

**ALLEGHENY COUNTY
HEALTH DEPARTMENT**

Rules and Regulations

ARTICLE VI. HOUSES AND COMMUNITY ENVIRONMENT

601. PURPOSES.

The purposes of Article VI are to:

Provide regulations that establish minimum standards governing utilities, facilities and other physical factors essential to make dwellings safe, sanitary and fit for human habitation;

Establish minimum standards governing the condition and maintenance of dwellings and premises affecting or likely to affect residents of Allegheny County;

Establish certain responsibilities and duties of owners, operators and occupants of dwellings, vacant lots or premises, and commercial properties, whether occupied or unoccupied;

Establish permit requirements for the operation of rooming houses;

Authorize preliminary area surveys of dwellings, the inspection of dwellings or other premises and vacation or removal of dwellings unfit for human habitation; and

Provide penalties for violations of this Article.

602. STATEMENT OF POLICY.

The establishment and maintenance of proper housing standards and the rehabilitation of housing to meet these standards are essential to the public health, safety and welfare. Inadequate provisions for light and air, insufficient protection against fire, unsanitary conditions, improper heating, overcrowding, misuse, dilapidation and disrepair of dwellings and other premises, and the occupancy or existence of dwellings unfit for human habitation endangers the health, safety, and welfare of the community.

603. EFFECTIVE DATE.

The provisions of this Article will become effective June 15, 1996 except that:

A. Section 627, 628B, 641A,B,C, 660B, shall become effective January 1, 1997.

B. Section 635C 646B-C shall become effective June 1, 1997.

604. DEFINITIONS.

The following terms when used in this Article have the meanings indicated in this section, except where the context indicates a clearly different meaning.

ARTICLE III - Allegheny County Health Department, Rules and Regulations, "Food Protection."

ARTICLE VIII - Allegheny County Health Department, Rules and Regulations, "Solid Waste and Recycling Management."

ARTICLE XI - Allegheny County Health Department, Rules and Regulations, "Hearings and Appeals."

ARTICLE XV - Allegheny County Health Department, Rules and Regulations, "Plumbing and Building Drainage."

ARTICLE XVI - Allegheny County Health Department, Rules and Regulations, "Environmental Health Civil Penalties."

BASEMENT - A story partly below ground of which one-half (½) or more of the clear floor to ceiling height is above the average level of the adjoining ground.

CELLAR - A story of which more than one-half (½) the clear floor to ceiling height is below the average level of the adjoining ground.

CHEWABLE SURFACES - Include but are not limited to window sills, chair rails, furniture or other surfaces that are accessible to a child.

COMMUNICATING CORRIDOR - In a dwelling unit, an enclosed passageway connecting a habitable room with another habitable room, toilet room or bathroom; in a rooming house, an enclosed passageway that connects a habitable room with another habitable room in the same rooming unit or with a toilet room or bathroom used by the occupant of the habitable room.

DEPARTMENT - The Allegheny County Health Department.

DIRECTOR - The Director of the Allegheny County Health Department or the Director's authorized representative.

DOMESTIC ANIMAL - Any animal or bird, including normally wild birds or animals, maintained and/or confined by any person, including but not limited to dogs, cats, livestock, pigeons or other fowl and rabbits.

DWELLING - Any building or structure, or part thereof, which is occupied, intended or designed to be occupied as the residence or sleeping place of one (1) or more persons, including a mobile home as defined below but excluding a trailer. A dwelling may include one (1) or more dwelling units or rooming units or a combination of both.

DWELLING OR DWELLING UNIT UNFIT FOR HUMAN HABITATION - A dwelling or a dwelling unit, which has one (1) Class 1 or two (2) Class 2 and one (1) Class 3, or one (1) Class 2 and three (3) Class 3 violations or five (5) Class 3 violations as described in this Article. A dwelling or dwelling unit declared or certified as unfit for human habitation shall be declared or certified as fit for human habitation when all Class 1, 2, and 3 violations that certified the dwelling or dwelling unit unfit for human habitation have been corrected.

DWELLING UNIT - A room or group of rooms located within any dwelling and forming a single habitable unit with facilities for living, sleeping, cooking, eating, bathing, toilet use, and personal hygiene.

EXTERMINATION - The control and elimination of insects, rodents or other pest vectors by eliminating their harborage places, by removing or making inaccessible material that may serve as their food, by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the Director.

GARBAGE - Animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

HABITABLE ROOM - A room or enclosed floor space occupied or intended to be occupied for living, sleeping, cooking or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, public halls, communicating corridors, closets and storage spaces.

HEATING SEASON - The period from October first to May thirty-first of the following year.

