

ORDINANCE # 4.32
AN ORDINANCE AMENDING SECTION 4.31 OF THE MORRIS CITY CODE OF 1997
REGARDING LICENSING AND INSPECTIONS OF
RESIDENTIAL RENTAL PROPERTY.

THE COUNCIL OF THE CITY OF MORRIS DOES HEREBY ORDAIN that Section 4.31 of the Morris City Code of 1997 be replaced in its entirety with the following provisions:

**City of Morris
Rental Licensing Ordinance**

SEC. 4.32. RESIDENTIAL RENTAL PROPERTY REGISTRATION AND LICENSING.

Subd. 1. Purpose. The City recognizes a need for an organized inspection program of residential rental units within the City in order to establish and enforce minimum standards for rental units to meet City and State safety, health, fire, and zoning codes within the City and to provide a more efficient system to ensure that rental property is properly maintained. The City recognizes that the most efficient system to provide for rental inspections is the creation of a program requiring the registration and license of all residential rental units within the City so that orderly inspections can be undertaken.

Subd. 2. Definitions.

- a. The term “residential rental property” means any building, structure, room, enclosure, or mobile home including the real property upon which it is located and which surrounds it, which is rented or offered for rent as living quarters. Residential rental property does not mean on-campus housing at the University of Minnesota, Morris, hospital units, nursing home units, or hotels or motels with daily rental units, all of which shall be specifically exempt from registration and license under this Section.
- b. The term “person” includes natural persons as well as business entities, whether one or more.
- c. The term “enforcement officer” means any person designated by the City to perform inspections and determine compliance with the applicable rules, standards, statutes and ordinances.

Subd. 3. Registration and License Requirements. It is unlawful for any person to hereafter occupy, allow to be occupied, advertise for occupancy, solicit occupants of, or let to another person for occupancy any residential rental property within the City for which an application for license has not been properly made and filed with the Morris Housing & Redevelopment Authority (HRA) and for which there is not an effective license. Initial application and renewal shall be made upon forms furnished by the HRA for such purpose and shall specifically require the following minimum information:

- a. Name, address and phone number of the property owner and, if owner is not a natural person, the name, address and phone number of a designated agent for the owner.
- b. The name, phone number, and address of any person authorized to make or order made repairs or services for the property, if in violation of City or State Codes, if the person is different than the owner.

- c. The street address of the rental property.
- d. The number and types of units within the rental property (dwelling units or sleeping rooms).

A rental property owner and/or the designated agent must notify the HRA in writing within 15 calendar days after any change in the above information.

Subd. 4. Fees & Penalties. There shall be a license fee for the initial license, a renewal fee every four years thereafter. The fee shall be based upon the number of units in the case of multiple unit dwellings. There shall also be a license transfer fee and a license reinstatement fee. All fees shall be established by resolution of the Council. Administrative penalties for failure to comply with any portion of these rules, standards, statutes, and ordinances will be established by resolution of the Council.

Subd. 5. Manner of Registration, Licensing and Renewal.

- a. Initial application for license of property which is not licensed as residential rental property on the effective date of this Section, or for licensed residential rental property when there is a change in type of occupancy, shall be made by personally filing an application for license with the Morris HRA before the property is used as residential rental property or before use as a new type of occupancy.
- b. If there is a change in the type of occupancy from the type stated on the registration statement, a new registration statement and license will be required.

Subd. 6. Method and Manner of Certification. Upon receipt of an initial application, the Morris HRA shall forward a copy to the enforcement officer, who shall then, within 10 (ten) working days, perform an inspection of the property to determine whether such property complies with the provisions of applicable rules, standards, statutes and ordinances. The enforcement officer shall make a report thereon. No license shall be issued if the premises and building do not fully comply with all the provisions of the applicable rules, standards, statutes and ordinances which pertain to such dwelling units.

Subd. 7. Method of Renewal.

- a. Phase-in of Renewal. Properties in the following three classes, which have had inspection and been found in compliance, will not need reinspection in order to be eligible for their first license renewal. Renewal applications for rental property licensed as of the effective date of this ordinance shall be processed in accordance with the following provisions:
 - i. Licenses issued for properties last inspected before June 30, 2000, shall expire on and require a new inspection before 12/31/2003.
 - ii. Licenses issued for properties last inspected from July 1, 2000, to June 30, 2001, shall expire on and require a new inspection before 12/31/2004.
 - iii. Licenses issued for properties last inspected from July 1, 2001, to the effective date of this ordinance shall expire on and require a new inspection before 12/31/2005.

