

ARTICLE V. SOUTH THORNTON URBAN RENEWAL AUTHORITY NON-RESIDENTIAL PROPERTY MAINTENANCE CODE.

DIVISION 1. SCOPE AND APPLICATION

Sec. 10-236. General.

- (a) *Title.* The regulations shall be known as the South Thornton Urban Renewal Authority Non-Residential Property Maintenance Code of the City of Thornton (hereafter referred to as "this code").
- (b) *Scope.* The provisions of this code shall apply to all existing non-residential structures and all existing premises located in the South Thornton URA area and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, owners' authorized agents, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.
- (c) *Intent.* This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.
- (d) *Severability.* If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

Sec. 10-237. Applicability.

- (a) *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.
- (b) *Maintenance.* Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, owner's authorized agent, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied building, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or

abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.

- (c) *Application of other codes.* Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City Code.
- (d) *Existing remedies.* The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.
- (e) *Workmanship.* Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's instructions.
- (f) *Historic buildings.* The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.
- (g) *Referenced codes and standards.* The codes and standards referenced in this code shall be those that are listed in Division 9 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 10-237(g)(1) and 10-237(g)(2).
 - (1) Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.
 - (2) *Conflicts.* Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.
 - (3) *Provisions in referenced codes and standards.* Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.
- (h) *Requirements not covered by code.* Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the

public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

- (i) *Application of references.* References to Division or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such Division, section or provision of this code.
- (j) *Other laws.* The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 10-238. Liability and Fees.

- (a) *Liability.* The building official, member of the building code advisory board or employee charged with the enforcement of this Building Code, while acting in the course and scope of their duties required by this Building Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and are hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Building Code shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings.
- (b) *Fees.* The fees for permits, activities and services performed by the department in carrying out its responsibilities under this code shall be in an amount established by the schedule of fees as adopted by resolution by the City of Thornton City Council.

Sec. 10-239. Duties and Powers of the Code Official.

- (a) *General.* The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.
- (b) *Inspections.* The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- (c) *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner; owner's authorized agent or other person having charge or control of the

structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

- (d) *Identification.* The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.
- (e) *Notices and orders.* The code official shall issue all necessary notices or orders to ensure compliance with this code.
- (f) *Department records.* The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

Sec. 10-240. Approval.

- (a) *Modifications.* Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's authorized agent, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.
- (b) *Alternative materials, methods and equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.
- (c) *Required testing.* Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.
 - (1) *Test methods.* Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test

methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

(2) *Test reports.* Reports of tests shall be retained by the code official for the period required for retention of public records.

(d) *Used materials and equipment.* The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the code official.

(e) *Approved materials and equipment.* Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

(f) *Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

Sec. 10-241. Violations.

(a) *Unlawful acts.* It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

(b) *Notice of violation.* The code official shall serve a notice of violation or order in accordance with Section 10-242.

(c) *Prosecution of violation.* Any person failing to comply with a notice of violation or order served in accordance with Section 10-242 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(d) *Violation penalties.* Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (e) *Abatement of violation.* The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

Sec. 10-242. Notices and Orders.

- (a) *Notice to person responsible.* Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 10-242(b) and 10-242(c) to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 10-243(c).
- (b) *Form.* Such notice prescribed in Section 10-242(a) shall be in accordance with all of the following:
- (1) Be in writing.
 - (2) Include a description of the real estate sufficient for identification.
 - (3) Include a statement of the violation or violations and why the notice is being issued.
 - (4) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the building or structure into compliance with the provisions of this code.
 - (5) Inform the property owner or owner's authorized agent of the right to appeal.
 - (6) Include a statement of the right to file a lien in accordance with Section 10-241(c).
- (c) *Method of Service.* Such notice shall be deemed to be properly served if a copy thereof is:
- (1) Delivered personally;
 - (2) Sent by certified or first-class mail addressed to the last known address; or
 - (3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

- (d) *Unauthorized tampering.* Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.
- (e) *Penalties.* Penalties for noncompliance with orders and notices shall be as set forth in Section 10-241(d).
- (f) *Transfer of ownership.* It shall be unlawful for the owner of any building or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Sec. 10-243. Unsafe Structures and Equipment.