INFESTATION - The presence within, around or near a dwelling or premises used by or open to the public of any insects, rodents, animals, birds or other pest vectors where this presence creates a nuisance, or actual or potential health hazards to the occupants or users of the premises.

LEAD-BASED PAINT - Paint or other surface coatings that contain lead in excess of one (1.0) milligram per centimeter squared (mg/cm^2) or five-tenths (0.5) percent by weight or, in the case of paint or other surface coatings, such lower level as may be established by the Director.

LEAD-BASED PAINT HAZARD - Any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-contaminated paint that is deteriorating or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by the appropriate federal agency.

LET - To lease or grant the use and possession of real property whether or not for compensation.

LIGHT HOUSEKEEPING UNIT - A rooming unit containing a minimum of one hundred and fifty (150) square feet and not more than two hundred and fifty (250) square feet of habitable area, which forms a single habitable unit for occupancy by no more than one (1) person. A light housekeeping unit is constructed with facilities for living and sleeping, including minor facilities for cooking and eating, which includes a sink with hot and cold running water, an approved cooking device not exceeding two (2) burners and a cabinet for the storage of food and utensils.

LONG-TERM NURSING CARE FACILITY - A facility licensed by the Pennsylvania Department of Health that provides medical services and skilled or intermediate nursing care, or both levels of care, to two or more patients who are unrelated to the nursing home administrator, for a period exceeding 24 hours.

MOBILE HOME - A transportable single family dwelling unit intended for permanent occupancy and construed as a single unit, designed for repeated towing, or as two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MULTIPLE DWELLING - A building containing more than two (2) dwelling units.

NUISANCE - Those conditions or activities identified by the Director which create an environment actually or potentially attractive to a pest vector, or create an actual or potential health hazard, or which have an adverse impact on the property or premises of another person.

OCCUPANT - Any person who lives, sleeps, cooks in a dwelling unit or who lives or sleeps in a rooming unit.

OPERATOR - Any person, whether or not the owner, who has charge, care or control of a rooming house.

OWNER - Any person, who alone or jointly or severally with others:

Has title to a dwelling, either with or without possession of the dwelling; or

Has charge, care, or control of a dwelling, including but not limited to an agent of the owner or an administrator, administratrix, executor, executrix or guardian of the estate of the owner; or

Is the lessee of the whole dwelling where the dwelling is a two (2) family dwelling, multiple dwelling or rooming house; or

Collects rent for a dwelling unit on behalf of or in place of an owner.

This does not include any courts of the Commonwealth of Pennsylvania or of the United States Government, nor does it include sheriffs, constables, prothonotaries or clerks of the courts.

PERSON - A natural person, corporation, partnership or association.

PERSONAL CARE HOME - A facility licensed by the Pennsylvania Department of Public Health Welfare in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration.

PEST VECTOR - Animals, birds or insects which by their existence or population density in a given area create a nuisance.

POTABLE WATER - Water with bacteriological and chemical quality conforming to the requirements of the public health service drinking water standards or the regulations of the public health authority having jurisdiction.

PREMISES - A lot, plot or parcel of land, including any structure thereon.

PUBLIC SERVICE ROOMING HOUSE - Any rooming house as defined in this Article operated by any school, hospital, government, or any benevolent, educational, philanthropic, humane, patriotic, religious, scientific or eleemosynary organization which offers its services or facilities for free or at a nominal rate to the public in order to act in relief of the public burdens or for the advancement of the public good. This definition does not include any association whose benefits and benevolence are restricted to its members or to a particular person or donor, rather than to the public at large.

RECONSTRUCTION - Any construction, renovation or alteration of an existing rooming house that causes a change in the number, size, window area, ventilation, ceiling height or required electrical service to a rooming unit or bathroom. Reconstruction also refers to any change in the required number of bathroom fixtures, removal or change in any required means of egress from or access to the rooming house or rooming units. Reconstruction does not include repairs to a rooming house or rooming unit for maintenance or replacement of existing fixtures or equipment.

REFUSE - All putrescible and nonputrescible solids, except body wastes, including garbage, rubbish, ashes, and dead animals.

RESPONSIBLE PARTY - Including but not limited to the owners, owner of record, equitable owner, executor, trustee, tenant, occupant or user, any of whose action or inaction has led to or contributed to a nuisance or actual or potential health hazards.

ROOMING HOUSE - Any dwelling or part of any dwelling that contains one (1) or more rooming units, which space the operator has let to four (4) or more persons who are not related by blood, marriage or adoption, exclusive of usual servants, including boarding homes, whether or not operated for profit. A dwelling occupied by a group of not more than three (3) persons, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit and sharing common facilities as considered appropriate for a family related by blood, marriage or adoption is not considered a rooming house under this definition.

