

**ORDINANCE AMENDING CHAPTER 10, DIVISION 1 OF THE
CITY CODE ENTITLED “HOUSING CODE” REGARDING CARBON MONOXIDE
ALARMS/DETECTORS AND MOLD**

BE IT ORDAINED by the Mayor and Winston-Salem City Council as follows:

Section 1. Section 10-193.-Definitions., in particular subsection (a), is hereby amended to insert a definition of the term “Mold” and revise the definition of the term, “Unfit for Human Habitation” as follows:

“Mold means a superficial often woolly growth produced especially on damp and decaying organic matter or on living organism by a fungus. The provisions contained herein regarding mold do not require the inspectors to become certified mold inspectors. Instead the provisions relating to mold provide another avenue for the inspectors to address through the code enforcement process the conditions that cause mold.

Unfit for human habitation means a residential building which contains any of the following conditions, which conditions the city council hereby finds render any building dangerous or injurious to the health, safety or morals of the occupants of the dwelling, the occupants of neighboring dwellings, or other residents of the city:

- (1) Interior walls or vertical studs which seriously list, lean or buckle to such an extent as to render the building unsafe.
- (2) Supporting members which show 33 percent or more damage or deterioration, or a non-supporting, enclosing or outside wall or covering which shows 50 percent or more of damage or deterioration.
- (3) Floors or roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.
- (4) Such damage by fire, wind or other causes as to render the building unsafe.
- (5) Dilapidation, decay, insanitary conditions or disrepair which is dangerous to the health, safety or morals of the occupants or other people in the city.
- (6) Inadequate facilities for egress in case of fire, accident or other calamities.
- (7) Defects significantly increasing hazards of fire, accident or other calamities.
- (8) Lack of adequate ventilation, light, heating or sanitary facilities to such an extent as to endanger the health, safety, morals or general welfare of the occupants or other residents of the city.
- (9) Lack of proper electrical, heating or plumbing facilities required by this article which constitute a health or definite safety hazard.

- (10) Lack of adequate weatherization as required by section 10-197(j).
- (11) Lack of an operable smoke detector as required by section 10-197(l).
- (12) Lack of an operable carbon monoxide alarm/detector as required section 10-197(m).
- (13) Excessive standing water, sewage, or flooding problems caused by plumbing leaks or inadequate drainage that may contribute to mosquito infestation or mold.
- ~~(12)~~ (14) Any combination of other substandard items under section 10-197 which, in the judgment of the housing conservation administrator, renders any building dangerous or injurious to the health, safety or morals of the occupants of the dwelling, the occupants of neighboring dwellings, or other residents of the city.”

Section 2. Sec. 10-197. – Standards. Subsections (d) *Plumbing Standards* and (g) *Structural Standards* are hereby amended to read as follows:

“Sec. 10-197. – Standards.

(d) *Plumbing standards.*

- (1) The plumbing system shall be connected to the city sanitary sewer system where available; otherwise, the plumbing system shall be connected onto an approved septic tank.
- (2) All fixtures shall be properly installed, maintained in working order, capable of performing the function for which it was designed and in a safe, sanitary, and functional condition.
- (3) Water closet bowls shall not be broken.
- (4) Water closets shall not be loose or leaking.
- (5) Shower stall floors shall have no leaks.
- (6) Fixtures shall not be cracked, broken or badly chipped.
- (7) There shall be no hopper bowl toilets.
- (8) There shall be provided a hot water heater (minimum 40-gallon capacity) furnishing hot water to each tub or shower, lavatory and kitchen sink; provided, however, that each one-bedroom unit is required to have a minimum 30-gallon capacity hot water heater. A drainpipe, discharge tube, shall be attached to the pressure relief valve and terminate within six inches of floor level.

