. Acceptability Criteria. Dwelling units shall be free from dangerous levels of air pollution from carbon monoxide, sanitary sewer gas, fuel gas, dust, and other harmful air pollutants. Air circulation shall be adequate throughout the unit. Bathroom areas shall have at least one openable window or other adequate exhaust ventilation.

8. Water Supply.

A. Performance Requirement. The water supply shall be free from contamination.

B. Acceptability Criteria. The unit shall be served by an approved public or private potable water supply.

9. Lead-Based Paint.
 - A. Performance Requirement.
 - (1) The dwelling unit shall be in compliance with HUD lead-based paint regulations, 24 CFR, part 35, issued pursuant to the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4801, as amended, and the owner shall provide a certification that the dwelling is in accordance with such HUD regulations.
 - (2) If the property was constructed prior to 1950, the family, upon occupancy, shall have been furnished the notice required by HUD lead-based paint regulations and procedures regarding the hazards of lead-based paint poisoning, the symptoms and treatment of lead poisoning and the precautions to be taken against lead poisoning.
 - B. Acceptability Criteria. Same as performance requirement.
10. Access.
 - A. Performance Requirement. The dwelling unit shall be usable and capable of being maintained without unauthorized use of other private properties, and the building shall provide an alternate means of egress in case of fire.
 - B. Acceptability Criteria. The dwelling unit shall be usable and capable of being maintained without unauthorized use of other private properties. The building shall provide an alternate means of egress in case of fire, such as fire stairs or egress through windows.
11. Site and Neighborhood.
 - A. Performance Requirement. The site and neighborhood shall be reasonably free from disturbing noises and reverberations and other hazards to the health, safety, and general welfare of the occupants.
 - B. Acceptability Criteria. The site and neighborhood shall not be subject to serious adverse environmental conditions, natural or human-made, such as dangerous walks, steps, instability, flooding, poor drainage, septic tank backups, sanitary sewage hazards or mudslides; abnormal air pollution, smoke or dust; excessive noise, vibrations or vehicular traffic; excessive accumulation of trash; vermin or rodent infestations; or fire hazards.
12. Sanitary Condition.
 - A. Performance Requirement. The unit and its equipment shall be in sanitary condition.
 - B. Acceptability Criteria. The unit and its equipment shall be free of vermin and rodent infestation.