

## Chapter 15.12 HOUSING CODE

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### **15.12.010 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Apartment building" means and includes any buildings consisting of three or more dwelling units with independent cooking and dining facilities and complete bathroom facilities for each unit whether designated as an apartment, tenement, garden apartment or known by any other name. A building containing five to fifteen (15) individual roomers shall be classified as a rooming house.

"Basement" means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

"Board of health" means the department of health and social services of the city.

"Building constituting a menace to public safety" means:

1. Any building or other structure of wood frame construction which is so constructed as to endanger more than ordinarily the safety of persons therein in case of fire, or so situated as to endanger more than ordinarily other building or property in the vicinity in case of fire, or so constructed or situated as to render the same peculiarly susceptible to fire from within or without; or
2. Any building or other structure which by reason of rot, or of weakened joints, walls, floors, underpinning, roofs, ceilings, or of insecure foundations, or of any other cause has become so dilapidated or deteriorated as to endanger the safety of persons therein or nearby; or
3. Buildings Deemed to Be Unsafe. As used in this subsection, "unsafe building" means a building that constitutes a fire hazard or is otherwise dangerous to human life or the public welfare. A vacant structure that is not secured against entry shall be deemed unsafe.

"Cellar" means a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

"Director of health" means the legally designated health authority of the city or his authorized representative.

"Dwelling" means any building which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants.

"Dwelling unit" means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit with cooking, living, sanitary and sleeping facilities.

"Enforcement officer" means the housing code enforcement officer who is designated in this chapter or otherwise charged with the responsibilities of administering this code, or his authorized representative.

"Extermination" means the professional control and elimination of insects, rodents or other pests, by eliminating their harborage places; by removing or making inaccessible materials that may serve as food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods, approved by the director of health.

"Garbage" means all kitchen refuse of residences, hotels, rooming houses, class I and II, restaurants or other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

"Habitable room" means a room of enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

"Hotel" means and includes any building or group of buildings under the same management in which there are more than fifteen (15) sleeping accommodations for hire, primarily used by transient residents who are lodged with or without meals, whether designated as a hotel, inn, club, motel or known by some other name. So-called apartment hotels shall be classified as hotels because they are potentially subject to transient occupancy like that of hotels.

"Infestation" means the presence, within a dwelling or structure, of any insects, rodents, vermin or

other pests which constitute a health hazard.

"Lead-based paint" means any paint containing more than six one-hundredths of one percent lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paint or one-half of one percent lead by dry weight as measured by atomic absorption spectrophotometry, in the dried film of paint already applied or such more stringent standards as may be issued by the Chairperson of the United States Consumer Product Safety Commission.

"Members of the immediate family" means husband or wife, son or daughter, mother or father, sister or brother of the owner, lessee or person controlling such building.

"Moderate cooking facilities" means portable electric "plug-in" and/or small gas appliance and a refrigerator or an icebox.

"Multiple dwelling" means any dwelling containing more than two dwelling units.

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

"Operator" means any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let, whether with or without the knowledge or consent of the owner.

"Owner" means any person who, alone or jointly or severally with others:

1. Shall have legal or equitable title to any dwelling or dwelling unit, with or without accompanying actual possession thereof;
2. Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner; or
3. For the purposes of Sections 15.12.400 through 15.12.470, "owner" is defined to mean the holder or holders of the record title and all recorded interests therein on the day upon which the notice of condemnation hearing is issued.

"Person" means and includes any individual, firm, corporation, association or partnership.

"Plumbing" means and includes all of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, intalled clothes washing machines, installed clothes dryers, installed dishwashers, lavatories, bathtubs, shower baths, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in conjunction with air-conditioning equipment.

"Roomer" means any person who shall occupy a room for hire in any rooming house.

"Rooming house, class I" means a residence inhabited by five to fifteen (15) roomers who are not members of the immediate family of an owner-occupant, providing facilities for living and sleeping. Sanitary facilities shall be available for each ten persons or fraction thereof. As of September 14, 1974, cooking facilities of any kind are not allowed within this classification. Any licensed rooming house in existence as of September 14, 1974 that has moderate cooking facilities within the rooms, shall have the right under Section 15.12.060 to appeal to the board of condemnation, appeals board for this chapter, requesting a hearing on the moderate cooking facility exclusion. The board of condemnation shall have the authority to deny or grant moderate cooking facilities in existing licensed rooming houses following such hearing. Owners of existing licensed rooming houses shall be notified of their right of appeal at the expiration of existing rooming house license. The appeal procedure shall not apply to new applications

for rooming house Class I licenses. A "rooming house class I" shall comply with all city and state health codes and state fire safety code.

"Rooming house, class II" means a residence inhabited by five to fifteen (15) individual roomers, who are not members of the immediate family of an owner-occupant, providing facilities for living and sleeping. Sanitary facilities shall be available for each ten persons or fraction thereof. Separate and distinct space must be made available from the rooming units in which meals are provided and prepared by the proprietor or his representative solely for residents residing in the building. Prior to the issuance of a rooming house, class II license, a restaurant license (limited) must be obtained from the city director of health. A rooming house, class II must comply with all city and state health codes and the state fire safety code.

"Rooming house operator" means any person or persons conducting or operating any rooming house and any person or persons supervising, managing or controlling the operation and maintenance of such rooming house.

"Rooming unit" means a room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not providing cooking, dining or sanitary facilities.

"Rubbish" means all combustible and noncombustible waste materials, except garbage, and the term shall include, but not be limited to, the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic or other synthetic materials, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, abandoned automobiles and dust.

"Sanitary facility" means a separate, enclosed room with adequate ventilation and light containing one or more bathtubs or showers and lavatories with hot and cold running water and which also contains one or more water closets with cold running water.

"Story" means that portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

"Supplied" means paid for, furnished or provided by, or under the control of the owner or operator.

"Temporary housing" means any structure classified as a shed, shack, houseboat, trailer, body of any vehicle or any other structure of similar category within the city.

Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises," are used in this chapter, they shall be construed as if they were followed by the words "or any part thereof."

(Ord. dated 11/3/03: Ord. dated 12/21/92 § 75(g); Ord. dated 4/1/91 (part); Ord. dated 11/6/89: prior code § 16-11)

#### **15.12.020 Applicability of definitions in Chapter 15.16 to this chapter.**

All definitions interpreted in Chapter 15.16 shall be applicable to this chapter.

(Prior code § 16-12)

#### **15.12.030 Inspections.**

- A. The enforcing officer is authorized and directed to make inspections to determine the conditions of dwellings, dwelling units, rooming units and premises located within the city in order that he may perform his duty of enforcing this code and thereby safeguarding the health, safety and welfare of the occupants of dwellings and the general public. For the purpose of making such

inspections, the enforcing officer is authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit and rooming unit, or the person in charge thereof, shall give the enforcing officer free access to such dwellings, dwelling units or rooming units and all premises at all reasonable times for the purpose of such inspection, examination and survey.

