

ARTICLE VI. - HOUSING CODE^[2]

Footnotes:

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Editor's note— Ord. No. 14271, §§ 1, 2, adopted June 4, 2012, repealed and reenacted article VI in its entirety to read as herein set out. Formerly, article VI, §§ 10-230—10-238 pertained to similar subject matter and derived from the Code of 1982, §§ 6-150—6-158; Ord. No. 10064, § 2, adopted February 7, 1994; Ord. No. 10156, § 1, adopted April 4, 1994; Ord. No. 10187, § 1, adopted June 20, 1994; Ord. No. 10342, §§ 1—3, adopted November 21, 1994; Ord. No. 10414, § 1, adopted March 6, 1995; Ord. No. 10636, § 1, adopted November 20, 1995; Ord. No. 11715, §§ 1—5, adopted June 7, 1999; Ord. No. 12322, §§ 1, 2, adopted June 18, 2001; Ord. No. 12790, § 1, adopted April 21, 2003; Ord. No. 13305, §§ 1—4, adopted September 5, 2006; Ord. No. 13336, §§ 1, 2, adopted November 20, 2006; Ord. No. 13574, Pt. 1, adopted April 7, 2008; Ord. No. 13677, § 1, adopted August 18, 2008; Ord. No. 13679, § 1, adopted August 18, 2008; Ord. No. 13991, §§ 1, 2, adopted May 17, 2010, and Ord. No. 14231, § 2, adopted March 5, 2012.

Charter reference— Unsafe buildings, § 100.

State Law reference— Unsafe buildings, G.S. 160A-425 et seq.

Sec. 10-230. - Title.

This article shall be known and may be cited and referred to as the "Housing Code."

(Ord. No. 14271, § 2, 6-4-2012)

Sec. 10-231. - Legislative findings.

The city council hereby finds and declares that there exists in the city, housing which is unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities and other conditions rendering such housing unsafe or unsanitary or dangerous or detrimental to the health or safety or otherwise inimical to the welfare of the residents of the city and that a public necessity exists to exercise the police powers of the city pursuant to G.S. 160A-441 et seq., to cause the repair and rehabilitation, closing or demolishing of such housing in the manner herein provided.

(Ord. No. 14271, § 2, 6-4-2012)

Sec. 10-232. - Scope, application and administration of article.

- (a) The provisions of this article shall apply to all housing irrespective of when such housing was constructed, altered or repaired. Portable, mobile or demountable buildings or structures, including trailers, when used or intended for use for housing within the city's jurisdiction shall be subject to the applicable provisions of this article.

- (b) Exercise of powers and duties by administrator. The administrator is designated and appointed to exercise the powers and perform the duties described by this article.
- (c) The administrator may determine that housing is unfit for human habitation if he or she finds that sufficient conditions exist in such housing which is dangerous or injurious to the health or safety of the occupants of such housing, the occupants of neighboring housing or other residents of the city. Such conditions may include the following: defects therein increasing the hazards of fire, accident, or other calamities, lack of adequate ventilation, light or sanitary facilities; dilapidation, disrepair, structural defects, uncleanness; or any violation described in this article.

(Ord. No. 14271, § 2, 6-4-2012)

Sec. 10-233. - Definitions.

The following words and phrases shall have the meanings set forth herein unless the context clearly indicates otherwise:

Accessory structure means a structure that is a detached building, like a shed, that is on the same lot as the main housing, but is used for a different purpose other than a dwelling.

Administrator means the housing code administrator or his or her designee.

Agent means any person, firm or corporation who is responsible for the management, maintenance, operation, renting, leasing or sale of any property, or who makes application for or seeks a permit or certificate on behalf of the owner or who in any other way represents the owner in any particular case.

Alley means a strip of land, typically no more than 20 feet in width, either publicly or privately owned, or dedicated or maintained by a public agency, that is set aside primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Areaway means any subsurface space adjacent to a building for affording access to or for lighting or ventilating the basement or a cellar of such building.

Basement means the lowest level or story which has its floor sub-grade on at least three sides.

Bathroom means a heated enclosed space containing a lavatory, a toilet, and either a tub, a shower or a tub/shower combination.

Ceiling means the surface suspended from or attached to the underside of floors or roofs which does not form a structural part of a floor or roof or the underside of an exposed floor or roof construction.

Ceiling height means the clear distance between the floor and the ceiling directly above.

Cellar means the lowest space in a building located under the basement story.