- b. Each new (non-renewal) license issued pursuant to this Section, and each renewal license issued after the phase-in period set forth at Subdivision 7 (a), above, shall expire on the 31st of December in the 3rd year following the year of issuance. The Morris HRA shall mail renewal applications for license to the property owner or the designated agent on or before September 5th of the year the license expires. Failure to receive a renewal application for license from the Morris HRA shall not excuse the owner from meeting the license requirements. Renewal applications for license may be returned by mail, at the property owner's risk, to the Morris HRA. Renewal of licenses will not occur unless the renewal fee has been paid and the property has been inspected and found to be in compliance by the enforcement officer within ninety-days (90) of the date of the renewal notice. It is the owner's responsibility to ensure ample time is planned for accommodating the renewal inspection before the license expires.
- c. Rental property that has been registered but not inspected and in compliance on the effective date of this ordinance shall be considered unlicensed. No property shall be considered unlicensed under this Subdivision 7 (c) if, as of the effective date of this ordinance, it was the subject of an appeal filed and pending before an appellate court of the State of Minnesota as of October 15, 2002. Upon the conclusion of any such appeal, and expiration of any further appeal period, the property shall be subject to licensing and inspection under Subdivision 7 (b) above.

Subd. 8. Method of Correction. Whenever an enforcement officer determines that any residential rental property fails to meet the requirements set forth in the applicable rules, standards, statutes or ordinances; the HRA shall issue a correction notice setting forth the violations and ordering the occupant, owner and/or owner's designated agent to correct such violations. This notice and order shall:

- a. Be in written form;
- b. Describe the location and nature of the violation;
- c. Establish a reasonable time for the correction of any violation;
- d. Be served upon the owner, the owner's designated agent and/or the occupant as the case may require. Such notice shall be deemed to be properly served if a copy thereof is:
 - (1) Served upon the owner, designated agent and/or occupant personally; or
 - (2) Sent by certified mail, return receipt requested.

Failure to correct violations within the time period stated in the correction order shall result in an administrative penalty to be set by Council resolution, as well as other sanctions provided by law or this ordinance. If the correction order relates to actions or omissions of the occupant, and the occupant fails to make the necessary correction, the licensee may be required to remedy the condition by whatever means necessary. No adverse action shall be taken against a licensee for failure to remedy a condition during the pendency of a bona fide eviction proceeding being pursued diligently by the licensee.

Subd. 9. Transfer of Property. To transfer the license from one property owner to another, the licensee shall give written notice, including the name and address of the transferee, to the Morris HRA of the proposed transfer, within thirty-days (30) after such transfer. The transferee must make application with the HRA and pay the required fee for a transfer of the license within thirty-days (30) after the transfer of property. Failure to make application within the specified

time limit shall result in automatic forfeiture of the license. Relicensing of any property for which the license has been forfeited shall require application for a new license. Issuance of any license when there is a transfer of property shall require the property to be in compliance with all requirements of the applicable rules, codes, statutes and ordinances. The fee for license transfer shall be set by Council resolution.

Subd. 10. License Suspensions and Revocation.

- a. Any license may be revoked or suspended at any time during the life of said license for grounds including, but not limited to the following:
 - (1) False or misleading information given or provided in connection with the license application or renewal;
 - (2) Failure to pay any fee herein provided for;
 - (3) Failure to comply with Subdivision 16, below;
 - (4) Failure to correct violations in the time period prescribed;
 - (5) Violations committed or permitted by the licensed owner and/or the owner's designated agent, of any rules, codes, statutes and ordinances relating to, pertaining to, or governing the license and the premises;

- b. A suspended license shall be reinstated when the circumstances leading to the suspension have been remedied and a reinstatement fee as set by Council resolution has been paid.

Subd. 11. Maintenance of Records. All records, files, and documents pertaining to the Rental License Program shall be maintained for five years after the license expiration, in the office of the Morris HRA and made available to the public as allowed or required by the applicable laws, rules, codes, statutes or ordinances.

Subd. 12. Rental Appeals Board. The Rental Appeals Board is hereby designated to act as an advisory body. The Board shall consist of five (5) members appointed by the Council. The Board shall hear appeals arising from a correction order and make recommendations to the Council to affirm, modify or reverse, in whole or in part, such order. This Board shall also review and approve administrative policies and procedures pursuant to this ordinance, and regularly review and make such recommendations, as the Board deems reasonable and necessary to the Council as to the schedules of fees and penalties required under this Section.

Subd. 13. Appeal Process. When it is alleged by any person to whom a correction order is directed that such order is based upon erroneous interpretation of the applicable rules, standards, statutes or ordinance or mistake in fact, such person may appeal the correction order to the Rental Appeals Board.

Such appeal must be in writing, must specify the grounds for the appeal, must be accompanied by any filing fee set by Council resolution, and must be filed within five (5) business days after service of the correction order. Upon receipt of the written appeal, the HRA shall set a date for a hearing and give the appellant at least five (5) days prior written notice of the date, time and place of the hearing. By mutual agreement between the appellant and the HRA Director, the five (5) day notice may be waived.

The appellant shall have the right to appear and be represented by counsel. The Rental Appeals Board shall hear and consider the matter within thirty-days (30) of the filing of an

appeal. The filing of an appeal shall stay all proceedings in furtherance of the action appealed from unless the enforcement officer certifies that such a stay would cause imminent peril to life, health, or property.