B. All inspections shall include:

1. A test of any interior or exterior flaking, peeling, chipping or blistering paint to determine the presence of lead-based paint; and
2. A test of any other interior surface which, in the judgment of the enforcing officer, appears to contain lead-based paint.

C. Inspections for lead-based paint shall be required under the following circumstances:

1. Before issuance of a certificate of apartment occupancy under the Bridgeport Housing Code;
2. Prior to the approval of any financial assistance provided in whole or in part by the city of Bridgeport, state of Connecticut, federal government or other government entity for housing rehabilitation, rental subsidy or other housing assistance.
3. The dwelling unit occupied by any child who is found to have a blood lead level greater than or equal to the blood level established by the Center for Disease Control as constituting an "elevated blood lead level" shall be inspected according to a schedule established by the Bridgeport health department. Such inspection shall be completed within no more than ten days of notification of the lead poisoning prevention program of such lead poisoning.

D. Before any residential dwelling consisting of one or more dwelling units changes ownership, each dwelling unit of such residential dwelling shall be inspected to determine whether it complies with Section 15.12.150(H) and (I). Such inspections shall be conducted by a contractor certified by the state of Connecticut as qualified to conduct inspections for lead-based paint. The results of each such inspection shall be provided, within ten working days, to the Bridgeport health department.

E. When any inspection reveals that either interior or exterior surfaces contain lead-based paint in violation of this section, the inspector shall notify within three days, in writing, the following:

1. The owner of the building;
2. The occupant of the affected dwelling unit;
3. The city department of health.

F. The Bridgeport health department shall establish a reasonable schedule of fees for lead-based paint inspections conducted by the Bridgeport health department.

(Ord. 4/1/91 (part); prior code § 16-13)

#### **15.12.040 Right of owner to enter premises to make repairs.**

Each occupant of dwelling or dwelling unit shall give the owner thereof, or his agent or employee access to any part of such dwelling or dwelling unit, or all premises, at all reasonable times for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

(Prior code § 16-14)

#### **15.12.050 Enforcement--Notice of probable violation given by enforcing officer.**

Whenever the enforcing officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, he shall give notice of such alleged violation to the person or persons, responsible therefor, as provided in this chapter. Such notice shall: (1) be in writing; (2) include a statement of the reason why it is being issued; (3) allow a reasonable time for the performance of any action it requires; (4) be served upon the owner or his agent, or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally or if a copy thereof is sent by regular mail, registered or certified mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this state. Such notice may: contain an outline of remedial action which, if taken, will affect compliance with the provisions of this chapter and with the rules and regulations adopted pursuant thereto.

(Prior code § 16-15)

#### **15.12.060 Hearing.**

Any person, affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the board of condemnation of the city, provided that such person shall file in the office of the clerk of the board, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor, within ten days after the day the notice was served. Upon receipt of such petition, the board of condemnation shall set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The hearing shall be commenced not less than fourteen (14) days nor more than thirty (30) days after the day on which the petition was filed, provided that upon application of the petitioner the board of condemnation may postpone the date of the hearing for a reasonable time beyond such fourteen-day period, if in their judgment the petitioner has submitted a good and sufficient reason for such postponement.

(Prior code § 16-16)

#### **15.12.070 Proceedings of hearing.**

The proceedings at such hearing, including the findings and decision of the board of condemnation of the city, shall be reduced to writing and entered as a matter of public record in the office of the housing code enforcement officer. Such record shall also include a copy of every notice or order issued in connection with the matter.

(Prior code § 16-17)

#### **15.12.080 Emergency notice and hearing.**

- A. Whenever the housing code enforcement officer finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply forthwith; provided, however, such person may appeal to the housing code enforcement office for a stay not to exceed five days within which period the housing code enforcement officer, for good

cause shown, may modify or revoke said order.

- B. The presence of lead-based paint in violation of this chapter shall render a dwelling unit unfit for human occupancy and shall constitute an emergency as defined in this section.
- C. To remedy an emergency involving lead-based paint, the director of health shall issue a written order of abatement to require the owner to remove and dispose of all flaking, peeling, chipping or blistering paint under such safety conditions as required by the Bridgeport department of health. Such order of abatement shall also require that all surfaces with exposed lead paint shall be covered with an approved durable material which can include nonleaded paint in accordance with standards established by the Bridgeport department of health. The abatement measures described above shall be completed within:
  - 1. Twenty-eight (28) days for exterior violations, except that reasonable extension of time for covering but not for removal may be granted solely due to inclement weather conditions;
  - 2. Fifteen (15) days for interior violations except as provided in subsection (C)(3) of this section;
  - 3. Ten days in the case of interior violations if any resident of the dwelling unit is receiving medical treatment for elevated blood lead levels.

(Ord. dated 4/1/91 (part); prior code § 16-18)

#### **15.12.090 Minimum standards for basic equipment and facilities.**

No person shall occupy as owner-occupant or let to another for occupancy and dwelling any dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

- A. Kitchen Sink. Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water and sewer system, which sink and system shall be installed and maintained in a manner prescribed by ordinances, rules and regulation of the city.
- B. Lavatory. Every dwelling unit shall contain a room which affords privacy to a person within said room and which is equipped with a flush water closet and a lavatory basin in good working condition and properly connected to a water and sewer system, which system shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the city.
- C. Bathing Facilities. Every dwelling unit shall contain within a room which affords privacy to a person within said room a bathtub or shower in good working condition and properly connected to a water and sewer system, which system shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the city.
- D. Location of Lavatory and Bathing Facilities. Lavatory basin required under subsection B of this section may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. Bathtub or shower required in subsection C of this section may be in the same room as the flush water closet.
- E. Water Connections. Every kitchen sink, lavatory basin and bathtub or shower required under the provisions of subsections A through D of this section shall be properly connected with both hot and cold water lines.
- F. Rubbish and Garbage Disposal. Every dwelling unit shall be supplied adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage

containers whose type and location are approved by the department of health and social services, the director of health and any person acting under the director of health. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling containing more than two dwelling units and for all dwelling units located on premises where more than two dwelling units share same premises. In all other cases, it shall be the responsibility of the occupant to furnish such facilities or containers.

- G. **Water-Heating Facilities.** Every dwelling shall have supplied, or every dwelling unit shall have provisions made for the installation of water-heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines required under the provisions of subsection E of this section and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than one hundred twenty (120) degrees Fahrenheit at anytime needed.
- H. **Means of Egress.** Every dwelling unit shall be provided with safe unobstructed means of egress, in accordance with the state fire marshal's code, section 29-41-11.44 and section 29-41-11.45 and the state building code.