Central heating unit means a unit controlled by a thermostat or some other device designed to provide heating to a dwelling or dwelling unit through a duct, wall-mounted system or baseboard-mounted equipment.

Dwelling means any building, or structure, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and the appurtenances belonging thereto or usually used therewith.

Dwelling unit means a habitable space occupied or intended for occupation as a single housekeeping unit with facilities which are used or intended for use for living, sleeping, cooking and eating.

Excessive means exceeding what is usual, proper, necessary, or normal.

Exit means a way of departure from the interior of a building or structure to the exterior at street or grade level.

Extermination means the control and elimination of insects, rodents and other pests by eliminating their harborage, by removing or making inaccessible materials that serve as their food, by poisoning, spraying, fumigating, trapping or by any other recognized and lawful pest elimination method approved by the administrator.

Family means one or more persons living together and having common housekeeping facilities.

Fireproofing means protected to resist the damaging effects of fire in accordance with the requirements of this article for such construction.

Flue means an enclosed pipe, duct or passageway used only for the transmission of heat or the products of combustion.

Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Habitable space, habitable room means any room or enclosed floor space in a structure used or intended for use for living or sleeping and finished basements, but excluding bathrooms, half-baths, halls, corridors, pantries, storage space, closets, laundries, kitchens and other spaces not used frequently or for extended periods.

Half-bath means an enclosed space containing a toilet or urinal and lavatory basin.

Hearth means the brick, stone or cement area in front of a fireplace.

Heating unit means all mechanical devices or other appliances that utilize fuel or another form of energy to produce heat.

House, housing means any dwelling, multifamily dwelling, apartment, residency hotel, roominghouse, boardinghouse, bed and breakfast, inn or similar building or structure, or part thereof, containing habitable space.

Housing certificate means written certification by the administrator that a dwelling or dwelling unit or rooming unit is in compliance with this article.

Impervious to water (as to floors) means a clean, smooth floor, without cracks or holes, made of terrazzo, ceramic, asphalt or rubber tile, smooth concrete, linoleum or other similar material, or made of wood, and, if made of wood, then with tightly fitting joints, covered with varnish, lacquer or other similar water-resistant coating.

Infestation means the presence within or around any housing of insects, rodents, or other pests.

Lavatory means a fixed wash bowl equipped with plumbing.

Maintenance of a building, structure, apparatus or equipment means the way or manner in which any such building, structure, appliance, apparatus or equipment is serviced, repaired or altered to perpetuate the use or purpose for which such building, structure, appliance, apparatus or equipment was originally intended.

Multifamily dwelling means a building or structure occupied or intended for occupation as the home or residence of two or more families living independently of each other and doing their own cooking within their respective dwelling unit.

Neighborhood association means a person who represents a neighborhood-based group with organized membership meetings, focusing on neighborhood-related issues.

North Carolina State Building Code means all of the North Carolina Building Codes as adopted by the Building Code Council including but not limited to the North Carolina Residential Code, Plumbing Code and Electric Code.

Occupant means any person living, sleeping, cooking, or eating in or having actual possession of a dwelling unit or rooming unit.

Owner means any person, firm, corporation, guardian, conservator, receiver, trustee, executor, or other judicial officer, who alone or jointly owns, holds, or controls the freehold or leasehold title to any dwelling or dwelling unit and every mortgage of record.

Parties in interest mean all individuals, associations and corporations who have an interest of record in a dwelling and any who are in possession thereof.

Person means any individual, firm, co-partnership, corporation, company or association, and shall include any personal representative, trustee, receiver, assignee or other similar representative.

Plumbing means the water supply system, the sanitary sewer system, the vent system, fixtures and traps and shall include their respective connections, devices, appliances and nonessential components within the property lines of the premises.

Portable heating unit means an unvented air heating appliance which is designed for environmental heating and is not secured or attached to a building by any means other than an electrical cord.

Premises means a lot or group of lots including any building or group of buildings or other structures or parts thereof, which may be situated thereon and considered as a unit devoted to a certain use or occupancy, including the necessary and customary accessory buildings and other open spaces required or used in connection with such use of a lot or group of lots.

Public area means that space within any housing which is open to use or access by the general public.

Public authority means any housing authority or any officer who is in charge of any department or branch of the government of the city, county or state relating to health, fire, building regulations or to other activities concerning dwellings in the city.

Removal means the demolition and removal of the entire structure, leaving the property free and clear of debris and without holes or pockets which may retain water.