The Rental Appeals Board shall issue its recommendation to the Council and the appellant in writing within thirty-days (30) after the hearing. The Council shall thereafter affirm, modify or reverse the correction order upon such terms as the Council deems necessary to accomplish the purposes of this ordinance. A copy of the decision shall be mailed to the appellant.

Subd. 14. Authority. Nothing in this Section shall prevent the City from taking action under any applicable rule, standard, statute or ordinance for violations thereof to seek either injunctive relief or criminal prosecution for such violations as therein provided. Nothing contained in this Section shall prevent the City from seeking injunctive relief against a property owner or designated agent who fails to comply with the terms and conditions of this Section on registration and licensing including an order prohibiting the occupancy of such rental units until violations of this Section have been remedied by the property owner or designated agent.

Subd. 15. Posting. Every licensee of residential rental property shall conspicuously post a receipted copy of the current license (in a frame with transparent cover) in a public corridor, hallway, or lobby of the rental property for which it is issued. For other than multiple dwellings, the licensee must post the license certificate in a frame with a transparent cover in such a manner so as to be easily viewed and readable at or near the front entrance of the building for which it was issued.

Subd. 16. Inspection Access. Property owners and their agents shall permit the enforcement officer to inspect all premises governed by this ordinance to determine if the building is operated as a rental property and/or to determine compliance with the provisions of this section, and shall fully cooperate with such inspections. The property owners or their agents shall make reasonable efforts to notify tenants of planned inspections of their rental units to the extent required by state law.

If an owner, occupant, or other person in charge of a dwelling, dwelling unit or a multiple dwelling fails or refuses to permit free access and entry to the structure or premises, or any part thereof, for an inspection authorized by this section, the enforcement officer may, upon a showing that probable cause (as the term is defined in Camara v. Municipal Court, 387 U.S. 523 (1967)) exists for the inspection or for the issuance of an order directing compliance with the inspection requirements of this section with respect to such dwelling, dwelling unit or multiple dwelling, petition and obtain an order to inspect and/or a search warrant from a court of competent jurisdiction. Except as specifically authorized to the contrary by the court in exigent circumstances, search warrants under this section shall be executed at reasonable times and after reasonable efforts to give the owner (or other person in charge) and the occupant at least five (5) days written notice of the date and time of the inspection authorized by the warrant. Property owners shall cooperate in the execution of all administrative search warrants and court orders, including providing access and entry to rented premises where directed to do so. An authorized representative of the property owner shall be present on the premises during inspections; however, failure of a property owner to comply with this requirement shall not deprive the City of the authority to inspect.

Failure of a property owner to obey any of the requirements of this subdivision shall subject the property owner to suspension or revocation of license, in addition to other remedies and/or penalties provided by law. Any such suspension or revocation shall continue until the inspection

sought has been completed, any violations satisfactorily remedied and any outstanding fees or penalties have been paid.

Subd. 17. Applicable Laws. Licensees shall be subject to all applicable rules, standards, statutes and ordinances; and this Section shall not be construed or interpreted to supersede any other such applicable rules, standards, statutes or ordinances.

Subd. 18. Tenant Identification. Licensees are required to provide names of tenants occupying rental property when the Morris HRA, or a Police Officer submits a written request.

Subd. 19. Tenant Requested Inspection. A tenant may at any time request an inspection of the rental property in which they currently reside. A fee for such inspection shall be imposed on the tenant only if the Council finds, by a preponderance of the evidence that the request was made in bad faith.

Subd. 20. Rules, Policies and Procedures. The City Council may adopt from time to time, by resolution, rules, policies and procedures for the implementation of this section. Violation of any such rule, policy or procedure by a property owner shall be considered a violation of this ordinance.

Subd. 21. Inspection Standards. All rental property will be required to meet the standards set forth herein in order to obtain and/or maintain a license pursuant to this ordinance.

a. DEFINITIONS

Basement. That portion of a building which is partly or completely below grade.

Crack. An opening severe enough to allow wind, rain, snow, rodents, insects, into a building or where inside a building, the opening allows debris to enter and the above activities to occur.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Environmental Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Equipment. Parts or sole portions of a system used and installed for a particular purpose.

Exhaust. Combustion products produced by an appliance or system.

Fuel-burning appliance. Those using natural gas, propane gas, fuel oil, coal, wood or any other flammable liquid or combustible material.

GFI's. An outlet that has a ground fault interrupter or an outlet supported by a ground fault interrupter breaker within a circuit breaker panel.

Guardrail. A system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.

Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Handrail. Railing provided for grasping with the hand for support.

Imminent Danger. A condition which could cause serious or life-threatening injury or death at any time.

Infestation. Large numbers of insects or rodents, or numbers capable of causing contamination or other health hazards.

Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Safe Manner. Free from danger; not likely to cause injury or do harm.

Security Doors. Any door which opens to the outside or public area of the building.

System. A collection of parts, equipment, apparatus or components used to provide various outcomes depending on their design. For example – electrical systems for fire protection purposes.

b. ELECTRICAL REQUIREMENTS

Section 1.01 – General – All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe manner.

Section 1.02 - Electrical Systems – Whenever there is insufficient evidence of compliance with the provisions of this these standards, or evidence that a material or installation does not conform to this ordinance or it's intended use; the enforcement officer may require tests as evidence of compliance to be made at no expense to the City.

Equipment regulated by this ordinance, which is unsafe or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of equipment constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, is an unsafe use. Unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal.

Section 2.01 – Outlets / Receptacles – Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every basement, laundry area, bathroom, furnace room, utility room shall contain at least one receptacle.

Section 2.02 – Ground Fault Interrupters (GFI's) – Receptacles in bathrooms, kitchens, and laundry rooms must be GFI's where receptacles are within 6 feet of a water supply.

Section 2.03 – Where present, exterior receptacles must have GFI protection with appropriate waterproof protective covers.

Section 2.04 – All electrical boxes on the exterior of a dwelling must have an appropriate listed and approved cover for that location and purpose.

Section 3.01- Lighting – Every public or private hall, interior stairway, toilet room, kitchen, dining room, basement, bathroom, laundry room, boiler room, furnace room, outdoor entries and similar areas shall contain at least one working electrical lighting fixture. Living or sleeping rooms may be provided with switched outlets for the use of lamps.

Section 4.01 – Extension Cords – Must not be used to supply current to microwave ovens, stoves, refrigerators, air conditioners, furnaces, water heaters, water softeners, clothes washers or dryers. Power strips are allowed for computers, TV's, radios, stereos, VCR's, cd players and other such electronic equipment.

Section 5.01 – Electrical Panels – Access to the electrical panels must not be blocked and must have appropriate covers.

Section 6.01 – Electrical Hazards – Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the enforcement officer shall require the defects to be corrected to eliminate the hazard.

c. FIRE PROTECTION

Section 1.01 – General – All equipment, systems and individual parts shall be properly installed and maintained in a safe manner.

Section 2.01 - Smoke Detectors/Alarms - Any room used for sleeping purposes shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions. When a dwelling unit has more than one story and in dwellings with basements, a detector shall also be installed on each story including the basement. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located. All smoke detectors shall be maintained operational at all times.

Section 3.01 – Multi-story buildings - In multi-story apartment buildings where an approved fire alarm system has been installed and provides equivalent protection to smoke detectors, the smoke alarm system, if not otherwise required, may be waived.

Section 4.01 – Egress – A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.

Section 5.01 - Egress Windows – Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. All basement bedrooms shall meet egress window requirements; escape or rescue windows shall have a minimum net clear openable area of 5.7 sq. ft. The minimum net clear openable height dimensions shall be 24", the width 20". When windows are provided as a means of escape or rescue, there shall be a maximum of 44" from the floor to the window opening.

Section 5.02 – When windows are higher than 44', a permanent platform must be installed at a height which is halfway between the floor and the window opening. The platform must be the same width as that of the window it serves. The depth must correspond to the height of the platform; for any platform up to 24" high, the platform must be 16" deep; for a platform between 24" and 30" high, the platform must be 30" deep; for a platform between 30" and 44" high, the platform must be 36" deep.

In lieu of egress windows, where conditions prevent the installation of egress windows, an approved sprinkler system shall be installed.

Section 6.01 – Window Wells – Window wells with a vertical depth of more than 44" shall be equipped with an approved permanent affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6".

Section 6.02 – Window Coverings – Egress window wells must be covered and free of any obstruction. Window well covers are required for each egress window. Covers shall be of rigid and transparent or translucent material with framework of decay resistant material or manufactured covers designed to fit a window well.

d. EXTERIOR STRUCTURE

Section 1.01 – 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.

Section 2.01 – Protective Treatment – All exterior surfaces, including but not limited to, doors, door thresholds, door and window frames, cornices, gutters, porches, trim, roofs, 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 water tight. 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.

Section 2.02 – All structural members shall be maintained in sound condition and capable of supporting the imposed loads.

Section 3.01 – Glass – All broken and/or unstable cracked glass must be replaced.

Section 4.01 - Doors – In general, doors must be weather tight, rodent proof, afford privacy and operate correctly. In addition, any door which opens into a common hallway or public area must be equipped with a door view-port (peep-hole).

Section 4.02 – Security doors must have fully operational locks which are capable of being locked from the exterior.

Section 4.03 – Screen doors must be provided unless steel doors and thresholds are present. Swinging storm/screen doors must be self-closing and in good working condition.

Section 4.04 – Locks on bathroom doors shall be of the type that can be opened from the outside of the room.