(Ord. dated 12/21/92 § 75(g); prior code § 16-19)

#### **15.12.100 Minimum standard for light, ventilation and heating.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. **Window Glass Area per Habitable Room.** Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be at least one-tenth of the floor area of such room. Whenever walls or other portions of structure face a window of any such room and such light obstruction structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. 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 at least fifteen (15) percent of the total floor area of such room.
- B. **Operable Window Area per Habitable Room--Ventilating Device.** 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 of openable window area in every habitable room shall be equal to at least forty-five (45) percent of the minimum skylight type window size required in subsection A of this section, except where there is supplied some other device affording adequate ventilation and approved by the housing code enforcement officer.
- C. **Bathroom and Water Closet Compliance with Light and Ventilation Requirements.** Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsection A of this section and except that no window or skylight shall be required in adequately ventilated bathroom and water closet compartments equipped with a ventilation system which is kept in continuous operation and approved by the housing code enforcement officer.
- D. **Electrical Fixtures.** Where there is electric service available from power lines which are not more than three hundred (300) feet away from a dwelling, every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures, which shall be properly installed, shall be maintained in good and safe working condition,

and shall be connected to the source of electric power in a manner prescribed by the ordinances, rules and regulations of the city. The capacity of such services and the number of outlets and fixtures shall be as follows:

1. Every kitchen, living room, or sitting room shall have three separate and remote wall-type electric convenience outlets, or two such convenience outlets and one ceiling or wall type electric light fixture shall be provided.
2. Every bedroom and/or habitable room not mentioned in subsection (D)(1) of this section shall have one wall-type electric convenience outlet and one supplied ceiling or wall-type electric light fixture.
3. Every public hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one supplied ceiling or wall-type electric light fixture. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one electric outlet.
4. Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area.

(Prior code § 16-20)

### **15.12.110 Heating facilities.**

Every dwelling or dwelling unit shall be supplied with heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments located therein to a temperature of not less than sixty-five (65) degrees Fahrenheit. Heat, where supplied by the owner, shall be maintained at a temperature of not less than sixty-five (65) degrees Fahrenheit at all times. Either central or space heating facilities may be used but must meet the following requirements:

- A. Central Heating--Central Hot Water Facilities. Every heating unit and/or central hot water heating unit shall:
  1. Have every heat duct, steam pipe and/or hot water pipe free of leaks and functioning properly to provide an adequate amount of heat and/or hot water to the intended place of delivery;
  2. Be provided with seals between sections of hot air furnace to prevent the escape of noxious gases into heat ducts;
  3. If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner; and
  4. Be provided with automatic or safety devices and be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.
- B. Space Heating--Unit Hot Water Facilities. Every space heating unit and/or unit hot water facility shall:
  1. Not use gasoline as a fuel;
  2. Not be of the portable type if using solid, liquid or gaseous fuel;
  3. If employing a flame, be connected to a flue or vent in the manner required by the statutes, ordinances and regulations of the state and the city;
  4. If employing solid or liquid fuels, have a fire-resistant panel beneath it;

5. Be located at least two feet away from any wall or be equipped with insulation sufficient to prevent overheating;
6. If employing gaseous fuel, be equipped with other than rubber tube or armored rubber tube connector;
7. If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner;
8. Be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.

(Prior code § 16-21)

#### **15.12.120 Public hall and stairway light standards.**

Every public hall and stairway in every multiple dwelling, containing three or more dwelling units shall be adequately lighted at all times. Every public hall and stairway in structures devoted solely to dwelling occupancy and containing not more than two dwelling units must be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(Prior code § 16-22)

#### **15.12.130 Window and door screen standards.**

During portion of each year June 1st to October 15th when the housing code enforcement officer deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens. Screen to be not less than sixteen (16) mesh per inch and every screen door shall have a self-closing device in good working condition.

(Prior code § 16-23)

#### **15.12.140 Basement window screen and ventilation standards.**

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 a screen or such other device as will effectively prevent their entrance.

(Prior code § 16-24)

#### **15.12.150 General requirements relating to the safety and sanitary maintenance of parts of dwelling and dwelling units.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. Foundations, Floors, etc. Every foundation, floor, wall, ceiling and roof shall be weathertight, watertight and rodent-proof; shall be capable of affording privacy; and shall be kept in good repair.
- B. Windows, Exterior Doors, etc. Every window, exterior door and basement hatchway shall be weathertight, watertight and rodent-proof; and shall be kept in sound working condition and good repair.

- C. Stairs, Porches and Appurtenances. Every inside and outside stairs, every porch and every appurtenance thereto, shall be so constructed as to 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 working condition and good repair.
- D. Plumbing Fixtures and Pipes. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.
- E. Water Closet Compartment and Bathroom Floors. Every water closet compartment floor surface and bathroom 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. Effective Facilities Generally. Every supplied facility, piece of equipment or utility, which is required under this chapter, shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.
- G. Drainage, Disposal of Rainwater. All rainwater shall be drained and conveyed from roof by means of properly installed gutters and leaders connected to city sewer when said sewer is located in street, so as not to cause dampness in the walls, ceilings or floors of any habitable room, or of any bathroom or water closet compartment, or any halls or hallway.
- H. Exterior Surfaces.
  - 1. All exterior surfaces not inherently resistant to decay shall be protected from the elements and from decay, by paint or other approved protective coating applied in a workmanlike manner. All exterior surfaces shall be kept clean and free from foreign matter.
  - 2. All exterior surfaces where painted, shall be painted with paints which are not lead-based paints. All exterior surfaces with flaking, peeling, chipping or blistering paint which contains lead-based paint shall be repaired to remove or cover such paint. Removal of lead-based paint shall be completed under such safety conditions as required by standards to be established by the Bridgeport health department.
- I.
  - 1. All walls, ceilings, floors, interior woodwork, doors, windows and any other interior surfaces shall be kept free of flaking, peeling, chipping, blistering or loose paint. All interior surfaces, where painted, shall be painted with paints which are not lead-based paints.
  - 2. The presence of exposed lead-based paint on any interior surface shall render a dwelling unit unfit for human occupancy. The presence of flaking, peeling, chipping, blistering or loose paint which contains lead-based paint shall render a dwelling unit unfit for human occupancy.
- J. Handrails. Every stairwell and flight of stairs, both interior or exterior, which is more than two risers high shall have handrails or railings located in accordance with the building code. Every handrail or railing shall be firmly fastened and must be maintained in good condition.

(Ord. dated 4/1/91 (part); prior code § 16-25)

#### **15.12.160 Minimum space, use and location requirements.**

No person shall occupy or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. Total Floor Area Required per Occupant of Sleeping Rooms. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor space for each occupant thereof.
- B. Arrangement of Sleeping Rooms. No dwelling or dwelling unit containing two or more sleeping rooms shall have such arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room, can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or bathroom or water closet compartment.
- C. Ceiling Height. At least three-quarters (seventy-five (75) percent) of the floor area of every habitable room in a multiple dwelling shall have a ceiling height of at least seven feet, eight inches, except for attic rooms which shall be at least seven feet, four inches high in one-half (fifty (50) percent) of its area; and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the floor area of the room for the purposes of determining the maximum permissible occupancy thereof.
- D. Cellar Space. No cellar space shall be used as a habitable room or dwelling unit.
- E. Basement Space. No basement space shall be used as a habitable room or dwelling unit unless:
  - 1. The floor and walls are impervious to leakage of underground and surface run-off water and are insulated against dampness;
  - 2. The total of window area in each room is equal to at least the minimum window area sizes as required in Section 15.12.100(A);
  - 3. Such required minimum window area is located entirely above the grade of the ground adjoining such window area;
  - 4. The total of openable window area in each room is equal to at least the minimum as required under Section 15.12.100, except where there is supplied some other device affording adequate ventilation and approved by the housing code enforcement officer;
  - 5. Such room or rooms shall be at least eight feet, six inches high in part from the floor to the ceiling and such ceiling shall be at least four feet, six inches above the outside ground level.
- F. Temporary Housing. No person shall occupy any structure defined as temporary housing for the purpose of living therein commonly classified as a shed, shack, houseboat, trailer, body of any vehicle or any other structure of similar category within the city.
- G. Minimum Gross Floor Area. Every dwelling unit shall contain a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and one hundred (100) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