ROOMING UNIT - A room or group of rooms located within any dwelling and forming a single habitable unit with facilities for living and sleeping, but not for cooking or eating purposes.

RUBBISH - Nonputrescible solid wastes, excluding ashes, consisting of either combustible wastes including paper, cardboard, plastic containers, vehicle tires, yard clippings, wood and similar materials or noncombustible wastes including tin cans, glass crockery and similar materials.

SMOKE DETECTOR - An alarm initiating device that detects the visible or invisible particles of combustion.

SPACE HEATER - A self-contained heating device of either the convection or radiant types which are intended primarily to heat only one (1) room, two (2) adjoining rooms, or some other limited space.

TOILET - A water closet or a flush commode.

605. ENFORCEMENT AUTHORITY AND INTERPRETATIONS.

- A. The Department shall administer and enforce the provisions of this Article and any other rule or regulation of the Department.
- B. Any city, borough, or township in Allegheny County may enforce the provisions of this Article and the standards adopted by the Department so far as such enforcement does not interfere with enforcement and administration by the Department.
- C. When any dwelling contains both dwelling units and rooming units, the dwelling units shall comply with the applicable requirements of this Article for dwelling units and the rooming units shall comply with the applicable requirements of this Article for rooming units. When one (1) or more rooming units in a dwelling which contains both dwelling units and rooming units are let to four (4) or more persons who are not husband and wife, son or daughter, parent or grandparent, or sister or brother of the operator, the part of the dwelling so used shall also comply with the applicable requirements of this Article for rooming houses.

- D. When any building is occupied in part as a dwelling and in part for industrial or commercial purposes, that part of the building occupied as a dwelling shall comply with the applicable requirements of this Article.
- E. A mobile home shall comply with all provisions of this Article, except when this Article is more stringent than the provisions of the United States Department of Housing and Urban Development's (HUD) "Mobile Home Construction and Safety Standards," and the mobile home complies with those standards. In that case, the Director may waive those provisions of this Article which would require a mobile home to meet a more stringent standard than that required by the HUD "Mobile Home Construction and Safety Standards."
- F. Compliance with this Article does not obviate responsibility to comply with any other state, county or municipal law, code or regulation. If any law, code or regulation is more stringent than Article VI, the more stringent shall take precedence.

606. ENTRY AND INSPECTION OF DWELLINGS AND PREMISES.

- A. Subject to the limitations of the Constitutions of the United States and of the Commonwealth of Pennsylvania, and in order to carry out the purposes and provisions of this Article, the Director, upon showing proper identification, may enter and inspect any dwelling or premises at all reasonable times and in an emergency at any time. The owner, operator or occupant of any dwelling or premises shall give the Director free access for the purpose of such inspection. The operator of a rooming house shall maintain a means of access to all areas of the premises for the purpose of an inspection by the Department.
- B. The occupant of a dwelling unit, rooming unit or light housekeeping unit shall provide the owner or their authorized agent entry to the dwelling unit, rooming unit or light housekeeping unit at all reasonable times for the purpose of complying with any provision of this Article or with any other regulation of the Department.

607. VIOLATIONS.

- A. When the Director determines that there has been a violation of any provision of this Article or of any other Department regulation, the Director shall give notice of the violation as follows to the person responsible for compliance under this Article.
- B. The notice shall:
 - 1. Be in writing;
 - 2. Include a statement of the violation;
 - 3. Specify a reasonable time for the performance of any act it requires; and
 - 4. Inform the person responsible for compliance of his right to an appeal.
- C. The notice shall be served:
 - 1. By handing a copy to the responsible party(ies) personally, or by handing a copy to an adult person at the residence of the responsible party(ies) or an employee of the responsible party(ies), or
 - 2. By sending a copy to his last known address by regular mail; or

3. By posting a copy in a conspicuous place in or about the dwelling or premises.
- D. This Section shall not apply to Sections 609, 616 through 619, 643 and 660 of this Article.

608. APPEALS.

Any person aggrieved by any action of the Department or by any order, notice, decision, or determination issued by the Department may file an appeal in accordance with Article XI.

609. EMERGENCY ORDERS.

When the Director determines that an emergency exists which necessitates immediate action to protect the public health, safety or welfare, the Director may, without prior notice, issue an order identifying the existence of the emergency and requiring whatever action the Director deems advisable to meet the emergency. An emergency order shall be effective when it is served, notwithstanding the provisions of Sections 607 and 608, and shall be complied with immediately. Verbal orders issued under this Section shall be put into writing within twenty-four (24) hours and served or communicated as required by Section 607.

