

Sec. 34-159. - Rubbish and garbage storage and disposal.

The building owner or his agent shall be responsible for the supply, maintenance and cleanliness of adequate and separate solid waste and recycling storage containers approved as to type and location. The occupant shall be responsible for the removal of all solid waste and recycling from the rooming unit and the storage of such solid waste and recycling in a clean and sanitary manner by placing it in the required containers. All such solid waste and recycling collection and disposal facilities shall comply with the requirements set forth in section 34-186(h) and chapter 62.

(Code 1986, § 10-169; Ch. 975, § 1, 1-22-2013)

Cross reference— Solid waste, ch. 62.

Sec. 34-186. - Sanitary facilities, plumbing and drainage.

- (a) *Compliance.* No person shall occupy as owner-occupant or permit to be occupied by another any dwelling or dwelling unit which does not comply with the requirements of this section.
- (b) *Kitchen sink.* Every dwelling unit shall be supplied with a kitchen sink located in the kitchen or adjacent kitchen pantry and properly connected to an approved water supply and sewage system, all in good working condition.
- (c) *Flush toilet; lavatory basin.* Every dwelling unit shall be supplied within the dwelling unit with a room or compartment which affords privacy to a person therein and which shall be equipped with an approved flush toilet and a lavatory basin properly connected to an approved water supply and sewage system all in good working condition.
- (d) *Bathtub; shower bath.* Every dwelling unit shall have supplied within the dwelling unit a room or compartment which affords privacy to a person therein and which shall be equipped with a bathtub or shower bath properly connected to an approved water supply and sewage system all in good working condition.
- (e) *Hot water.* Every kitchen sink, lavatory basin, and bathtub or shower bath required under the provisions of subsections (b), (c) and (d) of this section shall be properly connected to hot and cold waterlines.
- (f) *Impervious flooring.* The floor surface of every bathroom and toilet room or compartment shall be constructed of material impervious to water. If the floor surface is constructed of material not impervious to water, it shall be covered with fitted linoleum or painted or varnished so as to make the floor surface reasonably impervious to water. All such floors shall be kept in a dry, clean and sanitary condition by the occupant.
- (g) *Grading; drainage.* The grading and draining of dwelling premises shall reasonably be such that no water shall be allowed to seep into any basement or cellar, or to accumulate or become stagnant therein or on the premises. No roof, surface or sanitary drainage shall create a structural, safety or health hazard by reason of construction, maintenance or manner of discharge.
- (h) *Solid waste and recycling storage and disposal facilities.* Every dwelling shall have adequate and separate solid waste and recycling storage and disposal facilities and/or containers and must comply with the following regulations:
 - (1) All solid waste and recycling storage and disposal facilities must be covered.
 - (2) All solid waste and recycling containers stored outside must have lids or covers.
 - (3) No solid waste and recycling storage and disposal facility and no containers shall be stored in any front yard or minimum side yard.

(Code 1986, § 10-141; Ch. 975, § 1, 1-22-2013)

Sec. 34-191. - Responsibilities of owners, operators and occupants.

- (a) *Applicability.* The provisions of this section shall pertain to the responsibilities of owners, operators and occupants of dwellings and their premises.
- (b) *Maintenance of private spaces.* Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and dwelling premises thereof which he occupies and controls.
- (c) *Maintenance of public spaces.* Every owner of a multiple dwelling shall be responsible for maintaining in a clean and sanitary condition the common areas of the dwelling and the premises of such dwelling. Occupants of two-family and three-family dwellings shall share the responsibility for maintaining in a clean and sanitary condition the common areas of the dwelling and the dwelling premises, but the owner shall be ultimately responsible therefor.
- (d) *Disposal facilities.* Every owner of a dwelling shall be responsible for the supply on the premises of such solid waste and recycling disposal facilities and separate storage containers for each dwelling thereon as are required by section 34-186(h) and shall be responsible that such facilities are maintained in good repair and sanitary condition. The owner shall provide for the proper collection and removal of their contents to an authorized disposal area on a weekly basis.
- (e) *Manner of solid waste and recycling disposal.* Every occupant of a dwelling or dwelling unit shall dispose of all solid waste and recycling in a clean and sanitary manner by placing it in the facilities provided as required by section 34-186(h) and subsection (d) of this section.
- (f) *Use of screens.* Every occupant of a dwelling or dwelling unit shall be responsible for the use of all screens whenever the same are required under the provisions of section 34-188(f).
- (g) *Extermination.* Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any rodents, vermin or other pests therein or on the premises. Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested; except that whenever such infestation is caused by the failure of the owner to carry out the provisions of this division, extermination shall be the responsibility of the owner.
- (h) *Maintenance of plumbing and equipment.* Every occupant of a dwelling unit shall be responsible for the exercise of proper care and cleanliness in the use and operation of all plumbing fixtures, sanitary facilities, appliances and equipment therein.
- (i) *Discontinuance of utilities.* No owner, operator or occupant shall cause any service, facility, equipment or utility, which is required to be supplied by the provisions of this division to be removed from or shut off from or discontinued for any occupied dwelling, or dwelling unit, except for such temporary interruption as may be necessary when actual repairs or alterations are being expeditiously made or during other temporary emergencies when discontinuance of service is approved by the director.
- (j) *Occupancy of vacant units.* No person shall occupy as owner-occupant, or permit to be occupied

by another, any vacant dwelling or dwelling unit unless or until it is in good repair, clean, sanitary, in habitable condition and in full compliance with all provisions of this division and the rules and regulations adopted pursuant thereto.

- (k) *Supplied heat.* Every owner or operator of a dwelling who permits to be occupied any dwelling unit therein under an agreement, express or implied, to supply or furnish heat to the occupants of such dwelling unit, shall maintain therein from October 1 to May 1, a minimum air temperature level of not less than 68 degrees Fahrenheit at least three feet above floor level during an outside air temperature of zero degrees Fahrenheit or above between the hours of 6:30 a.m. and 11:00 p.m. and not less than 60 degrees Fahrenheit between the hours of 11:00 p.m. and 6:30 a.m. in all habitable rooms, bathrooms, toilet rooms and compartments and communicating corridors. When the outside air temperature drops below zero degrees Fahrenheit, heating facilities shall be operated so as to furnish at least the minimum requirements of this section. Whenever heating facilities are incapable of furnishing the minimum requirements of this section at an outside air temperature of below zero degrees Fahrenheit, they shall be operated to full capacity. Whenever a dwelling is heated by means of a central heating facility, or other heating apparatus under the control of the owner or operator of the dwelling, such owner or operator, in the absence of a written contract or agreement to the contrary, shall be deemed to have contracted, undertaken or bound himself to furnish heat in accordance with the provisions of this subsection. The provisions of this subsection shall not apply where the failure to maintain such air temperature level is approved by the director because of a general shortage of fuel, or any negligent or malicious act of the occupant or while repairs are being expeditiously made to the heating equipment, or any cause beyond the control of the owner or operator.

(Code 1986, § 10-146; Ch. 975, § 1, 1-22-2013)