Section 5.01 – Windows – Those windows on the first story or below, other than those which are fixed, shall be easily operable and capable of being locked in the closed position for the purpose of providing security. Screens, combinations and storms are not considered sufficient for security. The lock must be on the interior window sash.

Section 5.02 – Screens – Every basement or cellar opening used or intended to be used for ventilation which might provide entry for rodents shall be supplied with a screen or storm/screen combination.

Section 5.03 - During the period from April 1 – September 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, or any areas where products to be utilized in food for human consumption is stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging storm/screen door shall have a self-closing device in good working condition. Screens shall be maintained in good repair and free of holes other than those of design size.

e. INTERIOR STRUCTURE

Section 1.01 – General Conditions – The interior of a structure shall be maintained in good repair and sanitary condition.

Section 1.02 – Structural members shall be maintained in sound condition and capable of supporting the imposed loads.

Section 2.01 – Glass – Broken and/or unstable cracked glass must be replaced.

Section 3.01 – Doors – Doors must be operating correctly. Doors to bathrooms and bedrooms must be affording privacy.

Section 3.02 – Bathroom Doors – Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passage to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling. The locking device on bathroom doors must also be of the style which can be opened from the outside.

Section 4.01 – Floors – Damaged, rotten, or loose floor sheathing shall be secured or replaced.

Section 4.02 – Floor coverings – Coverings which are loose, torn, broken or in such a condition to cause tripping and or injury shall be secured or replaced.

Section 5.01 – Walls – Damaged, rotten or loose wall coverings or sheathing shall be repaired, replaced or secured in place.

Section 5.02 - Bathroom walls and finishes around tubs and showers shall be in sound condition and nonabsorbent wall finishes shall be in place with no cracks, holes or other defects which would allow moisture entry into the wall. Wall assemblies that support tile, surrounds or other forms of waterproofing shall be structurally sound. All penetrations thru and around the tile or surround must be caulked and/or sealed.

Section 6.01 – Ceilings – Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

f. MECHANICAL REQUIREMENTS

Section 1.01 – General Conditions – All mechanical equipment, chimneys, fireplaces and solid fuel-burning appliances shall be properly installed and maintained in a safe working condition. Decorative fireplaces not intended for use shall be allowed to exist provided that the owner notifies the occupant in writing that the fireplace unit is not usable, both the owner and occupant shall sign such document. Space heaters and auxiliary heating units must comply with manufacturer's recommendations and conform to the intended use.

Section 1.02 – Mechanical Systems – Whenever there is insufficient evidence of compliance with the provisions of these standards, or evidence that a material or installation does not conform to this ordinance or it's intended use; the enforcement officer may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Equipment regulated hereunder, which is unsafe or which constitutes a fire or health hazard, or is otherwise dangerous to human life, is, for the purpose of this section, unsafe. Use of equipment constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, is an unsafe use. Unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal.

Section 1.03 – Appliances which burn gas, propane gas or fuel oil shall be provided with an approved independent shut-off valve in an accessible location, within the same room, within 3 feet of the appliance. Shut-off valves must be attached to rigid pipe, have handles permanently affixed and fastened to the valve.

Section 2.01 – Heating Facilities – Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. in all habitable rooms, bathrooms, toilet rooms, hallways and utility room; by means of diffuser, separate heating unit or transfer grill.

Section 2.02 – The required room temperatures shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

Section 2.03 – All mechanical equipment used to supply heat shall not be installed unless labels for such purpose and the installation is specifically approved as evidenced by the listing and label of an approving agency. (ie. A UL listing)

Section 2.04 – Appliances designed primarily for cooking or water heating for domestic use shall not be considered as heating facilities within the meaning of this section.

Section 2.05 – Boilers must be inspected annually when equipped with an RPZ (relief pressure zone) valve unless they are a closed system.

Section 3.01 – Exhaust Systems – Exhaust systems shall be designed and constructed so as to develop a positive flow adequate to convey all combustion products to the outside atmosphere.

Section 3.02 – Unused openings in an exhaust venting system shall be closed or capped in a safe and approved manner according to recognized standards.

Section 3.03 – The exhaust system must be properly supported to maintain proper clearance, to prevent physical damage and to prevent separation of the joints.

Section 3.04 – The exhaust system shall be connected to the appliance in a safe manner and/or in accordance with the listing and manufacturer’s installation instructions and applicable standards. Power or fan-assisted appliances must have separate venting systems. Electric stoves/ranges do not require an exhaust venting system.

Section 3.05 – Fuel-burning appliances shall be exhausted directly outside with approved fasteners designed for the system. Exhaust vent terminations at the building exterior must be connected to an approved hood specifically designed for that application and in accordance with the manufacturer’s instructions. The point of discharge shall not be within 3 feet of any opening which allows air into an occupied portion of the building.

Section 3.06 – Any exhaust mechanism must slope less than 90 degrees from the appliance to the chimney.