(Prior code § 16-26)

#### **15.12.170 Responsibilities of owner generally.**

- A. Every owner of a dwelling containing two or more dwelling units shall be responsible for

maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

- B. It is the duty of the owner of every dwelling containing two or more dwelling units to notify the Bridgeport health department in writing of: 1. the person authorized to manage the premises and 2. the person who is authorized to receive all notices, demands and service of process. Such name, address and telephone number shall be kept current.

(Ord. dated 4/1/91 (part); prior code § 16-27)

#### **15.12.180 Responsibilities of occupant generally.**

Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

(Prior code § 16-28)

#### **15.12.190 Rubbish disposal standards.**

Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by Section 15.12.090(F).

(Prior code § 16-29)

#### **15.12.200 Garbage disposal standards.**

Every occupant of a dwelling or dwelling unit shall dispose of all his garbage, and any other organic wastes which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities or garbage storage containers required by Section 15.12.090(F).

(Prior code § 16-30)

#### **15.12.210 Screen and storm door standards.**

Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens and double storm doors and windows, whenever the same are required under the provisions of this chapter or of any rule or regulations adopted pursuant thereto, except where the owner has agreed to supply such service.

(Prior code § 16-31)

#### **15.12.220 Extermination standards.**

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 infected. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

(Prior code § 16-32)

### **15.12.230 Plumbing fixture standards.**

Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the use and operation thereof.

(Prior code § 16-33)

### **15.12.240 Service, facility, equipment and utility standards.**

No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the enforcing officer. This shall also apply where there is a lease or verbal agreement.

(Prior code § 16-34)

### **15.12.250 Rental conditions--Certificate of apartment occupancy.**

- A. No owner or other person shall rent to another, or permit the occupation by another, of any vacant dwelling unit unless it and the premises are clean, sanitary and fit for human occupancy, and comply with all applicable legal requirements of the state of Connecticut and the city.
- B. An apartment or dwelling unit in any structure containing three or more housing units shall not be occupied for human habitation, after a vacancy, until a certificate of occupancy has been issued by the authorized representative, certifying that such apartment or dwelling unit conforms to the requirements of Section 16-11 et seq. of the housing and commercial code of the city and Title 47a, Chapter 833a of the Connecticut General Statutes. No provision of this section shall apply to any structure occupied by the owner thereof and containing three or less housing units. No provision of this section shall be construed to prohibit human occupancy of such apartment or dwelling unit during the pendency of an application for such certificate.
- C. A certificate of occupancy shall be valid for a minimum of six months, and following this six-month period until the apartment or dwelling unit is vacated.
- D. Any person aggrieved by the refusal of a certificate of occupancy may appeal to the housing session at Bridgeport of the superior court for the judicial district of Fairfield. Such appeal shall be privileged.
- E. The owner or lessor of such structure shall not recover, receive or collect rent or use and occupancy payments for the occupancy of any apartment or dwelling unit for which a certificate of occupancy has not been obtained prior to the rental thereof in violation of subsection B of this section.
- F. The provisions of this section shall not apply to any structure which has been constructed or substantially reconstructed within the ten-year period immediately before the date such certificate of occupancy would otherwise be required under this section. The provisions of this section shall not apply to any apartment house owned by a housing authority organized under the provisions of Title 8, Chapter 128 of the Connecticut General Statutes, which has been constructed or altered pursuant to a contract with the federal government or the state providing for annual contributions or other financial assistance. Notwithstanding the aforesaid, this section is not intended to include, nor shall it be construed to apply to: (1) buildings containing dwelling units as defined and created under Title 47, Chapter 825 of the Connecticut General Statutes, wherein seventy-five (75) percent of such units are in individual ownership other than by the declarant; nor (2) dwelling units in a single ownership and owned and leased under the cooperative form of

ownership.

- G. Housing code enforcement officer may set a reasonable schedule of fees which are to be paid prior to the issuance of the certificate of occupancy required by this section.
- H. No person filing an application for a certificate of occupancy shall knowingly make any false statement as to the names, ages, relationship or number of persons who will occupy a dwelling unit. Any person who violates any of the aforesaid provisions shall be subject to the penalty provided for violations of the provisions of the housing and commercial code.
- I. The certificate of apartment occupancy for any apartment or dwelling unit shall be immediately revoked upon the failure of the owner to comply with an order of abatement issued pursuant to Section 15.12.080 or 15.12.150(H) or (I) of this chapter or to be otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint. No apartment or dwelling unit shall be issued a certificate of apartment occupancy if it is in violation of Sections 15.12.080 or 15.12.150(H) or (I), or is otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint.

(Ord. dated 4/1/91 (part); prior code § 16-35)

#### **15.12.260 Tenant's responsibilities.**

Every occupant of a dwelling or dwelling unit causing damage to said premises so that it does not comply with the requirements of this chapter, shall be subject to the penalties set out in this chapter, and shall be responsible for all damage to the real property within said occupant's possession or control. If an inspection of a dwelling or dwelling unit prior to or subsequent to the leasing thereof indicates that it complies with all codes, ordinances and statutes relating thereto, the occupant in possession at the time of said inspection or if there is no occupant in possession at said time, then the next occupant, shall be presumed to have caused said damage and/or code violations, as the case may be.

(Prior code § 16-36)

#### **15.12.270 Rooming houses and hotels--License requirements.**

No person shall, subsequent to the effective date of the ordinance codified in this chapter, operate a room house, class I, rooming house, class II, or hotel, as defined in this chapter, within the city unless a rooming house, class I, rooming house, class II, or hotel license shall be issued to him as provided in this chapter. Applications for such licenses shall be made in writing to the housing code enforcement officer upon such forms as may be prescribed by him. Such application, whether original or for renewal of a license already issued, shall contain in addition to such other information as may be required by the housing code enforcement officer, the applicant's name, address, the address at which he proposes to operate a rooming house, class I, a rooming house, class II, or a hotel, the number of rooms, roomers and beds to be for hire, the number of beds and roomers in each room, and the name of the individual or individuals who will be charged with the control, management and maintenance of said rooming house, class I, rooming house, class II, or hotel. Application for the renewal of a license already issued shall be made to the housing code enforcement officer not later than one month prior to the date of expiration of the existing license.