Residency hotel means a building or group of buildings containing ten or more guest rooms for transient or permanent residents. Occupancy shall not exceed two people per guest room. Registration facilities, 24-hour on site management and housekeeping services shall be provided. This definition does not include hotels, motels or other places of lodging that are inspected by the county health department.

Roofing means the shingles, tiles, composition, sheet metal covering or other waterproof protection on top of a roof.

Rooming unit means a room or group of rooms forming a single habitable space, used or intended to be used for living and sleeping, but not for cooking or eating purposes. Any room or group of rooms in a roominghouse, boardinghouse, bed and breakfast inn, residency hotel or other similar building that is used for human habitation shall constitute a rooming unit.

Roominghouse, boardinghouse means any housing or part of any housing containing one or more rooming units in which space is let by the owner or operator to four or more persons who are not members of the family of the owner or operator.

Rubbish means combustible and noncombustible waste materials, except garbage, and the word shall include, but not be limited to, the residue from the burning of wood, coal, coke and other rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust.

Space heating unit means a permanently installed unit which utilizes fuel or another form of energy and is designed to provide continuous heat to a dwelling or part of a dwelling.

Structure means a walled and roofed building that is principally above ground and constructed or erected, the use of which requires location on land.

Substantial means that the structure or fence is firmly constructed, sturdy, safe, sound, solid, or stout in a manner to adequately perform its original purpose.

Tenant means a person, co-partnership, firm or corporation occupying or using a building, premises or any part thereof owned by another.

Ventilation means the adequate supply and removal of air to and from a space through windows, skylights, doors, louvers, grilles, ducts or other similar devices.

Water heating unit means an appliance listed by a testing laboratory which is capable of heating water to a temperature between 120 and 140 degrees Fahrenheit to all appropriate plumbing fixtures within a dwelling or dwelling unit.

Weather tight means so constructed that the structure resists weather and excludes rain and snow, and prevents the infiltration of air.

Workmanship means executed in a skilled manner that is generally plumb, level, square, in line, undamaged and without marring adjacent work.

(Ord. No. 14271, § 2, 6-4-2012)

Sec. 10-234. - Standards of fitness.

(a) *Space and use standards.*

- (1) *Contents of dwelling unit.* Every dwelling unit shall contain the following:
 - a. A principal room of not less than 120 square feet;
 - b. A bathroom that affords privacy and contains a toilet, lavatory and either a tub or shower;
 - c. A habitable room, including all bedrooms, shall not be less than seven feet in any plan dimension, have at least 70 square feet and shall have a clear ceiling height of not less than seven feet;
 - d. At least 150 square feet of floor area in habitable rooms for the first occupant, at least 100 square feet for each additional occupant. The floor area shall be calculated on the basis of the total floor area of the dwelling unit, exclusive of stairways. For the purpose of such calculation, only the floor area in a basement meeting the requirements for basement occupancy shall be counted.
 - e. A closet or storage space, such as an armoire or wardrobe, suitable for clothing and personal belongings, providing a minimum storage area of 20 cubic feet.
- (2) *Kitchen and kitchen facilities.*
 - a. Every dwelling unit shall contain a room or space for the preparation and cooking of food which shall include space and connections for a stove or other cooking facilities, space for dry food storage and space for refrigerated food storage and a kitchen sink.
 - b. The use of gasoline stoves or other similar fuel burning appliances using highly flammable liquids and the use of portable kerosene stoves or other similar fuel burning portable appliances for cooking are prohibited.
 - c. Hoods and ducts over kitchen ranges shall be cleaned to remove grease or other flammable materials. The owner shall provide a clean hood fan and the occupant is responsible for the cleaning of the hood fan during occupancy.
 - d. All fuel burning appliances shall be properly vented to the outside.
- (3) *Basement occupancy.* No room in any basement shall be occupied as a habitable room, bathroom or toilet room unless:
 - a. There are no pipes, ducts or other obstructions to a walk area less than six feet above the floor level or less than five feet eight inches above the floor level in a bathroom or toilet room existing on the effective date of this article, and ceiling heights are in accordance with this article, except that a bathroom existing on the effective date of this article with at least one-half of the floor area having a ceiling height of not less than six feet six inches shall be permitted to continue;
 - b. Light and ventilation for habitable rooms are provided in accordance with this article and 70 percent of the regular window area is above the ground level, except when window areaways or window wells are provided so that the minimum width of the areaway or well is not less than twice the distance from the bottom of the window to the finished grade; and
 - c. The floor and walls, if in contact with the earth, are waterproof and dampproof in accordance with an acceptable method that assures that the damp proofing and water proofing continues to be effective.
- (4) *Passing through bathrooms.* Each dwelling unit shall be provided with a means of circulation giving access to all rooms without passing through a bathroom; but any passage through a bathroom existing at the time of the effective date of this article may be continued.
- (5) *Doors.* Doors shall be provided at all doorways leading to bedrooms, bathrooms and all rooms adjoining a public area.