- (a) *General.* When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
- (b) *Unsafe structures.* An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
 - (1) *Unsafe equipment.* Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.
 - (2) *Structure unfit for human occupancy.* A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location

of the structure constitutes a hazard to the occupants of the structure or to the public.

- (3) *Unlawful structure.* An unlawful structure is one found in whole or in part was erected, altered or occupied contrary to law.
- (4) *Dangerous structure or premises.* For the purpose of this code, any structure or premises that has any or all of the conditions or defects described in the Uniform Code for the Abatement of Dangerous Buildings as amended and adopted by the City of Thornton shall be considered a dangerous building.
- (c) *Closing of vacant structures.* If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.
- (d) *Authority to disconnect service utilities.* The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 10-237(g)2.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner, owner's authorized agent, or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.
- (e) *Notice.* Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 10-242(c). If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 10-242(b).
- (f) *Placarding.* Upon failure of the owner, owner's authorized agent, or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the

word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

- (g) *Placard removal.* The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.
- (h) *Prohibited occupancy.* Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.
- (i) *Abatement methods.* The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.
- (j) *Record.* The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Sec. 10-244. Emergency Measures.

- (a) *Imminent danger.* When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the code official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.
- (b) *Temporary safeguards.* Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not

the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

- (c) *Closing streets.* When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.
- (d) *Emergency repairs.* For the purposes of this Section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.
- (e) *Costs of emergency repairs.* Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.
- (f) *Hearing.* Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

Sec. 10-245. Demolition.

- (a) *General.* The code official shall order the owner or the owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.
- (b) *Notices and Orders.* All notices and orders shall comply with Section 10-242.
- (c) *Failure to comply.* If the owner or owner's authorized agent of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

- (d) *Salvage materials.* When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

Sec. 10-246. Means of Appeal.

- (a) *Application for appeal.* Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.
- (b) *Membership of Board.* The building code advisory board shall consist of a minimum of five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.
- (1) *Alternate members.* The chief appointing authority shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.
- (2) *Chairman.* The board shall annually select one of its members to serve as chairman.
- (3) *Disqualification of member.* A member shall not hear an appeal in which that member has a personal, professional or financial interest.
- (4) *Secretary.* The code official shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.
- (5) *Compensation of members.* Compensation of members shall be determined by law.

- (c) *Notice of meeting.* The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.
- (d) *Open hearing.* All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of three members of the building code advisory board membership.
 - (1) *Procedure.* The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.
- (e) *Postponed hearing.* When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.
- (f) *Board decision.* The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.
 - (1) *Records and copies.* The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.
 - (2) *Administration.* The code official shall take immediate action in accordance with the decision of the board.
- (g) *Court review.* Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the code official.
- (h) *Stays of enforcement.* Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

Sec. 10-247. Stop Work Order.

- (a) *Authority.* Whenever the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.
- (b) *Issuance.* A stop work order shall be in writing and shall be given to the owner of the property, to the owner's authorized agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The

stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

- (c) *Emergencies.* Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.
- (d) *Failure to comply.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be penalized as provided in Section 10-423(b) of the Thornton City Code.

DIVISION 3. DEFINITIONS

Sec. 10-248. General.

- (a) *Scope.* Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this Division.
- (b) *Interchangeability.* Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.
- (c) *Terms defined in other codes.* Where terms are not defined in this code and are defined in the International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, Thornton Development Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.
- (d) *Terms not defined.* Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.
- (e) *Parts.* Whenever the words “building,” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

Sec. 10-249. Definitions.

Anchored means secured in a manner that provides positive connection.

Approved means approved by the code official.

Basement means that portion of a building which is partly or completely below grade.

Bathroom means a room containing plumbing fixtures including a bathtub or shower.

Bedroom means any room or space used or intended to be used for sleeping purposes in hotel, motel or sleeping unit.

Code Official means the official who is charged with the administration and enforcement of this code, or any duly authorized representative. The code official shall also be known as the chief building official.

Condemn means to adjudge unfit for occupancy.

Cost of Such Demolition or Emergency Repairs means the costs shall include the actual costs of the demolition or repair of the structure less revenue obtained if salvage was conducted prior to the demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by the code official, the governing body or building code advisory board.

Detached means when a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

Deterioration means to weaken, disintegrate, corrode, rust or decay and lose effectiveness.