610. NONCOMPLIANCE WITH ORDERS.

In the event of the failure to comply with an order issued pursuant to any section of this Article, the Director may institute appropriate actions or proceedings at law or in equity to restrain, correct or abate the violation of the order, or the Director may cause the order to be carried out at the expense of the County. The County may recover the amount of the expense by an action provided by law or, where appropriate, in a manner provided by law for the collection of municipal claims.

611. REQUIREMENTS FOR ROOMING HOUSE PERMITS.

- A. No person may operate a rooming house without a valid rooming house permit issued by the Director.
- B. Application for a rooming house permit shall be made by the operator to the Director on forms furnished by the Department. The application shall include:
 1. The name, address and telephone number of the local operator, and the name, address and telephone number of the owner if the operator is not the owner;
 2. The location of the rooming house including the street and number of each entrance;
 3. The number of rooming units available for occupancy and the number of persons who may be accommodated in accordance with the provisions of this Article; and
 4. Any other information as the Director may require.
- C. A permit shall be issued by the Director to the operator upon reasonable proof:
 1. That the rooming house complies with the applicable provisions of this Article; and
 2. That there has been compliance with the provisions of the applicable building code and zoning ordinance.
- D. In the event a permit is denied, the Director shall give prompt written notice to the applicant and inform them of their right to an appeal.

- E. Each person who applies for a permit shall be required to pay fees applicable to the operation being applied for as set forth in the fee schedule.
- F. In the event a rooming house is subject to a fee for a food establishment pursuant to Article III, and in the event that the food establishment is used solely by the occupants of the rooming units, the fee required will be only the fee required by this Article.
- G. All permit, plan review, and inspection fees shall be set forth in a schedule as determined by the Director upon annual consultation with the Board of Health.
- H. The permit or facsimile shall be posted in a conspicuous place near the main entrance of the rooming house.
- I. The operator shall promptly notify the Director of any transfer of the premises to a new owner or operator.
- J. All public service rooming houses shall be fee exempt. Any rooming house seeking exemption pursuant to this Section shall make written application to the Director and shall provide proof of their qualification for exemption.
- K. All rooming houses which are hereafter constructed or reconstructed shall conform to the requirements of this Article. Properly prepared plans for all rooming houses which are hereafter constructed or reconstructed shall be submitted to the Director for approval.
- L. All rooming houses which are hereafter constructed or reconstructed shall have a potable water supply which meets at a minimum the standards promulgated under Pennsylvania Safe Drinking Water Act of 1984, as amended, and the regulations adopted thereunder, and comply with required monitoring.

612. FAILURE OF OPERATOR TO OBTAIN A ROOMING HOUSE PERMIT.

Any person who operates a rooming house without a valid permit issued by the Director, or who continues to operate a rooming house after the Director has revoked a permit, or who violates any other provision of Section 611 is subject to prosecution in accordance with Section 664, without the notice and appeal provided by Sections 607 and 608.

613. SUSPENSION AND REVOCATION OF ROOMING HOUSE PERMITS.

- A. When the Director determines that conditions or practices exist in the operation of a rooming house which is in violation of this Article, the Director shall give notice to the operator under the procedure provided by Section 607.
- B. If the Director determines that an emergency exists which necessitates immediate action to protect the public health, safety or welfare, the Director may suspend the rooming house permit upon notice to the operator until the suspension is lifted by action of the Board of Health or by compliance with the notice or order of the Director, or until the permit is revoked by failure to comply with the order of the Director.
- C. When a rooming house permit has been suspended or revoked, the operator shall immediately cease operation of the rooming house and no person may occupy any rooming unit within it.

614. REVIEW OF PLANS AND FEES FOR ROOMING HOUSES.

- A. No rooming house shall be constructed or reconstructed, or no existing structure shall be converted to a rooming house, except in accordance with plans and specifications approved by the Director.
- B. When a rooming house is to be constructed or reconstructed, or when an existing structure is being converted to a rooming house, plans and specifications shall be submitted to the Director prior to such construction, reconstruction or conversion. These plans and specifications shall include:
 - 1. Floor plan(s) and elevations drawn to scale;
 - 2. Payment of the appropriate fee(s) established by the Director.
 - 3. Any other information as the Director may require.
- C. When a plan is disapproved or determined to be incomplete, the Director shall notify the applicant and inform them in writing of the deficiency or reason for disapproval.
- D. Incomplete plans may be resubmitted for review with no additional fees. Disapproved plans may be resubmitted for review once without incurring additional fees.
- E. When plans are required as described in this section, an inspection by the Department shall be conducted prior to occupancy of any rooming unit. The applicant shall provide the Department at least ten (10) days notice prior to the scheduling of such inspection.
- F. No refunds of fees will be made for plans which are incomplete or disapproved.