- (6) *Prohibited uses.* Kitchen and non-habitable or public spaces shall not be used for sleeping purposes. No cellar space shall be used as a habitable space.
- (b) *Entrances and exits.*
- (1) All entrances and exits must meet the applicable standards set forth in the North Carolina State Building Code.
 - (2) All entrances and exits shall be reasonably weather tight, and in good repair including door, frame, and casing.
 - (3) Doors providing entrance and exit for any dwelling unit shall have locking devices capable of being operated from the inside and outside of the dwelling. Barrel bolts and hasps with padlocks are not adequate for primary doors. This requirement shall not apply to screen, storm or louver doors.
 - (4) A clear means of egress shall be provided from all habitable areas of a dwelling or dwelling unit. Clear passage shall not be obstructed by the placement, construction, and/or storage of any items or materials. Doors shall be capable of opening to 90 degrees of door frame to allow for clear passage.
 - (5) Safe, continuous and unobstructed exit shall be provided from interior of building to the exterior at street or grade level.
 - (6) Platforms and steps shall be provided, where appropriate, to serve exits and shall be maintained in a safe condition.
 - (7) In all multifamily dwellings, all exit signs required by the laws and ordinances of the city shall be provided and maintained so as to be clearly visible at all times when the building is occupied.
- (c) *Light and ventilation standards.*
- (1) Every habitable room in a dwelling or dwelling unit shall contain a window opening directly to the outside air and the total glass area of such window shall not be less than eight percent of the floor area of such room, provided that the administrator may approve such other arrangement as will adequately light and ventilate the room where provision for openable windows is not feasible. All window sashes shall be glazed and provided with suitable hardware including a locking mechanism and shall be made to open freely to the extent of not less than four percent of the floor area of such room.
 - (2) When a window cannot be provided to open directly to the outside air, a ventilating system which is vented to the outside may be substituted for the required window area. A blind, bathroom or toilet room shall be provided with artificial light and mechanical ventilation. However, existing ventilating systems in bathrooms and toilet rooms which are functioning adequately may be permitted to remain.
 - (3) All operable and openable windows shall be adequately screened or equipped with storm windows with screens included. Screens shall not be permanently fixed to the window frame or sash unless designed by the manufacturer. All operable or openable exterior doors shall have either a screen door or a storm door, equipped with a self-closing device. Note: This requirement shall not apply to dwelling units containing a heating and air conditioning system providing the dwelling unit with year round mechanical ventilation, including permanently installed systems which provide such mechanical ventilation for one or more rooms. This requirement shall apply to dwelling units equipped with window air conditioning units which are not permanently installed.
 - (4) Window frames and glass shall be reasonably weather tight, with no cracked or broken glass. If, in the opinion of the administrator, certain cracked glass does not present a danger or hazard, a waiver of this provision may be granted.
 - (5) Openable window area in each toilet room and bathroom shall be at least one and one-half square feet, unless served by other approved ventilation.