Easement means that portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

Equipment Support means those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles; that transmit gravity load, lateral load and operating load between the equipment and the structure.

Exterior Property means the open space on the premises and on adjoining property under the control of owners or operators of such premises.

Garbage means the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Guard means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Habitable Space means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Hotel/Motel means a room or space in which people sleep, which can also include permanent provisions for living, eating, sanitation, and kitchen facilities.

Historic Building means any building or structure that is one or more of the following:

- (1) Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
- (2) Designated as historic under an applicable state or local law.
- (3) Certified as a contributing resource within a National Register or state or locally designated historic district.

Imminent Danger means a condition which could cause serious or life-threatening injury or death at any time.

Infestation means the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Inoperable Motor Vehicle means a vehicle which cannot be driven upon the streets or highways for any reason including but not limited to being unlicensed or otherwise unlawful, wrecked, abandoned, in a state of disrepair, unsafe by virtue of its condition, or incapable of being moved under its own power.

Junk means any manufactured goods, appliances, fixtures, furniture, machinery, motor vehicles or trailers which are abandoned, demolished, dismantled or that are so worn or deteriorated or in such a condition as to be unusable in their existing state, salvage material, scrap metal, scrap material, waste, bottles, tin cans, paper, boxes, crates, rags, used lumber and building materials, motor vehicle and machinery parts, and used tires.

Labeled means equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

Let for Occupancy or Let means to permit, provide or offer possession or occupancy of a building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Neglect means the lack of proper maintenance for a building or structure.

Occupancy means the purpose for which a building or portion thereof is utilized or occupied.

Occupant means any individual having possession of a building or space within a building.

Openable Area means that part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator means any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person means an individual, corporation, partnership or any other group acting as a unit.

Pest Elimination means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

Premises mean a lot, plot or parcel of land, easement or public way, including any structures thereon.

Public Way means any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Rooming House means a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

Rooming Unit means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

Rubbish means combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Sleeping Unit means a room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both.

Strict Liability Offense means an offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

Structure means that which is built or constructed or a portion thereof.

Tenant means a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Toilet Room means a room containing a water closet or urinal, but not a bathtub or shower.

Ultimate Deformation means the deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

Urban Renewal Authority Area means an area within the corporate limits of Thornton, Colorado that has been designated by the City of Thornton for urban renewal, also known as "South Thornton URA area."

Ventilation means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Workmanlike means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

Yard means an open space on the same lot with a structure.

DIVISION 4. GENERAL REQUIREMENTS

Sec. 10-250. General.

- (a) *Scope.* The provisions of this Division shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.
- (b) *Responsibility.* The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this Division. Occupants of a building or structure are responsible for keeping in a clean, sanitary and safe condition that part of the building, structure or premises which they occupy and control.
- (c) *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.

Sec. 10-251. Exterior Property Areas.

- (a) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- (b) *Grading and drainage.* All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.
 - (1) Exception: Approved retention areas and reservoirs.
- (c) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- (d) *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Landscaping shall be maintained in accordance with the approved landscaping plan. If there is no approved plan, landscaping shall be maintained in accordance with Section 18-556. Upon failure of the owner or agent having charge of a property to cut and destroy weeds or take action to adequately maintain landscaping after service of a notice of violation, they shall be subject to prosecution in accordance with Section 10-241(c) and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation,

any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. Assessment of costs shall be in accordance with Section 38-453 of the Code.

- (e) *Rodent harborage.* All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
- (f) *Exhaust vents.* Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
- (g) *Accessory structures.* All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. Fences shall be maintained in accordance with Section 18-565 of the City Code.
- (h) *Motor vehicles.* Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.
 - (1) Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes. Vehicles stored for such purposes shall be stored in an enclosed area or in an outside area that is surrounded by a solid fence or other form of complete screening.
- (i) *Defacement of property.* No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

Sec. 10-252. Swimming Pools, Spas, and Hot Tubs.

- (a) *Swimming pools.* Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

- (b) Enclosures. Enclosures shall be installed according to the Thornton City Code, Chapter 10.

Sec. 10-253. Exterior Structure.