615. VIOLATIONS, NOTICES AND HEARINGS ON DWELLINGS UNFIT FOR HUMAN HABITATION.

- A. When the Director determines that a dwelling is unfit for human habitation, the Director shall give notice to the owner to repair or alter the dwelling. An "Unfit for Human Habitation" notice is issued when a dwelling unit has one (1) Class 1, or two (2) Class 2 and one (1) Class 3, or one (1) Class 2 and three (3) Class 3, or five (5) Class 3 violations. The notice and service that a dwelling is unfit for human habitation shall be made in accordance with Section 607.
- B. Class 1, 2 and 3 violations shall be identified as follows:
 - 1. Class 1 Violation - An emergency condition which poses a real and immediate threat to the life, health and safety of the occupant(s) and shall include but is not limited to:
 - 1.1 Carbon Monoxide Hazard: Carbon Monoxide is present in concentrations of thirty-five (35) parts per million (ppm) or greater at any time.
 - 1.2 Gas Leak: Noticeable gas odors are present.
 - 1.3 Severe Electrical Condition: Arcing, readily accessible bare live electrical wires, heat felt through wall or cover plate.
 - 1.4 No Heat: The majority of habitable rooms and bathrooms are at sixty (60) degrees Fahrenheit or below measured in accordance with procedures outlined in Section 629F.

- 1.5 Severe Structural Deficiencies: Obvious recent movement in foundation, bearing walls, roof or flooring with a significant risk of caving in or collapse.
 - 1.6 Lead Hazards: Presence of lead-based paint or lead-based paint hazards, a confirmed elevated blood lead level of seventy (70) micrograms per deciliter (ug/dl) in children less than seventy-two (72) months old or in pregnant women, and no other source of lead poisoning.
 - 1.7 Massive Rat Infestation: Rats present within the dwelling unit, e.g., live rats visible during daylight hours or evidence of a massive rat infestation.
 - 1.8 No Water: Supplied to the dwelling unit.
2. Class 2 Violation - Major health hazards are present, which include but are not limited to the following:
- 2.1 Carbon Monoxide Hazard: Existence of a fuel source connected unapproved, unvented, improperly vented or backdrafting furnace, space heater, or water heater; existence of obstructed chimney or flue; presence of a fuel conservation device not approved by the American Gas Association; flue pipes not connected to the chimney or with holes; furnace blower compartment cover missing; non-direct vent fuel burning furnace or water heater installed in bathroom or bedroom.
 - 2.2 Missing or Inoperable Sanitary Facilities: Dwelling unit, light housekeeping unit or rooming unit lacks access to operating toilet.
 - 2.3 Uncontained Sewage: Occupants exposed to raw sewage (owner responsibility).
 - 2.4 Insufficient Heat: The majority of habitable rooms and bathrooms below sixty-five (65) degrees Fahrenheit but above sixty (60) degrees Fahrenheit measured in accordance with procedures outlined in Section 629F.
 - 2.5 Polluted Water Supply: Water supply does not meet the standards promulgated under the Pennsylvania Safe Drinking Water Act of 1984, as amended.
 - 2.6 Massive Pest Vector Infestation: Rodent, insect or other pest vector populations present within the dwelling, e.g., cockroaches underfoot, or evidence of massive active pest infestation.
 - 2.7 Discontinued Gas or Electrical Service: Gas or electricity shut off to the dwelling due to a service malfunction or unpaid bills in the name of the owner or a bill whose charges include areas serviced beyond the control of a single tenant.
 - 2.8 Lead Hazard: Presence of lead-based paint or lead-based paint hazards, a confirmed elevated blood lead level of forty-five (45) to sixty-nine (69) micrograms per deciliter (ug/dl) in children less than seventy-two (72) months old or in pregnant women, and no other source of lead poisoning.
 - 2.9 Major Structural Defect: Stairs or porch in danger of collapse, signs of obvious movement or unable to bear weight of occupants safely.