(Prior code § 16-37)

#### **15.12.280 Rooming houses and hotels--License applications--Display.**

- A. Upon receipt of each application for the licensing of a rooming house, class I, rooming house, class II, or a hotel, either original or renewal, the housing code enforcement officer, chief of police, director of health, building officer and fire marshal of the fire department shall within seven

days cause the premises to be inspected. He shall also transmit a copy of such application to the offices of planning and zoning. No license shall be issued until and unless the zoning enforcement officer has certified within seven days that the proposed use of the premises is a permitted use under the zoning regulations of the city. If the chief of police, zoning officer, director of health, building officer and fire marshal shall certify to the housing code enforcement officer that such premises comply with the terms thereof and other relevant ordinances, statutes and rules of the department of police, fire, health and zoning, the house code enforcement officer shall, upon the payment of fifty dollars (\$50.00) per structure plus five dollars (\$5.00) per room for rooming house, class I and rooming house, class II, and one hundred dollars (\$100.00) per structure plus five dollars (\$5.00) per room for a hotel, issue a license to the applicant within fifteen (15) days after such certification. If either the chief of police, fire marshal, director of health, building officer and zoning officer certify to the housing code enforcement officer that the premises do not qualify for a license under this chapter, the application shall be denied. Each license shall expire one year from the date of its issuance unless sooner revoked in the manner herein provided.

- B. Display of License. Each rooming house, class I, rooming house, class II, and hotel operator shall be responsible for plainly displaying the license granted to him under this chapter in a prominent place within such premises.

(Ord. dated 7/5/05: Ord. dated 12/21/92 § 75(a); prior code § 16-38)

(Ord. dated 11/3/08)

#### **15.12.290 Rooming houses and hotels--Suitability of licensee.**

The chief of police may require such information as will disclose whether the applicant has been convicted of keeping a house of ill-fame or assignation, or a house in which lewd, dissolute or drunken persons resort or which has been used for the purpose of gaming. If any applicant shall have been convicted of any of the aforesaid offenses or has such a criminal record that the chief of police reasonably believes that he is not a suitable person to be licensed under this chapter, he may, in his discretion, so advise the housing code enforcement officer not to issue a license to the applicant.

(Ord. dated 12/21/92 § 75(a); prior code § 16-39)

#### **15.12.300 Rooming houses and hotels--Registers.**

Said licensee under this chapter shall keep a register in which, before permitting the occupancy of any room for hire, he shall cause to be legibly written, in the English language, the true name of each person lodging or hiring a room in such house, his permanent address, his place of employment and the initial date of occupancy. Each roomer or guest shall legibly sign said register and furnish the rooming house operator with the information necessary for his completion of the register as aforesaid. The rooming house operator shall place in such register the date of the termination of occupancy of each roomer or guest. The register shall be at all times subject to the inspection of the director of health or any authorized agent designated by him.

(Prior code § 16-40)

#### **15.12.310 Rooming houses and hotels--Health code.**

- A. Rooming Houses. Each rooming house, class I and rooming house, class II operator shall observe and comply with the following standards in the maintenance of the rooming house operated by him:
1. Size of Sleeping Rooms. The sleeping room occupied by each roomer shall contain not

less than one hundred (100) square feet in single occupancy rooms and not less than seventy-five (75) square feet per person for multiple occupancy rooms. Each room shall, for at least seventy-five (75) percent of its area, be not less than seven feet eight inches high from the finished floor to the finished ceiling, except attic rooms which shall be at least seven feet four inches high in one-half of its area.

2. Toilet Facilities. The toilet facilities for each room shall be adequate and there shall be a lavatory and bath or shower with running hot and cold water at all times, and a toilet with cold running water at all times, and at least one such facility for each ten persons or fraction thereof using such facilities. The shower shall have a shower curtain in good repair or the shower area shall be glass enclosed. A tub mat, safety strips or a built-in slip-resistant tub shall be supplied.
3. Rubbish and Garbage Containers. There shall be an adequate number of approved rubbish and garbage containers to provide for the needs of all roomers.
4. Window Space. Each room used for sleeping purposes shall contain at least one outside window of at least eight square feet which shall be so constructed that at least one-half opens readily.
5. Accumulation of Refuse and Rubbish. Refuse and rubbish shall not be suffered to accumulate in or on any portion of the premises used as a rooming house but shall be kept in approved receptacles and containers.
6. Rodent and Vermin Infestation, etc. The entire premises constituting the rooming house shall be kept free of rodent and vermin infestation.
7. Locks. All rooming units shall have operating locks to ensure privacy.
8. Linens. The operator of every rooming house shall change supplied bed linen at least once a week and prior to the letting of any room to any occupant.
9. General Powers. In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any rooming house licensed under this chapter which, in his opinion is detrimental or dangerous to life and public safety.

B. Hotels. Each hotel operator shall observe and comply with the following standards in the maintenance of the premises operated by him:

1. Size of Sleeping Rooms. The sleeping room occupied by each occupant shall contain not less than one hundred (100) square feet in single occupancy rooms and not less than seventy-five (75) square feet per person for multiple occupancy rooms. Each room shall, for at least seventy-five (75) percent of its area, be not less than seven feet eight inches high from the finished floor to the finished ceiling, except attic rooms which shall be at least seven feet four inches high in one-half of its area.
2. Toilet Facilities. The toilet facilities for each room shall be adequate and there shall be a lavatory and bath or shower with running hot and cold water and a toilet with cold running water at all times and at least one such facility for each ten persons or fraction thereof using each facility. The shower shall have a shower curtain in good repair or the shower area should be glass enclosed. A tub mat, safety strips or a built-in slip-resistant tub shall be supplied.
3. Window Space. Each room used for sleeping purposes shall contain at least one outside window of not less than eight square feet which shall be so constructed that at least one-half opens readily.
4. Exterior and Interior Physical Condition. Furniture, walls, ceilings, lighting, drapes,

venetian blinds, carpets, floors, elevators, windows and wall decorations shall be clean and neat and in good physical repair. Stairways, walk-ways and lobbies shall be clean and uncluttered. Refuse and rubbish shall not be allowed to accumulate in or on any portion of the premises used as a hotel but shall be kept in approved receptacles and containers.

5. Guest Room Supplies. Drinking glasses, where supplied, should be sanitized in accordance with state and local ordinances. A waste basket will be provided in every room. Soap and toilet tissues are to be supplied in sufficient quantity. A fresh supply of soap is to be provided with each new occupant. Towels and wash cloths that have been used shall be replaced daily. Bed linens, pillows, mattresses, mattress pads, box springs, springs and frames shall be clean, in good repair and free of stains and foreign matter. Clean bed linens shall be supplied at least once a week and prior to the letting of any room to any occupant.
6. Mechanical Room and Storage Areas. Ceilings, walls, pipes, pumps, heating and air-conditioning equipment should all be neat and clean, well-painted and in good repair. Floors must be clean, uncluttered and free of safety hazards.
7. Food and Drink Vending Machines. Where supplied to hotel guests, vending machines shall be kept in a clean and sanitary manner. All refrigerated drinking fountains shall be maintained in a clean and sanitary manner. All ice machines shall be supplied with scoops and tongs.
8. Restaurants. All restaurant facilities are to comply with the state public health code and city ordinances. Restaurant facilities must have a separate identity from hotel living quarters and are to be licensed by the city's health department.
9. Swimming Pools. All swimming pools shall comply with all state public health codes and city ordinances.
10. Rodent and Vermin Infestation, etc. The entire premises constituting the hotel shall be kept free of rodent and vermin infestation.
11. Locks. All hotel rooms shall have operating locks to ensure privacy.
12. General Powers. In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any hotel licensed under this chapter, which, in his opinion, is detrimental or dangerous to life and public safety.

