

CHAPTER 29

PROPERTY MAINTENANCE CODE

ARTICLE I – GENERAL PROVISIONS

29-1-1 TITLE: PURPOSE.

(A) These regulations shall be known as the "Property Maintenance Code" hereinafter referred to as the "Property Maintenance Code" or "This Code".

(B) This Code is to establish minimum acceptable standards, premises, and facilities in the City, which must be maintained in existing buildings, structures, premises, and facilities to protect health, safety, and general welfare.

29-1-2 DEFINITIONS. As used in this Code, the following definitions shall apply:

"PUBLIC NUISANCE". Includes the following:

(A) The physical condition, or use of any premises regarded as a public nuisance at common law; or

(B) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or

(C) Any premises which have unsanitary sewerage or plumbing facilities; or

(D) Any premises designated as unsafe for human habitation or use; or

(E) Any premises which are manifestly capable of being a fire hazard, or are manifestly unsafe or insecure as to endanger life, limb or property; or

(F) Any premises from which the plumbing, heating and/or facilities required by this Code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or

(G) Any premises which are unsanitary, or which are littered with rubbish or garbage, or which have an uncontrolled growth of weeds; or

(H) Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and is dangerous to anyone on or near the premises.

"SANITARY". Rules and conditions of health; especially, of absence of dirt and agents of infection or tending to promote health and healthful conditions.

ARTICLE II - PREMISES CONDITIONS

29-2-1 **SCOPE OF REGULATIONS.** The provisions of this Article shall govern the minimum conditions for maintenance of exterior property, premises, and structures. Premises shall comply with the conditions herein prescribed insofar as they are applicable.

29-2-2 **RESPONSIBILITY OF OWNER.** The owner of the premises shall maintain such structures and premises in compliance with these requirements. A person shall not occupy as owner-occupant or let to another for occupancy or use permits which do not comply with the requirements of this Article.

29-2-3 **VACANT STRUCTURES AND LAND.** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

29-2-4 **SANITATION.** All exterior property areas and premises shall be maintained in a clean, safe, and sanitary condition free from any accumulation of rubbish or garbage.

29-2-5 **INSECT AND RAT CONTROL.** An owner of a structure or property shall be responsible for the extermination of insects, rats, vermin, or other pests in all areas of the premises, except that the occupant shall be responsible for such extermination in the areas of the premises of a single-family dwelling. Whenever infestation exists in the shared or public parts of the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.

ARTICLE III - RESPONSIBILITIES OF PERSONS

29-3-1 **GENERAL.** The provisions of this Article shall govern the responsibilities of persons for the maintenance of structures, and the equipment and premises thereof. The owner has the ultimate legal responsibility to comply with this Section.

29-3-2 **SANITARY CONDITION.**

(A) **Cleanliness.** Every occupant of a structure or part thereof shall keep that part of the structure or premises thereof which that occupant occupies, controls, or uses in a clean and sanitary condition. Every owner of a dwelling containing **two (2)** or more dwelling units shall maintain, in a clean and sanitary condition, the shared or public areas of the dwelling and premises thereof.

(B) **Disposal of Rubbish.** Every occupant of a structure or part thereof shall dispose of all rubbish in a clean and sanitary manner.

(C) **Disposal of Garbage.** Every occupant of a structure or part thereof shall dispose of garbage in a clean and sanitary manner.

29-3-3 **EXTERMINATION.**

(A) **Owner.** The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

(B) **Multiple Occupancy.** Every owner, agent, or operator of **two (2)** or more dwelling units or multiple occupancies, or nonresidential structures and rooming houses, shall be responsible for the extermination of any insects, rats or others in the public or shared areas of the structure and premises.