3. Class 3 Violation - Other health hazards are present, including but not limited to the following:
 - 3.1 Carbon Monoxide Hazard: Improper chimney height; chimney with missing or loose bricks; lack of or inadequate makeup air; existence of operable but not operating unapproved, or improperly vented furnace, space heater, or hot water heater.
 - 3.2 Heating Problems: One (1) or more habitable rooms, including bathrooms, without an approved operable means of heat or without adequate heat (i.e., below sixty-five (65) degrees Fahrenheit) measured in accordance with procedures outlined in Section 629F.
 - 3.3 Improper Fuel Burning Appliance: Lack of or inoperable automatic pilot; an inaccessible shutoff valve; space heater in boarding home or institution.
 - 3.4 Electrical Problems: Extension cord wiring, or frayed wires, or other dangerous wiring condition; inadequate outlets; improperly grounded electrical systems.
 - 3.5 Water Supply: Water not supplied to all fixtures. Water volume less than two (2) gallons per minute.
 - 3.6 Lack of Hot Water: No hot water supplied to kitchen or bathroom.
 - 3.7 Lead Hazards: Presence of lead-based paint or lead-based paint hazards, a confirmed elevated blood level of twenty to forty-four (20-44) micrograms per deciliter (ug/dl) in children less than seventy-two (72) months old or in pregnant women, and no other source of lead poisoning.
 - 3.8 Malfunctioning Sewage Facility: Leaking sewer, soil pipe, traps or waste pipe; on-lot sewage disposal system discharges.
 - 3.9 Defective Plumbing: Direct cross-connection; broken, obstructed, or leaking waterline causing major structural damage (falling plaster, foundation movement, etc.); an inoperable required fixture; required fixture lacks hot or cold running water; presence of defective toilet or water heater; water heater improperly installed; dwelling unit lacks operating bathtub/shower or lavatory sinks; dwelling unit or rooming house common kitchen lacks kitchen sink.
 - 3.10 Ventilation Deficiencies: Insufficient natural ventilation (openable window area less than four (4) percent of floor area) or lack of or insufficient mechanical ventilation (minimum air changes per hour: kitchen-3, bathrooms-6 habitable rooms-2).
 - 3.11 Structural Defects: Missing, loose, weak, rotted or unevenly spaced stair treads; missing handrail on stairs of three (3) or more steps; missing banisters or balustrades farther than three and one-half (3 1/2) inches apart on porches, balconies or decks which are thirty (30) or more inches above the ground; one (1) square foot or more of the floor area will not safely bear the weight of an occupant; appurtenance, porch or balcony sagging or pulling away; missing or rotted column or support; missing or broken floor boards in areas accessible to an occupant; ceiling or wall surfaces sagging, broken, loose or falling of four (4) square feet or more in area; leaking roof with presence of water or water damage.

- 3.12 Defects and Openings: Missing exterior door or window; hole through foundation, exterior wall or structure that is four (4) inches or more in diameter; air infiltration through gaps, broken or missing window glass or spaces around window sashes of one-half (1/2) inch or more during the heating season.
- 3.13 Major Pest Vector Problem: Evidence of major rodent or other pest vector infestation within the structure.
- 3.14 Inadequate Bathroom: Dwelling unit lacks private bathroom; rooming house or light housekeeping shared bathroom only accessible through rooming unit or light housekeeping unit; inadequate number of bathroom fixtures in rooming house or boarding home.
- 3.15 Use and Occupancy: Occupancy of cellar or basement dwelling unit, rooming unit or light housekeeping unit with improper drainage, construction, dampness, ventilation, egress, ceiling height or no access to bathroom.
- 3.16 Obstructed Egress: Hallway or stairwell obstructed preventing egress (owner responsibility).

C. Class 4 violations are any other conditions which constitute a violation of this Article and which contribute to substandard housing but are not utilized to determine a property unfit for human habitation.

616. VACATION OF A DWELLING.

If an owner fails to comply with an order to repair or alter a dwelling that is unfit for human habitation, the Director may issue a further written order requiring all occupants to vacate the dwelling. Service of the order shall be made in accordance with Section 620. Upon issuance of an order to vacate, the Director may placard the dwelling as unfit for human habitation. The tenant or owner of the dwelling shall be liable for failure to vacate the dwelling as required by this Section.

617. DEMOLITION OF A DWELLING.

The Director may make periodic inspections of any dwelling vacated as unfit for human habitation or any other vacant dwelling. When an inspection of a dwelling discloses that the dwelling has become a public nuisance or a serious hazard to the health, safety or welfare of the public, the Director may issue an order requiring the owner, within a reasonable time specified in the order, to remove or demolish the dwelling. This removal or demolition shall be performed in compliance with all applicable regulations and standards set forth by the Director. Service of the order shall be made in accordance with Section 620. Any person aggrieved by the order may file an appeal in accordance with Article XI.

618. EMERGENCY VACATION OF A DWELLING.

When the Director determines that an emergency exists which, for the protection of the public health, safety or welfare, necessitates the vacation of a dwelling unfit for human habitation, the Director may without prior notice issue an order identifying the existence of the emergency and requiring whatever action the Director deems advisable to meet the emergency. The order shall be effective upon service and shall be complied with as specified in the order. If the owner fails to comply with the order, the Director may issue a further order requiring all occupants to vacate the dwelling and may also placard the dwelling as unfit for human habitation. Service of any order required by this Section shall be made in accordance with Section 620.