Section 3.07 – Proper clearances shall be maintained between exhaust system vents and combustibles. Prohibited exhaust spaces shall include but are not limited to: attics, crawl spaces, fireplaces, basements, or attached accessory use space such as garages, workshops, floor, ceiling and wall spaces.

Section 3.08 – Gas piping must be AGA approved (copper, black galvanized or stainless flex) and sized according to the proper use.

Section 4.01 – Environmental Ventilation – Habitable rooms within a dwelling shall be provided with natural ventilation by means of operable exterior openings or a mechanical ventilation system.

Section 4.02 – Bathrooms, water closets, laundry rooms and similar rooms shall be provided with natural ventilation by means of operable exterior openings with an area not less than one twentieth of the floor area of such rooms with a minimum of 1 ½ square feet.

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub or shower or combination thereof, laundry rooms, and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be provided. The point of discharge of exhaust air shall be at least 3 feet from any opening into the building. Bathrooms which contain only a water closet and lavatory, and similar rooms, may be ventilated with an approved mechanical system and shall not be recirculated.

Section 4.03 - The ventilation system shall be installed and maintained in a safe manner and in accordance with the listing and manufacturer’s installation instructions and applicable standards.

Section 4.04 – The ventilation systems must discharge directly outside and the terminations must be connected to an appropriate hood or cap specifically designed for the application. Prohibited termination spaces shall include but are not limited to: attics, crawl spaces, fireplaces, basements, or attached accessory use space such as garages, workshops, floor, ceiling and wall spaces.

g. PLUMBING

Section 1.01 – General – The plumbing system must be maintained in a safe and sanitary condition. These standards are founded upon certain basic principles of environmental sanitation and safety through properly designed, acceptably installed and adequately maintained plumbing systems. Some of the details of plumbing construction may vary but the basic sanitary and safety principles desirable and necessary to protect the health of the people are the same everywhere. As interpretations may be required, and as unforeseen situations arise which are not specifically covered in these standards, the twenty-three principles which follow shall be used to define the intent.

- i. All premises intended for human habitation, occupancy, or use shall be provided with a potable water supply which meets the requirements of the commissioner of health. Such water supply shall not be connected with unsafe water sources nor shall it be subject to the hazards of backflow or back-siphonage.
- ii. Proper protection shall be provided to prevent contamination of food, water, sterile goods, and similar materials by backflow of sewage. When necessary, the fixtures, device, or appliance shall be connected indirectly with the building drainage system.
- iii. Each family dwelling unit shall have at least one water closet, one lavatory, one kitchen type sink, and one bathtub or shower to meet the basic requirements of sanitation and personal hygiene. All other structures for habitation shall be equipped with sufficient sanitary facilities.
- iv. Every building with installed plumbing fixtures and intended for human habitation, occupancy, or use when located on premises where a public sewer is available within a reasonable distance shall be connected to the sewer.
- v. The building drainage system shall be designed to provide adequate circulation of air in all pipes with no danger of siphonage, aspiration, or forcing of trap seals under conditions of ordinary use.
- vi. The drainage system shall be designed, constructed, and maintained to conduct the waste water with velocities which will prevent fouling, deposition of solids, and clogging.
- vii. The drainage system shall be provided with an adequate number of cleanouts so arranged that in case of stoppage the pipes may be readily cleaned.
- viii. Where a building drainage system may be subjected to back flow of sewage, suitable provision shall be made to prevent its overflow in the building.
- ix. Each vent terminal shall extend to the outer air and be so installed as to minimize the possibilities of clogging and the return of foul air to the building.
- x. No substance which will clog or accentuate clogging of pipes, produce explosive mixtures, destroy pipes or other joints, or interfere unduly with the sewage disposal process shall be allowed to enter the drainage system.
- xi. The piping of the plumbing system shall be of durable material free from defective construction and so designed and constructed as to give satisfactory service for its reasonable expected life.

- xii. The plumbing system shall be subjected to adequate tests and to inspections in a manner that will disclose all leaks and defects in the work or the material.
- xiii. Plumbing systems shall be maintained in a safe and serviceable condition from the standpoint of both mechanics and health.
- xiv. Plumbing shall be installed with due regard to preservation of the strength of structural members and prevention of damage to the walls and other surfaces through fixture usage.
- xv. Plumbing fixtures shall be made of durable, smooth, nonabsorbent, and corrosion-resistant material and shall be free from concealed fouling surfaces.
- xvi. Plumbing fixtures, devices, and appurtenances shall be supplied with water in sufficient volume and at pressures adequate to enable them to function properly and without undue noise under normal conditions of use.
- xvii. Plumbing fixtures shall be designed and adjusted to use the minimum quantity of water consistent with proper performance and cleaning. Hot water shall be supplied to all plumbing fixtures which normally need or require hot water for their proper use and function.
- xviii. All plumbing fixtures shall be so installed with regard to spacing as to be accessible for their intended use and cleansing.
- xix. Each fixture shall be provided with a separate, accessible self-scouring, reliable water-seal trap placed as near to the fixture as possible.
- xx. No water closet or similar fixture shall be located in a room or compartment which is not properly lighted and ventilated.
- xxi. If water closets or other plumbing fixtures are installed in a building where there is no sewer within a reasonable distance, suitable provision must be made for treatment of the building sewage by methods which meet the design criteria of the Minnesota Pollution Control Agency.
- xxii. Devices for heating water and storing it shall be designed and installed to prevent all dangers from explosion and overheating.
- xxiii. Sewage or other waste shall not be discharged into surface or subsurface water unless it first has been subjected to an acceptable form of treatment.

