

CHAPTER 10
ARTICLE II
DIVISION 2: MINIMUM STANDARDS

Sec. 10-56. Fitness for dwelling, dwelling units.

Every dwelling and dwelling unit intended for use as a human habitation, occupancy or use, or held out for use as human habitation, shall comply with all the minimum standards of fitness for human habitation in accordance with the applicable North Carolina State Building Codes. No person shall let to another for occupancy, or use as a place for human habitation, any dwelling or dwelling unit, which does not comply with all the minimum standards of fitness for human habitation and all of the requirements of this division for which a valid certificate of compliance has been issued. Unoccupied structures shall not be deteriorated as to become a health or safety hazard. The provisions of this code shall apply to all manufactured housing and modular-housing units used as residential housing in excess of thirty (30) days. Recreational vehicles (RVs) shall not be occupied for residential housing.

Sec. 10-57. Structural condition.

- (A) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not excessively list, lean or buckle and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.
- (B) Floors and roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
- (C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged so as to dangerously reduce their intended load-bearing characteristics.
- (D) Steps, stairs, landings, porches, or other parts of appurtenances shall be maintained in such condition that they will not fall or collapse.
- (E) Adequate egress in case of fire or panic shall be provided as per specifications of the North Carolina State Residential Building Code, Volume 7.
- (F) Interior walls and ceilings of all rooms, closets and hallways shall be finished with suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner as to enable the occupants to maintain reasonable privacy between various spaces.
- (G) The roof, flashings, exterior walls, basement walls, floors, and all doors and windows exposed to the weather shall be constructed and maintained so as to be weathertight, and rodent proof. Roof coverings shall be maintained in good

condition. All new roofs must be installed in accordance with the North Carolina State Residential Building Code, Volume 7.

- (H) There shall be no chimneys or parts thereof which are in danger of falling or in such condition or location as to constitute a fire hazard.
- (I) There shall be no use of the ground for floors or wood floors on the ground.
(Ord. Of 4-2-91(2), § 4)

Sec. 10-58. Basic equipment and facilities.

- (A) *Plumbing system.* The plumbing system of each dwelling or dwelling unit shall conform to the following:
 - (1) Each dwelling unit shall be connected to a potable water supply and to the public sewer or other approved sewage disposal systems.
 - (2) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet and an adequate supply of both cold and hot water. All water shall be supplied through an approved pipe distribution system connected to a potable water supply. All water piping shall be protected from freezing by being properly installed in protected spaces. Installations of all water heating appliances shall be capable of supplying a continuous source of water, on demand, to all the required fixtures at a temperature of not more than 120 degrees Fahrenheit and not less than 100 degrees Fahrenheit.
 - (3) All plumbing fixtures shall be maintained in a good state of repair and condition and meet the standards of the North Carolina State Residential Building Code, Volume 7.
 - (4) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of the dwelling unit. The water closet and tub or shower shall be located in a room affording privacy to the user.
- (B) *Heating system.* Every dwelling unit shall have facilities for providing heat in accordance with either subsection (1) or (2) of this subsection as follows:
 - (1) *Central and electric heating systems.* Every central or electric heating system shall be of sufficient capacity so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of 68 degrees Fahrenheit measured at a point three feet above the floor during ordinary winter conditions.

- (2) *Other heating facilities.* Where a central or electric heating system is not provided, each dwelling and dwelling unit shall be provided with sufficient fireplaces, chimneys, flues or gas vents, whereby heating appliances may be connected so as to heat all habitable rooms with a minimum temperature of 68 degrees Fahrenheit measured three feet above the floor during ordinary winter conditions.
- (C) *Electrical system.* The electrical system of each dwelling or dwelling unit shall conform to the following:
- (1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two floor or wall-type electric convenience receptacles installed in compliance with the North Carolina State Residential Building Code, Volume 7. There shall be installed in every bathroom, water closet room, laundry room, and furnace room at least one supplied ceiling or wall-type electric light fixture in good working order. If wall or ceiling light fixtures are not provided in any habitable room, then each habitable room shall contain at least three floor or wall-type electric convenience receptacles.
 - (2) Every public hall and stairway in every multiple dwelling shall be adequately lighted by electric lights at all times when natural daylight is not sufficient.
 - (3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used without hazard to property or persons.

(Ord. of 4-2-91(2), § 5)

Sec. 10-59. Ventilation.

- (A) *General.* Every habitable room shall have at least one window or skylight facing directly to the outdoors for adequate ventilation. At least one window in every habitable room shall be of such size and location to allow egress by an average adult in the event of fire or other emergency. The minimum window area, measured between stops, shall be eight percent (8%) of the floor area of such room. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal fifteen percent (15%) of the total floor area of such room. Exception: Less than eight percent (8%) of the total floor area is acceptable provided there is mechanical ventilation.
- (B) *Habitable rooms.* Every habitable room shall have at least one window or skylight which can easily be opened or such other device as will adequately ventilate the room. The total openable window area in every habitable room shall be equal to at least forty-five percent (45%) of the minimum window area size or

minimum skylight-type window size as required, or shall have other approved equivalent ventilation.