619. CHANGES IN RULES AND REGULATIONS FOR ALTERATION, DEMOLITION, VACATION AND EMERGENCY VACATION OF A DWELLING.

The Director may enforce any order issued under Sections 615 through 620 on alteration of a dwelling, for the vacation of a dwelling, for the demolition of a dwelling, or for the emergency vacation of a dwelling in accordance with Section 610 regarding noncompliance with orders.

620. SERVICE AND POSTING OF NOTICES AND ORDERS FOR ALTERATION, DEMOLITION, VACATION AND EMERGENCY VACATION OF A DWELLING .

- A. Every notice or order required by Sections 616 through 619 shall be served in the following manner:
 - 1. By handing a copy to the responsible party(ies) personally, or by handing a copy to an adult person at the residence of the responsible party(ies) or an employee of the responsible party(ies), or
 - 2. By sending a copy to the last known address of the owner by regular mail, or
 - 3. By presenting a copy to the agent of the owner, to the operator, or to an adult occupant of the dwelling.
- B. In addition, a copy of the notice or order shall be posted in a conspicuous place on the dwelling.

621. GENERAL STRUCTURE: RESPONSIBILITY FOR COMPLIANCE.

The responsibility for compliance with the applicable requirements of Sections 622 through 625 shall be upon the owner.

622. GENERAL STRUCTURE: PRINCIPAL MEMBERS.

Every exterior wall, roof and foundation shall be weathertight and watertight. Every floor, wall and ceiling shall be sound and tight. All members of the structure shall be kept in good repair and in safe condition.

623. GENERAL STRUCTURE: STAIRS AND PORCHES.

Every inside and outside stairs, every porch and every other appurtenance to the structure shall be so constructed as to be safe for use, shall be kept in sound condition and good repair. The Director may require that any inside or outside stairways have at least one (1) well-secured handrail, which extend the full length of the stairway, when it is deemed necessary for safe passage.

624. GENERAL STRUCTURE: OPENINGS.

Every window, exterior door and basement hatchway shall be weathertight and watertight and shall be kept in sound working condition and good repair. All entrance doors into a dwelling unit or rooming unit shall be equipped with a latching or locking device. All exterior windows that are capable of being opened and all other potential means of egress shall be equipped with hardware for latching.

625. GENERAL STRUCTURE: EGRESS.

Every dwelling unit and every rooming unit shall have safe and unobstructed means of egress leading to a safe and open space at ground level.

626. UTILITIES AND FIXTURES: RESPONSIBILITY FOR COMPLIANCE.

Except as provided in Section 629, the responsibility for compliance with the applicable requirements of Sections 627 through 635 shall be upon the owner or operator.

627. UTILITIES AND FIXTURES: ELECTRICITY SUPPLY.

Every dwelling unit and every rooming house within three hundred (300) feet of power lines shall be supplied with electricity. In all cases electrical service shall be a minimum service of sixty (60) amperes.

628. UTILITIES AND FIXTURES: ELECTRIC FIXTURES AND OUTLETS.

- A. Every outlet and fixture shall be properly installed, maintained in good and safe working condition and connected to the source of electric energy in a safe manner. Every habitable room in a dwelling supplied with electric service shall contain at least two (2) separate baseboard or wall type electric convenience outlets or one (1) such convenience outlet and one supplied ceiling or wall type electric light fixtures or any other fixtures or devices as will provide equivalent electric service. All other rooms and every communicating corridor, public hall and stairway shall contain at least one ceiling or wall type electric light fixture or any other fixture or device as will provide equivalent electric service.
- B. Every duplex electric convenience outlet in a room containing a toilet, lavatory sink, bathtub, or shower stall shall be protected by a ground fault interrupter.
- C. Every hallway, communicating corridor, and stairway in every dwelling shall at all times provide in all parts thereof at least ten (10) foot candles of light at each tread or floor area. Artificial light shall be provided at all times or shall have conveniently located light switches which can be turned on when needed. The Director may require the adequate lighting at all times of any public hall or stairway leading to one (1) or more dwelling units or rooming units in any building or structure occupied in part as a dwelling and in part for industrial or commercial purposes.