- (a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- (b) *Unsafe conditions.* The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
- (1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
 - (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
 - (3) Structures or components thereof that have reached their limit state;
 - (4) Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
 - (5) Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
 - (6) Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
 - (7) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
 - (8) Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
 - (9) Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;

- (10) Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
- (11) Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
- (12) Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or
- (13) Chimneys, cooling towers, smokestacks and similar appurtenances, not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

(a) Exceptions:

- 1. When substantiated otherwise by an approved method.
- 2. Demolition of unsafe conditions shall be permitted when approved by the code official.

(c) *Protective treatment.* All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(d) *Premises identification.* Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

Larger address numbers are encouraged to allow easier viewing by emergency responders.

- (1) *Addresses.* Address numbers shall be Arabic numerals. Numbers displayed as words, such as “twenty-five” shall not be permitted.
- (2) *Rear entrance.* All non-residential structures with a rear entrance visible from a public or private drive shall display the street address on or near the rear of the building entrance.
- (e) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- (f) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.
- (g) *Exterior walls.* All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- (h) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
- (i) *Decorative features.* All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (j) *Overhang extensions.* All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (k) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- (l) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(m) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(n) *Window, skylight and door frames.* Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

(1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.

(2) *Openable windows.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(o) *Insect screens.* Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

(1) Exceptions: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(p) *Doors.* All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks on means of egress doors shall be in accordance with Section 10-278(b).

(q) *Basement hatchways.* Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

(r) *Guards for basement windows.* Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

(s) *Building security.* Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

(1) *Doors.* Doors providing access to a building or structure that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need

for keys, special knowledge or effort and shall have a minimum lock throw of one inch (25 mm) when allowed by this code, the International Building Code or International Existing Building Code. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

- (t) *Gates.* All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

Sec. 10-254. Inferior Structure.

- (a) *General.* The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a hotel, or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.
- (b) *Unsafe conditions.* The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
 - (1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
 - (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
 - (3) Structures or components thereof that have reached their limit state;
 - (4) Structural members are incapable of supporting nominal loads and load effects;
 - (5) Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
 - (6) Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

- (a) Exceptions:

1. When substantiated otherwise by an approved method.
 2. Demolition of unsafe conditions shall be permitted when approved by the code official.
- (c) *Structural members.* All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.
- (d) *Interior surfaces.* All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.
- (e) *Stairs and walking surfaces.* Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.
- (f) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (g) *Interior doors.* Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

Sec. 10-255. Component Serviceability.

- (a) *General.* The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.
- (1) *Unsafe conditions.* Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code as required for existing buildings:
- (a) Soils that have been subjected to any of the following conditions:
1. Collapse of footing or foundation system;
 2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
 3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;

4. Inadequate soil as determined by a geotechnical investigation;
5. Where the allowable bearing capacity of the soil is in doubt; or
6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

(b) Concrete that has been subjected to any of the following conditions:

1. Deterioration;
2. Ultimate deformation;
3. Fractures;
4. Fissures;
5. Spalling;
6. Exposed reinforcement; or
7. Detached, dislodged or failing connections.

(c) Aluminum that has been subjected to any of the following conditions:

1. Deterioration;
2. Corrosion;
3. Elastic deformation;
4. Ultimate deformation;
5. Stress or strain cracks;
6. Joint fatigue; or
7. Detached, dislodged or failing connections.

(d) Masonry that has been subjected to any of the following conditions:

1. Deterioration;
2. Ultimate deformation;
3. Fractures in masonry or mortar joints;

4. Fissures in masonry or mortar joints;
5. Spalling;
6. Exposed reinforcement; or
7. Detached, dislodged or failing connections.

(e) Steel that has been subjected to any of the following conditions:

1. Deterioration;
2. Elastic deformation;
3. Ultimate deformation;
4. Metal fatigue; or
5. Detached, dislodged or failing connections.

(f) Wood that has been subjected to any of the following:

1. Exceptions:
 - i. When substantiated otherwise by an approved method.
 - ii. Demolition of unsafe conditions shall be permitted when approved by the code official.

Sec. 10-256. Handrails and Guardrails.

(a) *General.* Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

(1) Exception: Guards shall not be required where exempted by the adopted building code.

Sec. 10-257. Junk, Rubbish, and Garbage.

(a) Accumulation of junk, rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of junk, rubbish or garbage.