- (9) An installed water supply inside the building shall be provided for each housing unit. The water supply shall be connected to either a public water system or an approved private water system.
- (10) An installed water closet, tub or shower, lavatory and sink shall be provided for each housing unit. The kitchen sink shall be at least 12 inches by 12 inches and shall be at least six inches deep.
- (11) Separate toilet facilities shall be provided for each housing unit.
- (12) Toilet and bathing facilities shall be protected from the weather.
- (13) All water piping shall be protected from freezing by proper installation in protected space.
- (14) At least one main vent of a minimum diameter of 2½ inches shall be properly installed for each building.
- (15) Sewer and water lines shall be properly supported, with no broken or leaking lines.
- (16) Every water closet compartment floor surface and every bathroom floor surface shall be so constructed and maintained as to be reasonably impervious to water and as to permit such floor to be readily kept in a clean and sanitary condition.
- (17) The arrangement of fixtures shall provide for the comfortable use of each fixture and shall permit at least a 90-degree door swing. Wall space shall be available for a mirror or medicine cabinet and towel bars. Bathtubs shall be not less than four feet six inches long, and, if a square tub, four feet minimum. Shower floors, if a shower is provided instead of a bathtub, shall have a least dimension of not less than 30 inches.
- (18) Adequate space should be provided for home laundry equipment (washing machine and dryer) in either of the following locations:
 - a. Within each living unit having two or more bedrooms, and located in the kitchen or other suitable service space; or
 - b. In the basement, cellar or other suitable public space within the building for the use of all occupants.
- (19) A kitchen sink shall not be used as a substitute for a lavatory.
- (20) Hazards due to inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage shall be corrected.
- (21) All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot and cold running water.

- (22) An approved pressure relief valve shall be installed and maintained on water heaters.
- (23) Every plumbing stack, vent, waste, and sewer line shall function properly and be kept free from obstructions, leaks, and defects.
- (24) 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 shall be cleaned, dried, and repaired.

(g) *Structural standards.*

(1) *Foundation.*

- a. A foundation shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or which lessen the capability of the foundation to support the building.
- b. The foundation shall be on firm, reasonably dry ground, and there shall be no water standing or running under the building.
- c. Footings shall be sound and have adequate bearing capacity.
- d. Piers shall be sound.
- e. No piers in which the plumb line from top center falls outside the middle one-third of the pier base shall be allowed.
- f. There shall be no isolated masonry piers exceeding in height ten times the least horizontal dimension of the pier.
- g. ~~Reserved.~~ Foundation drainage shall be provided and maintained so as to prevent standing water or other conditions so as to avoid the presence of mold. Crawlspace shall be free of high-moisture conditions or sealed from dwelling areas.
- h. No wood stiff-knees or other improper piers shall be allowed.
- i. The space between the ground and the first floor of every dwelling shall be enclosed with masonry or other permanent material of at least one-half inch in thickness, except where underpinning is not consistent with the architecture of the dwelling, as determined by the housing conservation administrator or his designee. Where wood is used as underpinning, such wood, in addition to the conditions set out in this subsection, shall be weather treated and permanently affixed. Where no underpinning is required, the ground level floor shall be substantially weathertight and insulated to R-19 value.

- j. All crawl space doors and access doors shall be maintained to prevent entrance of rodents, rain, and surface drainage water.”

Section 3. Sec. 10-197. – Standards. is hereby amended by creating a new subsection (m) regarding carbon monoxide alarms/detectors to read as follows:

“(m) Carbon monoxide alarms/detectors

- (1) By December 1, 2018, each existing occupied dwelling unit shall have at least one operable carbon monoxide alarm per level, either battery-operated or electrical, that is listed by a nationally recognized testing laboratory that is OSHA-approved to test and certify to American National Standards Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075, installed and maintained in accordance with either the standards of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions. This provision applies only to dwelling units having a fossil-fuel burning heater, appliance, or fireplace, and in any dwelling unit having an attached garage. This provision applies to the existing dwelling units not currently covered by the Residential Code Section of the North Carolina State Building Code.
- (2) The term "operable" is defined as working when a battery is inserted or the electricity is on; however, this code does not obligate the landlord to provide the battery or the electricity.”

Section 4. This ordinance shall become effective upon adoption.