- (6) Every sleeping room, unless it has two exits, or one exit direct to the outside, shall have at least one window that can be opened without the use of tools, including burglar bars, to provide a clear opening not less than 16 inches in least dimension and 432 square inches in area, or if of fixed glass must be at least 24 inches by 24 inches, with the bottom of the opening not more than four feet above the floor. Required openable window area shall have fixed screens.
- (7) Clothes dryer exhaust systems shall be vented in accordance with the manufacturer's instruction.
- (d) *Lighting of halls and stairs.* Every common hallway and stairway in every multifamily dwelling shall be adequately lighted at all times with fixtures sufficient to provide at least three foot-candles of light at the floor or stair tread level at all times. Non multifamily dwellings may be supplied with conveniently located light switches controlling the lighting system which provides the illumination required herein and which may be turned on when needed.
- (e) *Heating.*
 - (1) *Heating facilities.* Every dwelling and dwelling unit shall be provided with a heating unit which is properly designed, installed and balanced or adjusted, maintained in good and safe condition and which is capable of safely and adequately heating all habitable rooms, bathrooms and water compartments located therein to a temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilets. The required room temperatures shall be measured three feet above the floor near the center of the room and two feet inward from the center of each exterior wall. All rooms may vary in temperature by as much as ten degrees Fahrenheit. Either central or space heating units designed for continuous use may be used. Portable or temporary space heaters are strictly prohibited as a primary source of heat, but may be used to supplement heating.
 - (2) *Central heating units.*
 - a. Every central heating unit shall:
 1. Have every duct, pipe or tube free of leaks and functioning properly to provide an adequate amount of heat or hot water to the intended place of delivery;
 2. Be provided with proper seals between sections of hot air furnaces to prevent the escape of noxious fumes and gases into heat ducts;
 3. Be properly connected to an electric circuit of adequate capacity in an approved manner if electrical power is required; and
 4. Be provided with all required automatic or safety devices and be installed and operated in the manner required by the laws, ordinances and regulation of the city.
 - b. All liquid fuel used to operate any central heating unit shall be stored in accordance with the city's fire prevention and building codes;
 - c. All gas and oil heating equipment installed on the premises shall be listed by a testing laboratory and shall be installed, including proper ventilation, in accordance with the applicable provisions of the North Carolina State Building Code.
 - (3) *Space heating units.*
 - a. Every space heating unit shall:
 1. Not use gasoline or other similar highly flammable liquid fuel;
 2. Not be of portable type using solid, liquid or gaseous fuel;
 3. Be properly connected according to the manufacturer's instructions on installation;
 4. Be so located or protected as to prevent any overheating of adjacent combustible material;
 5. If employing electricity, be connected to a circuit of adequate capacity in an approved manner;

6. Be provided with all required automatic or safety devices; and
 7. Be installed under permit and be properly operated.
- b. A kerosene space heater which has its fuel piped to the heater from a remotely installed bulk tank shall be permissible under this section. Other portable kerosene space heaters are strictly prohibited as a primary source of heat.
 - c. All unvented gas-fired heating units are strictly prohibited, as a primary source of heat.
 - d. Ornamental gas logs may be installed in a fireplace provided that such installation is in compliance with the applicable portions of the North Carolina State Building Code.
- (4) *Fireplaces and chimneys.* The following standards and conditions shall be applicable to fireplaces and chimneys unless rendered inoperable:
- a. Chimneys shall be tight and safe, and capable of maintaining proper draft for carriage of combustion by-products to outside air.
 - b. Chimneys shall be kept clean of soot and other debris.
 - c. No holes shall be permitted in flue, except for necessary vent connections and clean out doors.
 - d. All existing hanging masonry chimneys shall be removed.
 - e. Thimbles shall be grouted in tight.
 - f. Thimbles shall be located high enough to provide proper draft for the heating appliances served thereby.
 - g. Fireplaces may be used only for supplemental heat and not as the primary heating source for a dwelling. This section does not exclude the use of wood burning stoves or inserts as the primary heating source for a dwelling.
 - h. The hearth and the hearth extension shall extend a minimum of 36 inches from the back of the firebox to the end of the hearth extension. The hearth extension shall extend at least 16 inches in front of and at least eight inches beyond each side of the fireplace opening. Where the fireplace opening is six square feet or larger, the hearth extension shall extend at least 20 inches in front of and at least 12 inches beyond each side of the fireplace opening.
 - i. No combustible materials shall be permitted within seven inches of the top and seven inches of either side of the fireplace opening.
 - j. Where fireplace is closed and converted to other use, there shall be masonry closure of face and proper lining or vent installed in chimney where same does not exist.
- (f) *General requirements relating to safety and maintenance.*
- (1) *Good repair and safe condition.* Every building and all parts thereof used or occupied as a dwelling shall be kept in good repair, in safe condition and fit for human habitation. The roof and walls of all such buildings shall be maintained so as not to leak; and all means of draining water therefrom shall be maintained as to prevent dampness in the walls, ceiling or crawl space or basement.
 - (2) *Quality of materials and workmanship.* All materials shall be of similar design and similar quality and shall meet the applicable standards set forth in the North Carolina State Building Code. Plumbing, mechanical, and electrical components shall meet the applicable standards set forth in the North Carolina State Building Code. The quality of workmanship shall be based on standards generally accepted in the construction industry.
 - (3) *Boarding of doors and windows.* No structure or portion of a structure shall be permitted to have any door or window boarded, secured, or obstructed with wood, plywood or other opaque material, unless authorized by the administrator. The administrator shall establish a policy regarding securing a dwelling.