Section 1.02 – Where a health or safety hazard exists by reason of an existing plumbing installation or lack thereof, the owner or the owner’s agent shall be responsible for installing additional plumbing or making such corrections as may be necessary to abate such nuisance and bring the plumbing installation within the provisions of these standards.

Section 2.01 – Required Facilities – Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

Section 3.01 – All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water where necessary for its normal operation.

Section 3.02 – All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

Section 4.01 – At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

Section 4.02 – Toilet rooms shall be finished in smooth, hard, nonabsorbent surface material.

Section 5.01 – Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at a temperature of not less than 120 degrees F.

Section 5.02 - A gas or oil burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided as prescribed by the manufacturer.

Section 5.03 - An approved combination temperature and pressure-relief valve and relief discharge pipe shall be properly installed and maintained on water heaters and boilers.

Section 6.01 – When connecting plastic to other types of pipe use only approved types of fittings and adaptors designed for the specific transition. This also holds true when connecting differing plastic type pipes.

h. APPLIANCES

Section 1.01 – All dwelling units must be equipped with a stove or alternative cooking appliance, and a refrigerator capable by design and function of keeping food items cold and safe for use.

i. FOOD PREPARATION AREAS

Section 1.01 – All spaces to be occupied for food preparation purposes 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 refuse, including facilities for temporary storage.

j. RUBBISH / GARBAGE

Section 1.01 – All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

Section 1.02 – Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in appropriate containers.

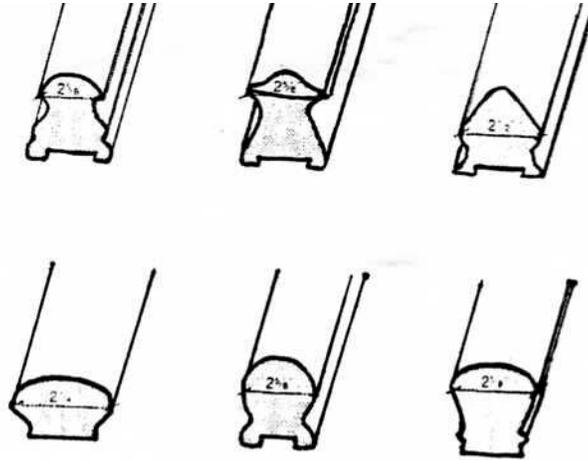
Section 1.03 - The owner of a rental unit with more than 4 (four) units shall provide adequate, leak proof containers for the storage of such materials until removal from the premises for disposal according to current City Code.

K. STAIRS & RAILS

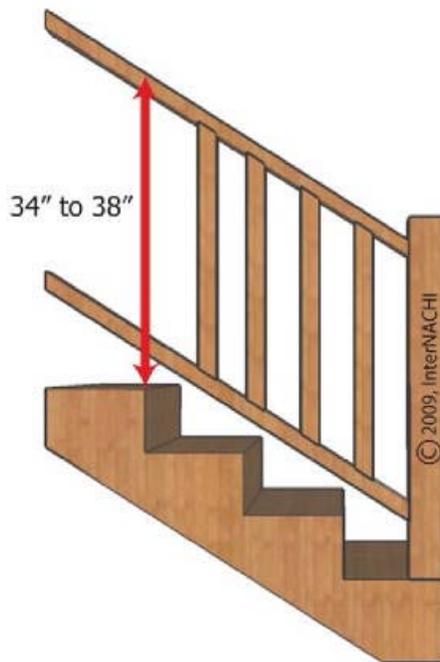
Section 1.01 – All stairs, landings and railings shall be maintained in sound condition and good repair, be firmly fastened, and capable of supporting normally imposed loads.

Section 2.01 – Handrails – All stairs consisting of 4 (four) or more risers must have a handrail mounted immediately adjacent to the stairs.

Section 2.02 – The handgrip portion of the rail shall not be less than 1 ¼ " not more than 2 5/8" in cross sectional dimension or the shape shall provide an equivalent gripping surface. The handgrip portion shall have a smooth surface with no sharp corners. Those projecting from a wall shall have a space of not less than 1 ½" between the wall and rail.