- (C) *Bathroom and water closet rooms.* Every bathroom and water closet compartment shall comply with the light and ventilation requirements as in habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.
- (D) *Smoke detectors.* Smoke detector(s) shall be required outside of each sleeping area in the immediate vicinity of the bedrooms.

Sec. 10-60. Space, use and location.

- (A) *Room sizes.* Every dwelling shall contain at least the minimum room size in each habitable room as required by the state residential building code.
 - (1) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three occupants and at least 75 square feet of additional habitable floor area for each additional occupant.
 - (2) In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area. Every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over and at least 35 square feet of floor area for each occupant under 12 years of age.
- (B) *Ceiling height.* At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven feet, six inches, measured from the finished floor to finished ceiling.
- (C) *Floor area calculation.* Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling unit may count for not more than ten percent of the required habitable floor area. The floor area of any part of any room where the ceiling height is less than 4 1/2 feet shall not be considered as part of the floor area in computing the total area of the room to determine maximum permissible occupancy.
- (D) *Cellar.* No cellar shall be used for living purposes.
- (E) *Basements.* No basement shall be used for living purposes unless:
 - (1) The floor and walls are substantially watertight.

- (2) The total window standards, total openable window area and ceiling height are equal to those required for habitable rooms.
- (3) The required minimum window standards of every habitable room are entirely above the grade adjoining such window area, except where the window faces a stairwell, window well or access way.
- (4) Every sleeping room shall have at least one window for emergency egress, which complies with the North Carolina State Residential Building Code in effect at the time of construction.

(Ord. of 4-2-91(2), § 7)

Sec. 10-61. Safe and sanitary maintenance.

- (A) *Exterior foundation, walls and roofs.* Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair, shall be capable of affording privacy, shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.
- (B) *Interior floors, walls and ceilings.* Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair, and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (C) *Windows and doors.* Every window, exterior door, basement or cellar door and hatchway shall be substantially weather tight, watertight, rodent proof, and shall be kept in sound working condition and good repair. Minimum size for all interior doorways shall be thirty inches (30") for all occupied rooms including living room, dining room, kitchen, etc. but not including closets, bathrooms, etc. Doors shall be provided at all doorways leading to bedrooms, toilet rooms and bathrooms, and all rooms adjoining a public space. All doors leading to the exterior must have an apparatus for opening and closing the door on both sides, a locking mechanism and shall be kept in sound working condition and good repair.
- (D) *Stairs, porches and appurtenances.* Every outside and inside stair, porch and any appurtenances thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair. Handrails and guardrails must be installed per the guidelines of the North Carolina State Residential Building Code, Volume 7.
- (E) *Bathroom floors.* Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably

impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

- (F) *Supplied facilities.* Every supplied facility, piece of equipment or utility which is required under this article, shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory condition.
- (G) *Drainage.* Every yard shall be properly graded so as to obtain thorough drainage of surface water to prevent accumulation of stagnant water and to allow positive drainage around the foundation of the dwelling unit.
- (H) *Noxious weeds.* Every yard and all exterior property shall be kept free of species of weeds or plant growth, which are noxious or detrimental to health.
- (I) *Egress.* Every dwelling unit shall be provided with adequate means of egress as required by the Code in force at the time of construction.

(Ord. of 4-2-91(2), § 8)

Sec. 10-62. Control of insects, rodents and infestations.

- (A) *Rodent control.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or such other approved device as will effectively prevent their entrance.
- (B) *Infestation.* Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises, and 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. Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more rooms of the dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.
- (C) *Rubbish storage and garbage disposal.* Every dwelling unit shall be supplied with adequate rubbish storage facilities. Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers.
- (D) *Screens.* For protection against mosquitoes, flies and other insects, every door intended for ventilation and opening directly from a dwelling unit to outdoor space shall have installed screens and a self-closing device. Windows designed to open shall likewise be supplied with screens installed so as to not be permanently affixed to the window frame, sash, or structural members of the dwelling unit, and shall be maintained in good condition without rips or tears.

(Ord. of 4-2-91(2), § 9)

Sec. 10-63. Rooming houses.

All provisions of this article shall be applicable to rooming houses and bed & breakfast establishments, and to every person who operates a rooming house or a bed & breakfast establishment or who operates or lets to another for occupancy any rooming unit in any rooming house or bed & breakfast establishment, except as provided in the following subsections.

- (1) *Water closet, hand lavatory and bath facilities.* At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar or uninhabitable basement.
- (2) *Minimum floor area for sleeping purposes.* Every room occupied for sleeping purposes by one occupant, shall contain at least 70 square feet of floor area. Every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over, and at least 35 square feet of floor area for each occupant under 12 years of age.
- (3) *Sanitary conditions.* The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for the sanitary maintenance of every other part of the rooming house. He shall further be responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.
- (4) *Sanitary facilities.* Every water closet, flush urinal, lavatory basin and bathtub or shower required by subsection (1) of this section shall be located within the rooming house and within a room which affords privacy and is separate from the habitable rooms and which is accessible from a common hall and without going outside the rooming house or through any other room herein.

(Ord. of 4-2-91(2), § 10)