(g) *Structural standards.*

(1) *Foundation.*

- a. Every dwelling unit shall be on firm ground. Foundation drainage shall be provided and maintained so as to prevent standing water or other conditions that contribute to **mold**. Crawlspace shall be free of high-moisture conditions or sealed from dwelling areas.
- b. Footings shall be sound with adequate bearing.
- c. All elements of the foundation, including structural members and masonry, shall be in good repair. An engineer's report indicating structural soundness satisfies this requirement.
- d. No piers shall be used for support in which the plumb line from top center falls outside the middle one-third of the base of the pier. (A plumb bob held firmly against the top of the pier and hanging down the sidewall indicates the vertical alignment.)
- e. No isolated masonry piers exceeding in height ten times the least dimension of pier shall be permitted.
- f. A crawl space access hole having a door shall be provided to any under floor space in all dwellings.

(2) *Walls, exterior.*

- a. All exterior surfaces shall be structurally sound, waterproof, weatherproof, and vermin proof.
- b. All exterior finishes shall be weather tight with no holes, cracks or rotted boards which permit outside air or water to penetrate rooms.
- c. Windows shall be easily openable, shall have panes without cracks or holes and the sash shall fit properly.
- d. All structure or load bearing walls, exterior or interior, shall not be bowed or out of plumb and shall be structurally sound. A report from licensed engineer indicating compliance with this provision satisfies this requirement.
- e. Studs shall provide sufficient support for sheathing or exterior finish.

(3) *Roofs.*

- a. Roofing shall be provided to prevent the entrance of moisture and shall be maintained by renewal, repair, waterproofing or other suitable means.
- b. Gutters and downspouts, if installed, shall be provided to properly collect, conduct and discharge the water from the roof and away from the structure.
- c. Roofs shall be supported and no rafters shall be rotted, broken, sagging or have improperly supported ends. A report from a licensed engineer indicating compliance with this provision satisfies this requirement.
- d. Attics shall have ventilation that allows the movement of air to dissipate excessive heat buildup. Heat buildup is excessive if it causes deterioration of any structural member or roofing material.
- e. Sheathing shall not be rotted, loose or sagging excessively.
- f. Roof covering shall not be loose, have missing shingles or other damaged roofing components, nor have holes, leaks, or evidence of current leaks.
- g. Adequate flashing shall be provided at walls and chimneys in a manner that continues to be effective.
- h. Roofs shall be kept free of vegetation which compromises or otherwise damages the integrity of materials or function of the roof, roof overhang, fascia, soffit, gutters, or other portion of

the roof structure. However, this section does not apply to properly functioning "living" or "green" roof systems approved through a city or county approval or permitting process.

(4) *Stairs steps and porches.*

- a. Stairs and steps shall be free of holes, grooves and cracks large enough to constitute accident hazards.
- b. Handrails shall be provided on at least one side of stairways of four or more risers.
- c. No flight of stairs shall be settled out of its intended position or pulled away from supporting or adjacent members. A report from a licensed engineer indicating compliance with this provision satisfies this requirement.
- d. Stairs shall be strongly supported and supports shall not be rotting, sagging or deteriorated. A report from a licensed engineer indicating compliance with this provision satisfies this requirement.
- e. Stairs shall be plumb, level and treads shall be uniform in width, and risers shall be uniform in height, sound and securely fastened to structure. A slight uniform tilt of the treads to aid in the runoff of water is permissible for exterior steps.
- f. Every stairway, including inside stairs and rails, porches, decks and appurtenances thereto shall be kept in sound condition and good repair.
- g. Platforms and steps shall be provided to serve exits and shall be maintained in a safe condition.
- h. Guards shall be provided along open-sided walking surfaces, including stairs, ramps and landings where the distance from the surface to the grade is greater than 30" at any point within 36" horizontally to the edge of the open side. Newly installed guards shall meet current NC State Building Code standards.