(b) Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

(c) Rubbish storage facilities. The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

(d) Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

(e) Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

(1) Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak-proof, covered, outside garbage container.

(2) Containers. The operator of every establishment producing garbage shall provide and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

Sec. 10-258. Pest Elimination.

- (a) *Infestation.* All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent re-infestation.
 - (b) *Owner.* The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.
 - (c) *Single Occupant.* The occupant of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.
 - (d) *Multiple-Occupancy.* The owner of a structure containing multiple-occupancy nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.
 - (e) *Occupant.* The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.
- (1) Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.

DIVISION 5. LIGHT AND VENTILATION

Sec. 10-259. General.

- (a) *Scope.* The provisions of this Division shall govern the minimum conditions and standards for light and ventilation.
- (b) *Responsibility.* The owner of the structure shall provide and maintain light and ventilation in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of International Building Code.
- (c) *Alternative devices.* In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the International Building Code shall be permitted.

Sec. 10-260. Light.

- (a) *Habitable spaces.* Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any

room and such obstructions are located less than three feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

- (1) Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m²). The exterior glazing area shall be based on the total floor area being served.
- (b) *Common halls and stairways.* In non-residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of one foot-candle (11 lux) at floors, landings and treads.
- (c) *Outer spaces.* All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.
- (d) *Off-street lighting.* Off-street parking for non-residential uses that offers service after dark shall be lighted beginning one-half hour after sunset and continuing throughout the hours of use. If only a portion of the parking area is offered for use after dark, only that part shall be lighted. The lighting of the off-street parking area shall meet the following minimum requirements:
 - (1) The intensity of light on the parking surface shall be;
 - (a) An average of at least one foot-candle, initial measurement; and
 - (b) A minimum at any point of at least four-tenths foot-candle initial measurement. Requirements for maintenance of parking lot lighting shall include replacement of bulbs and light fixtures, regular cleaning, and replacement of light poles as needed.
 - (2) The light source shall be indirect, diffused, or shielded type fixtures, installed to reduce glare and the consequent interference with boundary streets and adjacent property.
 - (3) Fixtures shall be attached to buildings or mounted on poles in such a manner and at such a height that light is not directed at a residential use.
 - (4) Maximum height of lights shall not exceed 35 feet.
- (e) *Exterior lighting.* Refer to City Code Section 18-491 for requirements for exterior lighting.

Sec. 10-261. Ventilation.

- (a) *Habitable spaces.* Every habitable space shall have at least one operable window. The total operable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 10-260(a).
 - (1) Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.
- (b) *Bathrooms and toilet rooms.* Every bathroom and toilet room shall comply with the ventilation requirements for bathrooms and toilet rooms complying with the International Building Code, International Mechanical Code or International Plumbing Code, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.
- (c) *Process ventilation.* Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.
- (d) *Clothes dryer exhaust.* Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.
 - (1) Exception: Listed and labeled condensing (ductless) clothes dryers.

Sec. 10-262. Occupancy Limitations.

- (a) *Privacy.* Hotel units, motel units, and rooming units shall be arranged to provide privacy and be separate from other adjoining spaces.
- (b) *Minimum room widths.* A habitable room, other than a kitchen, shall be a minimum of seven feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of three feet (914 mm) between counter-fronts and appliances or counter-fronts and walls.
- (c) *Minimum ceiling heights.* Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a minimum clear ceiling height of seven feet (2134 mm).

- (1) Exceptions: Rooms occupied exclusively for sleeping or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of seven feet (2134 mm) over a minimum of one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of five feet (1524 mm) shall be included.

(d) *Bedroom and living room requirements.* Every bedroom and living room shall comply with the requirements of Sections 10-253(b)(1) through 10-253(b)(4).

- (1) *Access from bedrooms.* Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
- (2) *Water closet accessibility.* Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.
- (3) *Prohibited occupancy.* Kitchens and non-habitable spaces shall not be used for sleeping purposes.
- (4) *Other requirements.* Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, ceiling and height requirements of this Division; the plumbing facilities and water-heating facilities requirements of Division 6; the heating facilities and electrical receptacle requirements of Division 7; and the smoke detector and emergency escape requirements of Division 8.