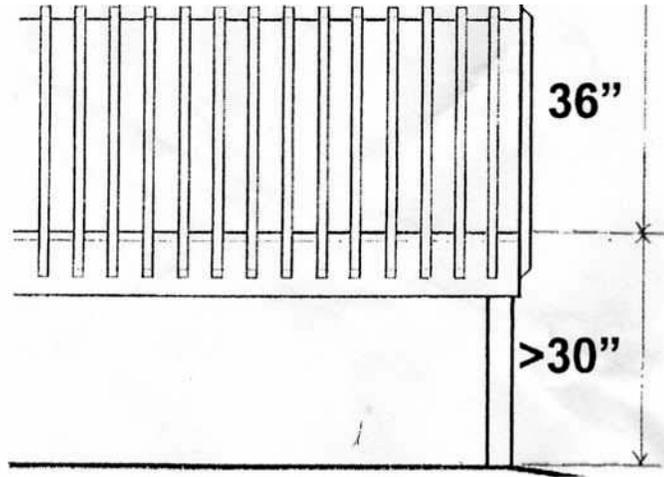


Section 2.03 – The top of handrails and handrail extensions shall not be placed less than 34" not greater than 38" above landings and nosing of treads. The handrail shall be continuous the full length of the stairs.



Section 3.01 – Guardrails – In 1 (one) or 2 (two) family dwellings, guardrails shall be a minimum of 36” in height above finished floors.

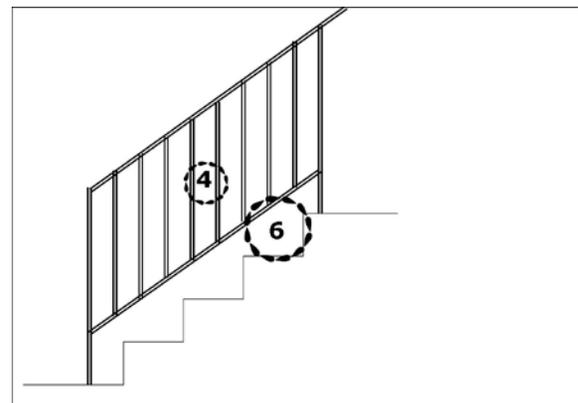
In all other applications and occupancies, guardrails shall be a minimum of 42” above the floor.



Section 3.02 – Open guardrails shall have intermediate rails or an ornamental pattern such that a sphere 4” in diameter cannot pass thru. The triangular openings formed by the riser tread and bottom element of the guardrail at the open side of the stairway may be of such size that a sphere 6” in diameter cannot pass thru.

OPENINGS BETWEEN RAILS <4”

TRIANGULAR OPENINGS AT TREADS <6”



Section 3.03 – Unenclosed floors and roof openings, side of stairways, aisles, landings, ramps, balconies, porches, and roofs used for other than service of buildings which are more than 30” above grade or the floor below shall be protected by a guardrail as specified in this chapter.

Section 4.01 – Landings at doors – Regardless of occupant load served, landings shall have a width not less than the width of the door or the width of the stairway served, whichever is greater.

Section 4.02 – There shall be a floor or a landing at the top and bottom of each stairway or stair run.

Section 4.03 – Landings shall be level except that exterior landings may have a slope not to exceed ¼ unit vertical in 12 units horizontal.

I. GENERAL BUILDING REQUIREMENTS

Section 1.01 – Privacy – Each dwelling unit must be capable of being entered without having to go thru another unit.

Section 2.01 – Every foundation, floor, wall, ceiling, roof, window, exterior door, basement and cellar hatchway shall be reasonably weather tight; rodent proof; capable of affording privacy; and kept in good repair.

Section 3.01 – Premise ID – Approved #'s or addresses shall be provided in such a position as to be plainly visible and legible from the street or road fronting the property.

Section 4.01 – Elevators – Any building with an elevator must have a current inspection on file.

Section 5.01 – Exit Signs – In buildings with more than 4 units, the path of egress travel to and within the exits shall be identified by exit signs.

Section 5.02 – Exit signs shall be readily visible from any direction of approach, located as necessary to clearly indicate the direction of egress travel.

Section 5.03 – No point shall be more than 100 ft. from the nearest visible exit sign.

Section 5.04 – Exits signs shall be either externally or internally illuminated and remain illuminated at all times.

Section 5.05 – Exit signs shall contain the word “exit” on the sign in block capital letters not less than 6” high with a stroke of not less than $\frac{3}{4}$ ”. The color and design of the letters, arrow, and other symbols on the signs shall be in high contrast with their backgrounds.

Section 6.01 – Infestations – The property must be free of rodent and insect infestations.

m. ENVIRONMENTAL HAZARDS

Section 1.02 – General – Any suspected environmental hazards will be pursued with the appropriate agency.

n. MANUFACTURED HOMES - Manufactured Homes will be regulated by Title 24, Section 3280 of the Code of Federal Regulations.