(5) *Ceilings.*

- a. Joists and supporting members shall provide sufficient support for the ceiling.
- b. No holes or cracks which permit outside air to penetrate rooms shall be permitted.
- c. There shall be no loose plaster, boards, sheetrock, or ceiling finish. Any materials used in the repair of the ceiling shall be of a material that is similar in texture and appearance to the original material. This provision does not prohibit the replacement of the entire ceiling; provided that the material used is contiguous over the entire ceiling area within the affected room.
- d. Ceilings shall be maintained free of holes, excessive cracks or loose or deteriorated materials.
- e. All ceilings shall be kept clean and free of any flaking, loose or peeling paint and paper.
- f. A minimum clear opening (attic access hole) into each attic space of 14 inches by 24 inches shall be provided to allow for access, inspection and repair. The administrator may grant a waiver of this requirement in cases where meeting this requirement would necessitate major alterations of the structure, or would produce harmful accumulations of heat or moisture that cannot be removed by ventilation.
- g. Every dwelling unit shall have a minimum of R-19 insulation in the attic area. The approved types include blown insulation, batt insulation or other insulation equivalent to a total of R-19 insulation value.

(6) *Walls, interior.*

- a. Interior finish shall be free of excessive holes and excessive cracks which:
 1. Permit outside air or moisture to penetrate rooms;

2. Allow rodent or insect infiltration; or
 3. Contain loose or flaking materials.
- b. All walls, woodwork, doors and windows shall be kept clean and free of any flaking, loose or peeling paint.
 - c. There shall be no loose plaster, boards, or other loose wall materials.
 - d. Cardboard, newspaper or other highly combustible or improper wall finish is prohibited.
 - e. Studs shall provide sufficient support for interior wall.
 - f. Doors must fit the opening in which they are hung and be equipped with hardware that allows for their opening and closing.

(7) *Floors.*

- a. Broken, overloaded, excessively decayed or sagging structural floor members are prohibited.
- b. Structural floor members shall be supported on foundation walls and piers that are not deteriorated and perform the function for which they were intended.
- c. Floor joists shall be supported on structural bearing members and shall not be made structurally unsound by deterioration.
- d. Flooring shall be reasonably smooth, not rotten or worn through, and without holes or excessive cracks which permit outside air to penetrate rooms.
- e. Flooring shall not be loose.
- f. Split, splintered or badly worn floor boards shall be repaired or replaced.
- g. Floors in contact with soil shall be paved either with concrete not less than three inches thick or with other masonry not less than four inches thick, which shall be sealed tightly to the foundation walls.
- h. All laundry and kitchen floors shall be constructed and maintained so as to be impervious to water.

(h) *Property maintenance.*

(1) *Structures.*

- a. Floors, walls, ceilings and fixtures shall be maintained in a clean and sanitary condition.
- b. Every dwelling unit shall be maintained so as to prevent persistent excessive dampness or moisture on interior or exterior surfaces. Building materials discolored or deteriorated by **mold** or mildew or conditions that may contribute to **mold**, shall be cleaned, dried, and repaired.

(2) *Open areas.*

- a. Surface and subsurface water shall be appropriately drained from open areas to protect structures and to prevent development of stagnant ponds.
- b. Fences and all accessory structures shall be maintained in a safe and substantial condition, and be kept in good repair. Accessory structures shall include, but are not limited to sheds, storage buildings and detached carports and garages.
- c. Yards and courts within the boundaries of the property shall be kept clean and free of physical hazards, rubbish, trash, garbage, debris, litter, or unstacked wood.
- d. Unmaintained accumulations of dense weeds, grass, vines or briars over 12 inches in height, and within either 100 feet of an abutting public street or 50 feet of a primary residential structure, not including detached accessory structure, shall be prohibited if deemed to constitute a public nuisance by the administrator. A public nuisance in this provision is

defined as conditions that serve as a harborage for rodents, vermin, mosquitoes and other pests and represents a detriment, danger or hazard to the health, safety and welfare of the residents of the city's jurisdiction. Such accumulations of growth shall be cleared and cut to no more than six inches in height.

- e. Every owner shall provide a site for storage of trash receptacles in a location away from the curb and located to the side or back of the dwelling structure so that trash and garbage will not scatter on the property beyond that site. Occupants shall be responsible for ensuring that all garbage and containers are placed at the site provided.
- f. Retaining walls or any other wall supporting systems shall not present a physical hazard and shall be structurally safe and supported properly.
- g. Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- h. Premises identification. Housing (dwellings) shall have approved address numbers, building numbers or approved building identification that is plainly legible and placed in a position visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be a minimum of 4" high with a minimum stroke of ½ inch.