(e) *Efficiency unit.* Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

- (1) A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two occupants shall have a minimum clear floor area of 220 square feet (20.4 m²). A unit occupied by three occupants shall have a minimum clear floor area of 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
- (2) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
- (3) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
- (4) The maximum number of occupants shall be three.

- (f) *Food preparation.* All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

DIVISION 6. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

Sec. 10-263. General.

- (a) *Scope.* The provisions of this Division shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.
- (b) *Responsibility.* The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this Division and the International Plumbing Code.

Sec. 10-264. Required Facilities.

- (a) *Hotels.* Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 occupants.
- (b) *Employees' facilities.* A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.
- (1) *Drinking facilities.* Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.
- (c) *Public toilet facilities.* Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the International Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

Sec. 10-265. Toilet Rooms.

- (a) *Privacy.* Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple occupant building.

(b) *Location of employee toilet facilities.* Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located a maximum of one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

(1) Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

(c) *Floor Surface.* Every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

Sec. 10-266. Plumbing Systems and Fixtures.

(a) *General.* All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

(b) *Fixture clearances.* Plumbing fixtures shall have adequate clearances for usage and cleaning.

(c) *Plumbing system hazards.* Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Sec. 10-267. Water system.

(a) *General.* Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

(b) *Contamination.* The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

- (c) *Supply.* The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.
- (d) *Water heating facilities.* Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Sec. 10-268. Sanitary Drainage System.

- (a) *General.* All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
- (b) *Maintenance.* Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.
- (c) *Grease interceptors.* Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the code official.

Sec. 10-269. Storm Drainage.

- (a) *General.* Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.
- (b) *Storm water flows.* No person shall change, modify, impede, or otherwise block the flow of storm water on or across any private property where it would cause damage to upstream, downstream or adjacent properties, or where there is an approved grading or drainage plan for the properties, without the prior written approval of the public works director.

DIVISION 7. MECHANICAL AND ELECTRICAL REQUIREMENTS

Sec. 10-270. General.

- (a) *Scope.* The provisions of this Division shall govern the minimum mechanical and electrical facilities and equipment to be provided.
- (b) *Responsibility.* The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this Division.

Sec. 10-271. Heating Facilities.

- (a) *Facilities required.* Heating facilities shall be provided in structures as required by this section.
- (b) *Hotel/motel occupancies.* Hotel and motel units shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.
- (c) *Occupy-able work spaces.* Indoor occupy-able work spaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

(2) Exceptions:

- (a) Processing, storage and operation areas that require cooling or special temperature conditions.
- (b) Areas in which persons are primarily engaged in vigorous physical activities.
- (d) *Room temperature measurement.* The required room temperatures shall be measured three feet (914 mm) above the floor near the center of the room and two feet (610 mm) inward from the center of each exterior wall.

Sec. 10-272. Mechanical Equipment.

- (a) *Mechanical appliances.* All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.
- (b) *Removal of combustion products.* All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

(1) Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

(c) *Clearances.* All required clearances to combustible materials shall be maintained.

(d) *Safety controls.* All safety controls for fuel-burning equipment shall be maintained in effective operation.

(e) *Combustion air.* A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

(f) *Energy conservation devices.* Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

Sec. 10-273. Electrical Facilities.

(a) *Facilities required.* Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Division 7.

(b) *Service.* The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70.

(c) *Electrical system hazards.* Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

(d) *Abatement of electrical hazards associated with water exposure.* The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

(e) *Electrical equipment.* Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code.

(1) Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved

manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

- (a) Enclosed switches, rated a maximum of 600 volts or less;
 - (b) Busway, rated a maximum of 600 volts;
 - (c) Panelboards, rated a maximum of 600 volts;
 - (d) Switchboards, rated a maximum of 600 volts;
 - (e) Fire pump controllers, rated a maximum of 600 volts;
 - (f) Manual and magnetic motor controllers;
 - (g) Motor control centers;
 - (h) Alternating current high-voltage circuit breakers;
 - (i) Low-voltage power circuit breakers;
 - (j) Protective relays, meters and current transformers;
 - (k) Low- and medium-voltage switchgear;
 - (l) Liquid-filled transformers;
 - (m) Cast-resin transformers;
 - (n) Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
 - (o) Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
 - (p) Luminaires that are listed as submersible;
 - (q) Motors;
 - (r) Electronic control, signaling and communication equipment.
- (f) *Abatement of electrical hazards associated with fire exposure.* The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

(1) *Electrical Equipment.* Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits that have been exposed to fire, shall be replaced in accordance with the provisions of the International Building Code.