(Prior code § 16-41)

#### **15.12.320 Rooming houses and hotels--General powers of the housing code enforcement officer.**

In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any rooming house, class I, rooming house, class II, and hotel licensed under this chapter, which, in his opinion, is detrimental or dangerous to life and public safety.

(Prior code § 16-42)

#### **15.12.330 Rooming houses and hotels--Fire department inspection.**

The fire chief of the fire department shall inspect, or cause to be inspected, all premises licensed under this chapter or for which an application for a license has been filed, to determine compliance with

the provisions hereof and with other requirements of law relating to all state and local laws pertaining to fire and safety.

(Prior code § 16-43)

#### **15.12.340 Rooming houses and hotels--Periodic inspections.**

The housing code enforcement officer, chief of police, fire chief and director of health shall make periodic inspections and shall have the power at all times to inspect, or cause to be inspected, any portion of the premises licensed as a rooming house, class I, rooming house, class II, or hotel under this chapter in order to determine whether said premises comply with the terms of this chapter and other ordinances, and rules of the departments of health and fire and the statutes governing such premises.

(Ord. dated 12/21/92 § 75(a); prior code § 16-44)

#### **15.12.350 Rooming houses and hotels--Record of licenses issued.**

It shall be the duty of the housing code enforcement officer to keep a record of all licenses granted under this chapter which shall contain the number and date of all licenses, the name and residence of the person receiving such license, the address of the premises so licensed and the date upon which any license shall be revoked. The housing code enforcement officer shall keep a detailed account of all his receipts for such licenses and make prompt return thereof to the city treasurer.

(Prior code § 16-45)

#### **15.12.360 Rooming houses and hotels--Reports to the tax assessor.**

To aid the tax assessor in the performance of his duty in the assessment of taxable property, the housing code enforcement officer, not later than October 15th of each year, shall send to the tax assessor a list of all rooming house, class I, rooming house, class II, and hotel licenses in effect on the first day of October of each year showing the name and address of the licensee, the location of the licensed premises and the number of rooms devoted to rooming house purposes.

(Prior code § 16-46)

#### **15.12.370 Rooming houses and hotels--Penalties.**

Any person who shall operate or attempt to operate a rooming house, class I, rooming house, class II, or hotel in the city, without complying with or in violation of any of the terms of this chapter, shall upon conviction be subject to the penalties of the housing code. No such person convicted shall be permitted to operate a rooming house, class I, rooming house, class II, or hotel in the city for a period of one year following the date of such conviction. When such a convicted person shall be a licensee under this chapter, the clerk of the circuit court shall, upon conviction in the circuit court or upon final conviction on appeal from a judgement of the circuit court, notify the housing code enforcement officer of said conviction and the said officer shall forthwith revoke the license of such convicted person for the balance of said license year and no new license shall be issued to that person for one year following the date of such conviction.

(Prior code § 16-47)

#### **15.12.380 Rooming houses and hotels--Revocation of licenses.**

The housing code enforcement officer may revoke the license of any rooming house, class I, rooming house, class II, or hotel operator licensed under this chapter and after due notice and hearing: (1) upon certification by the chief of police, the fire chief of the fire department, or the director of the

department of health that the licensed premises do not comply with the provisions of this chapter, or of any other ordinances, or of the laws of the state, or of the rules and regulations of the departments of health and fire relative to the maintenance of such premises; or (2) if such operator shall have been convicted in any court for keeping premises licensed under this chapter as a house of ill-fame or assignation, or as a house where lewd, dissolute or drunken persons resort, or where drinking, carousing, dancing and fighting are permitted to the disturbance of the neighbors, or where the laws against gaming or the provisions of Chapter 8.80 of this code are permitted to be violated. He shall have the right to subpoena witnesses and documents at any hearing called for this purpose. Any operator aggrieved by the decision of the housing code enforcement officer may appeal to the board of condemnation as outlined in Section 15.12.430.

(Ord. dated 12/21/95 § 75(a); prior code § 16-48)

#### **15.12.390 Rooming houses and hotels--Responsibility of roomers.**

- A. Each roomer shall deposit all rubbish, refuse and garbage in approved containers to be provided by the rooming house operator under Section 15.12.310(A)(3) and (5).
- B. Each roomer shall keep his room free from any accumulation of combustible debris or other waste material and shall not obstruct any corridor, passageway, stairway or fire escape or use the same for storage purposes of any character.
- C. No roomer or other person shall interfere with, damage or mutilate any exit sign located in any rooming house or interfere with, remove or extinguish, any lighting provided in any corridor, passageway, stairway, hallway, fire escape or other means of ingress or egress to the premises and the rooms located therein, except when authorized to do so by the rooming house operator.
- D. No roomer or other person shall remove, damage or tamper with any fire extinguishing equipment except in case of fire or authorized inspection, repair or replacement thereof.
- E. Any person violating any provision of this section shall be subject to the penalties of the housing code.

(Prior code § 16-49)

#### **15.12.400 Designation of unfit dwelling.**

The designation of dwellings or dwelling units which constitutes a menace to public safety shall be carried out in compliance with Section 15.12.020, definition of "building constituting a menace to public safety."

(Prior code § 16-50)

#### **15.12.410 Board of condemnation continued.**

There shall continue to be a board of condemnation which shall consist of the municipal building official, the chief of the fire department or his/her designee, the director of planning and economic development or his/her designee, an engineer from the office of the city engineer, and the director of health.

(Ord. dated 3/7/05 (part): Ord. dated 12/21/92 § 75(b); prior code § 16-51)

(Ord. dated 12/15/08)

#### **15.12.420 Powers of board of condemnation--Hearing and notice thereof.**

The board of condemnation is granted the power after hearing to find and determine whether any

building constitutes a menace to public safety. Such board may, as part of said hearing, inspect such building and the facts observed by said board at such inspection shall constitute evidence upon which it may base its findings. Notice of hearing shall be given by the board posting in a conspicuous place on the building, at least ten days prior to the date of hearing, a notice directed to all persons having or claiming any interest in said building, designating the building sought to be condemned, the reasons therefor and the time and place of hearing. A copy of such notice shall be sent by registered mail, at least ten days prior to such hearing, to each owner at his last known address, or if such address cannot after due diligence be ascertained, then such owner at Bridgeport, Connecticut.

(Prior code § 16-52)

#### **15.12.430 Findings of the board of condemnation.**

If the board of condemnation shall determine that a building constitutes a menace to public safety, it shall find and determine what repairs or alterations are necessary or whether the total destruction of such building is necessary in order that such building shall not constitute a menace to public safety. The board shall also determine and limit the length of time within which such repairs, alterations or destruction of any such buildings shall be completed. The time so limited shall begin to run from the date upon which service of such findings shall be made on the owner of the premises, and the board may for good cause extend such time for a further period not exceeding thirty (30) days. The findings of the board shall be in writing and shall be served upon the owner personally or sent by registered mail to his last known address. If after due diligence, the owner cannot be found or his address shall be unknown, said findings shall, in lieu of such service or registered mail notice, be posted for ten days in a conspicuous place on the building.

(Prior code § 16-53)

#### **15.12.440 Penalty for failure to comply with orders of board of condemnation.**

If any building shall be found by the board of condemnation to constitute a menace to public safety and the owner thereof shall, after service of the findings of the board as provided in Section 15.12.430, neglect to destroy, alter or repair such building in accordance with the findings and within the time limited by the board, provided he shall have the legal power to destroy, alter or repair the same, such owner shall be fined as provided in Chapter 1.12 of this code. Any owner who shall disable himself from destroying, altering or repairing such building after receiving the notice of a hearing of the board relative hereto provided in this chapter shall likewise be fined as provided in Chapter 1.12 of this code. Each day that the owner shall neglect to alter, repair or destroy said building in accordance with and within the time limited in the finding of the board shall constitute a distinct and separate offense.

(Prior code § 16-54)

#### **15.12.450 Abatement of condition as a nuisance.**

Every building found by the board of condemnation to constitute a menace to public safety shall, if not destroyed, altered or repaired within the time allowed by and in accordance with the findings of the board be deemed to be a public nuisance, and every such nuisance may be abated summarily or by civil action.

(Prior code § 16-55)

#### **15.12.460 Placarding of unfit dwellings.**

No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such

placard is removed by, the board of condemnation. The board of condemnation shall remove such placard whenever the defect or defects, upon which the condemnation and placarding action were based, have been eliminated.

(Prior code § 16-56)

#### **15.12.470 Defacing or removing placard.**

No person shall deface or remove any placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such.

(Prior code § 16-57)

#### **15.12.480 Conflict of ordinances.**

In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of this city existing on the effective date of the ordinance codified in this chapter, the provision which established the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of this city existing on the effective date of the ordinance codified in this chapter which established a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall be deemed to prevail, and such other ordinances or codes are declared to be repealed to the extent that they may be found in conflict with this chapter.

(Prior code § 16-59)

#### **15.12.490 Violation--Penalty.**

Any persons who shall violate any provision of this chapter, shall, upon conviction, be punished by a fine not exceeding one hundred dollars (\$100.00) and each day such violation shall continue shall constitute a separate offense.

(Prior code § 16-58)

### **Chapter 15.16 COMMERCIAL BUILDING STANDARDS**

Sections:

[15.16.010 Definitions.](#)

[15.16.020 Applicability of definitions in this chapter.](#)

[15.16.030 Scope of chapter.](#)

[15.16.040 Minimum standards.](#)

[15.16.050 Duties of enforcing officer.](#)

[15.16.060 Enforcement notice of probable violation given by enforcing officer.](#)

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[15.16.090 Emergency notice and hearing.](#)

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#### **15.16.010 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Accessory structure" means a structure the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

"Building" means a structure adopted to permanent or continuous occupancy or use for public, institutional, business, industrial or storage purposes.

"Deterioration" means the condition of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

"Fire hazard" means:

1. Any device or condition likely to cause fire and which is so situated as to endanger either persons or property;
2. The creation, maintenance or continuance of any physical condition by reason of which there exists a use, accumulation or storage of combustible or explosive material sufficient in amount or so located or in such a manner as to put in jeopardy, in event of ignition, either persons or property;
3. The obstruction to or of fire escapes, stairways, aisles, exits, doors, windows, passageways or halls, likely, in the event of fire, to interfere with the operations of the fire department or of the safety and ready egress of occupants.

"Garbage" means all kitchen refuse of residences, hotels, rooming houses class I and II, restaurants or other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

"Infestation" means the presence, within a dwelling or structure, of any insects, rodents, vermin or other pests which constitute a health hazard.

"Junk motor vehicle" means a motor vehicle not displaying proper registration plates and is worn out, inoperative, constitutes a health hazard, or which is ready for dismantling or destruction.

"Operator" means any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let whether with or without the knowledge or consent of the owner.

"Owner" means any person who, alone or jointly or severally with others:

1. Shall have legal or equitable title to any premises, with or without accompanying actual possession thereof;
2. Shall have charge, care or control as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate of the owner. Any person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner;
3. For the purposes of Section 15.16.150, "owner" is defined to mean the holder or holders of the record title and all recorded interests therein on the day upon which the notice of condemnation hearing is issued.

"Plumbing" means and includes all of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed clothes washing machines, installed clothes dryers, installed dishwashers, lavatories, bathtubs, shower baths, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in conjunction with air conditioning

equipment.

"Premises" means a lot, plot or parcel of land including the building or structure thereon.

"Refuse" means and includes brush, weeds, broken glass, stumps, roots, obnoxious growth, filth, garbage, trash, refuse, debris and junk motor vehicles.

"Rest room" means an enclosed space containing one or more toilets and one or more lavatories or fixtures serving similar purposes.

"Rubbish" means all combustible and noncombustible waste materials, except garbage, and the term shall include, but not be limited to, the residue from the burning of wood, coal, coke and other combustible material, papers, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic or other synthetic materials, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery, abandoned automobiles and dust.

"Structure" means any combination of any material, whether fixed or portable, forming a construction, including buildings.

"Ventilation" means the supply and removal of air to and from any space by natural or mechanical means.

Ventilation, mechanical. "Mechanical ventilation" means ventilation by power-driven devices.

Ventilation, natural. "Natural ventilation" means ventilation by an opening to outer air through window, skylight, door or stack with or without wind-driven devices.

"Weathering" means any deterioration, decay or damage caused by exposure to the elements.

(Prior code § 16-71)

#### **15.16.020 Applicability of definitions in this chapter.**

All definitions interpreted in Chapter 15.12, housing code, shall be applicable to this chapter.

(Prior code § 16-72)

#### **15.16.030 Scope of chapter.**

Every building and the premises on which it is situated shall comply with the provisions of this chapter, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this chapter, and irrespective of any permits or licenses which shall have been issued for the use or occupancy or for the installation or repair of equipment or facilities prior to the effective date of the ordinance codified in this chapter.

(Prior code § 16-73)

#### **15.16.040 Minimum standards.**

This chapter establishes minimum standards for the initial continued occupancy and use of all such buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein.

(Prior code § 16-74)

#### **15.16.050 Duties of enforcing officer.**

The provisions of this chapter shall be administered and enforced in accordance with Section

15.12.030 of this code relative to commercial structures by the enforcing officer.