(a) Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

Sec. 10-274. Electrical Equipment.

(a) *Installation.* All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(b) *Receptacles.* Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

(c) *Luminaires.* Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

(d) *Wiring.* Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

Sec. 10-275. Elevators, Escalators, and Dumbwaiters.

(a) *General.* Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the code official. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

(b) *Elevators.* In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

(1) Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

Sec. 10-276. Duct Systems.

- (a) *General.* Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

DIVISION 8. FIRE SAFETY REQUIREMENTS

Sec. 10-277. General.

- (a) *Scope.* The provisions of this Division shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.
- (b) *Responsibility.* The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this Division.

Sec. 10-278. Means of Egress.

- (a) *General.* A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Building Code or International Fire Code.
- (b) *Aisles.* The required width of aisles in accordance with the International Fire Code shall be unobstructed.
- (c) *Locked doors.* All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.
- (d) *Emergency escape openings.* Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools; and bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

Sec. 10-279. Fire Resistance Ratings.

- (a) *Fire-resistance rated assemblies.* The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.
- (b) *Opening protectives.* Required opening protective shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

Sec. 10-280. Fire Protection Systems.

- (a) *General.* Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.
 - (1) *Automatic sprinkler systems.* Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.
 - (2) *Fire department connection.* Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less six inches (152 mm) high and words in letter not less than two inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.
- (b) *Single and Multiple Station Smoke Alarms.*
 - (1) Where required.
 - (a) Exceptions:
 - 1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
 - 2. Where smoke alarms have been installed in occupancies that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
 - 3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

(b) *Hotels and motels.* Single- and multiple-station smoke alarms shall be installed in all of the following locations in hotels and motels:

1. In sleeping rooms.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, hotel and motel including basements. For split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

(c) *Group I-1.* Single- and multiple-station smoke alarms shall be installed and maintained in Group I-1 regardless of occupant load at the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.

(d) *Installation near cooking appliances.* Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by the International Building Code for non-residential occupancies.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than six feet (1829 mm) horizontally from a permanently installed cooking appliance.

(e) *Installation near bathrooms.* Smoke alarms shall be installed not less than three feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by the International Building Code for non-residential occupancies.

(2) *Interconnection.* Where more than one smoke alarm is required to be installed within an individual sleeping unit, hotel or motel, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

(a) Exceptions:

1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without removal of interior finishes.

(3) *Power Source.* Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. Required smoke detectors shall be interconnected so if one detector is activated, all detectors are activated.

(a) Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without removal of interior finishes.

(4) *Smoke Detection System.* Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall comply with all applicable requirements of Section 907 of the International Fire Code.

DIVISION 9. REFERENCED STANDARDS

Sec. 10-281. This Division lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title. The application of the referenced standards shall be as specified in Section 10-237(g).

(a) ASME:

American Society of Mechanical Engineers
Three Park Avenue
New York, NY 10016-5990

Standard Referenced: A17.1/CSA B44—2007
Title: Safety Code for Elevators and Escalators

(b) ASTM:

ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19428-2959

Standard Referenced: F 1346—91 (2003)
Title: Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs

(c) ICC:

International Code Council
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001

IBC—15 International Building Code®
IEBC—15 International Existing Building Code
IFC—15 International Fire Code
IFGC—15 International Fuel Gas Code®
IMC—15 International Mechanical Code®
IPC—15 International Plumbing Code®

(d) NFPA:

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269

25—14 Inspection, Testing and Maintenance of Water-Based Fire Protection
Systems
70—14 National Electrical Code

(e) Thornton City Code:

City of Thornton
9500 Civic Center Drive
Thornton, CO 80229

City Code as amended from time to time by the City Council of the City of Thornton.

1) If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.

2) All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

3) The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

4) This ordinance shall take effect upon final passage.

5) Notwithstanding paragraph 5 above, Sec. 10-241 violations of the ordinance will be effective on August 23, 2017. Further, this paragraph 6 will be of no force and effect after August 23, 2017.