(Prior code § 16-75)

**15.16.060 Enforcement notice of probable violation given by enforcing officer.**

Notice of probable violation for this chapter shall be made in accordance with the procedures set forth in Section 15.12.050 of this code.

(Prior code § 16-76)

**15.16.070 Hearing.**

Hearings relative to probable violations in accordance with the provisions of Section 15.16.060 shall be granted in accordance with Section 15.12.060 of this code.

(Prior code § 16-77)

**15.16.080 Proceedings of hearing.**

The proceedings for such hearing shall be made pursuant to Section 15.12.070 of this code.

(Prior code § 16-78)

**15.16.090 Emergency notice and hearing.**

Emergency notices and hearing relative to this chapter shall be carried out pursuant to Section 15.12.080 of this code.

(Prior code § 16-79)

**15.16.100 Responsibilities of owner, operator and occupant independent of each other.**

- A. Owners and operators shall have all the duties and responsibilities as prescribed in Sections 15.12.170 through 15.12.260 of this code and the regulations promulgated pursuant thereto, and no owner or operator shall be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.
- B. Occupants shall have all the duties and responsibilities as prescribed in Sections 15.12.170 through 15.12.260 of this code and all the regulations promulgated pursuant thereto, and the occupant shall not be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.
- C. Unless expressly provided to the contrary in this section, the respective obligations and responsibilities of the owner and operator on one hand, and the occupant on the other, shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.
- D. Each owner or operator of any building covered by this chapter shall be given access by the occupant to any part of such building or buildings, appurtenant structures or all premises, at all reasonable times for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

(Prior code § 16-80)

### **15.16.110 Duties and responsibilities of the owner and operator.**

The following duties and responsibilities are imposed upon every owner and operator of any building covered by the provisions of this section:

- A. Nuisances. The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of occupants, pedestrians and persons utilizing the premises, and free of unsanitary conditions, and any of the foregoing shall be promptly removed and abated by the owner or operator. The items prohibited by this section shall include, but not be limited to: brush, weeds, broken glass, stump roots, obnoxious growth, filth, garbage, trash, debris, dead and dying trees and limbs or other natural growth, loose and overhanging objects, ground surface hazards and junk motor vehicles.
- B. Foundation Walls. Foundation walls shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.
- C. Chimneys and Flue and Vent Attachments. Chimneys and all flue and vent attachments thereto shall be maintained structurally sound, free from defects and so maintained as to capably perform at all times the functions for which they were designed. Chimneys, flues, gas vents or other draft-producing equipment shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases.
- D. Porches, Landings, etc. Exterior porches, landings, balconies, stairs and fire escapes shall be provided with bannisters or railings properly designed and maintained to minimize the hazard of fallings, and the same shall be kept structurally sound, in good repair and free from defects.
- E. Exterior of Premises and Accessory Structures. The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premise and all buildings thereon shall reflect a level of maintenance in keeping with standards of the neighborhood.
- F. Landscaping. Premises shall be kept landscaped and lawns, hedges and bushes shall be kept trimmed.
- G. Permanent Signs and Billboards. All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked shall, with their members, be removed forthwith or put into a good state of repair by the owner of the sign.
- H. Display Windows. All display windows or store fronts constructed of plate glass shall be kept clean and free of cracks and no storage shall be permitted therein unless shielded from public view.
- I. Store Fronts. All store fronts shall be kept in good repair, painted where required, and shall not constitute a safety hazard or nuisance. In the event repairs to a store front become necessary, such repairs shall be made with the same, similar or comparable materials used in the construction of the store front in such a manner as to permanently repair the damaged area or areas. Any cornice visible above a store front shall be kept painted, where required, and in good repair.
- J. Temporary Signs. Except for "For Rent" and "For Sale" signs, any temporary sign or other paper advertising materials glued or otherwise attached to a window, or windows, or

otherwise exposed to public view shall be removed: (1) at the expiration of the event or sale for which it is erected, or (2) within sixty (60) days after erection, whichever shall occur first.

- K. Awnings or Marquees. Any awnings or marquees and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event such awning or marquee is made of cloth, plastic or of a similar material, cloth or plastic where exposed to public view, shall be maintained in good condition and shall not show evidence of excessive weatherings, ripping, tearing or other holes. Nothing in this subsection shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.
- L. Paint. The exterior of every structure or accessory structure shall be kept in good repair and kept painted where necessary for purposes of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance.
- M. Restrooms. Restrooms shall be surfaced with waterproof floors and shall be kept dry, clean and sanitary at all times. Sufficient restrooms shall be installed and maintained for each sex commensurate with the use of the premises. Every restroom shall be provided with a permanently installed artificial lighting fixture and a wall switch thereof which is free from danger of short circuiting.
- N. Electric Power. All premises shall be properly connected to and provided with electric power as requested for the operation of the structure. All such connections and electrical equipment shall be installed and maintained in conformity with the provisions of the National Electrical Code and other applicable ordinances.
- O. Fuse Sizes. Maximum fuse sizes consistent with safety shall be posted conspicuously and no fuse shall be installed in a fuse box in excess of the stated maximum except that owners and operators shall not be responsible for violation in fuse installations without their knowledge where the correct maximum is stated and the fuse box is located within any part of the premises which is in the exclusive possession of occupant who shall be responsible for such violations.

(Prior code § 16-81)

### **15.16.120 Duties of occupant.**

The following duties and responsibilities are imposed upon every occupancy of any building covered by the provisions of this section:

- A. Upon discovery by the occupant of code violation, the occupant shall first report same to the owner or operator and upon failure of the owner or operator to act within five days to cure said violation, the occupant shall then report to the housing code officer immediately. This subsection shall not be construed to limit the housing code officer from seeking rectification of a violation which in his opinion is considered to endanger the health and safety of an occupant or occupants prior to the cited five-day period.
- B. All parts of the premises under the control of the occupant shall be kept in a clean and sanitary condition.
- C. Storage bins, rooms and areas shall not be used for the accumulation of garbage or

refuse.

- D. Every occupant shall be responsible for the elimination of conditions conducive to infestation in areas subject to his control.
- E. No occupant shall install electrical fuses in a fuse box in excess of the posted limit.

(Prior code § 16-82)

#### **15.16.130 Higher standard to prevail in case of conflict with other ordinances or laws.**

In any case where the provisions of this chapter impose a higher standard than that set forth in any other ordinance or law, then the standards as set forth herein shall prevail, but if the provisions of this chapter impose a lower standard than any other ordinance or law, then the higher standard contained in such other ordinance or law shall prevail.

(Prior code § 16-84)

#### **15.16.140 Enforcement of and compliance with other ordinances.**

No license or permit or other certification of compliance with this chapter shall constitute a defense to any violation of any other ordinance of the city applicable to any structure or premises, nor shall any provision of this chapter relieve any owner, operator or occupant from complying with any other provision, nor any official of the city from enforcing any such other provisions.

(Prior code § 16-85)

#### **15.16.150 Penalties.**

The penalties as provided in Chapter 15.12 shall be in effect for this chapter.

(Prior code § 16-83)