629. UTILITIES AND FIXTURES: HEATING.

- A. Every dwelling occupied during the heating season shall have heating facilities which are properly installed, maintained in a safe and good working condition, and capable of safely and adequately heating all habitable rooms, rooms containing a toilet, bathtub or shower, communicating corridors within dwelling units, and community corridors within rooming houses from rooming units to rooms containing a toilet, bathtub or shower.
- B. A temperature of at least sixty-eight (68) degrees Fahrenheit shall be provided in all dwelling units regardless of thermostat location when the outside temperature is ten (10) degrees Fahrenheit or above during the heating seasons.
- C. At no time shall the temperature in the areas specified in Section 629A be less than sixty-one (61) degrees Fahrenheit when the outside temperature is below ten (10) degrees Fahrenheit.

- D. Responsibility for compliance with this Section shall be upon the owner or operator of any dwelling, dwelling unit, light housekeeping unit or rooming unit, except where the occupant of a dwelling unit agrees in writing to furnish the required heating devices. If an occupant has agreed to provide heating devices, the owner or operator shall provide sufficient flue connections, fuel connections and fuel storage facilities at convenient points so as to permit the proper installation of such heating devices.
- E. The Director may prohibit the use of any heating device which the Director has determined to be a danger to health or safety.
- F. For the purposes of this Section, all temperatures shall be measured at a distance of at least three (3) feet above the floor level and no closer than two (2) feet from an outside wall.

630. UTILITIES AND FIXTURES: WATER SUPPLY.

Every dwelling unit and rooming house shall be supplied with piped running potable water provided in an adequate amount to every required fixture connected with the water supply and drainage system as provided in Section 615B. Every dwelling within two hundred and fifty (250) feet of a public water supply shall be connected to that public water supply.

631. UTILITIES AND FIXTURES: WATER HEATING FACILITIES.

Every dwelling shall have water heating facilities which are properly installed, maintained in safe and good working condition, and properly connected with the water supply system required in Section 630. Hot water shall be provided at a temperature of not less than one hundred and ten (110) degrees Fahrenheit measured at the tap. Hot water shall be provided in an adequate amount at every required kitchen sink, lavatory basin, bathtub or shower as provided in Section 615B.

632. UTILITIES AND FIXTURES: INSTALLATION AND MAINTENANCE.

- A. Every gas pipe, water pipe, waste pipe, drain, vent, gas burning fixture, any required fixture connected with the water supply and drainage system, together with all connections to water, sewer or gas lines, shall be cleanable and shall be installed and maintained in good, sanitary condition, free from defects, leaks and obstructions, and in accordance with the Rules and Regulations of the Department. Any fixture required by this Article connected to the water supply system and/or sewerage system shall comply with the requirements of Article XV. Every kitchen sink, lavatory basin, bathtub, or shower required in Sections 633 through 635 shall be supplied with hot and cold piped running water.
- B. Every dwelling or rooming house shall have an approved operating sewage disposal system as required by state and county regulations.
- C. Every dwelling unit shall have adequate connections located in the kitchen for the safe and efficient installation and operation of a stove for the preparation and cooking of food.

633. UTILITIES AND FIXTURES: KITCHEN SINKS.

Every dwelling unit or rooming house where a common kitchen is provided shall contain an installed kitchen sink in the kitchen. Cabinet units in which kitchen sinks are installed shall be maintained in good repair.

634. UTILITIES AND FIXTURES: TOILETS, LAVATORY BASINS AND BATHTUBS OR SHOWERS IN DWELLING UNITS.

Every dwelling unit shall be provided with at least one (1) toilet, one (1) lavatory basin and one (1) bathtub or shower within the dwelling unit.

635. UTILITIES AND FIXTURES: TOILETS , LAVATORY BASINS AND BATHTUBS AND SHOWERS IN ROOMING HOUSES AND FOR LIGHT HOUSEKEEPING UNITS.

- A. There shall be at least one (1) toilet, one (1) lavatory basin, and one (1) bathtub or shower for each six (6) persons or fraction thereof, including members of the operator's family whenever they share the use of these facilities. In a rooming house where rooming units are let only to males, flush urinals may be substituted for not more than one-third (1/3) the required number of toilets. When multiple toilets exist within the same room each toilet shall be enclosed within its own privacy stall.
- B. In any dwelling in which toilets, lavatory basins, bathtubs or showers are shared by the occupants of more than one (1) light housekeeping unit or rooming unit, such facilities shall be readily accessible and so located as not to require going through another light housekeeping unit or rooming unit.
- C. Rooming houses permitted as nursing homes or personal care boarding homes by the Commonwealth of Pennsylvania need only comply with the standards set forth by the Commonwealth.

636. OCCUPANT RESPONSIBILITY.

Every occupant of a dwelling unit shall keep all electric, heating and water supplied fixtures and all other facilities in a clean and sanitary condition and shall exercise reasonable care in their proper use and operation.

637. LANDLORD RESPONSIBILITY.

No person shall occupy or let to another for occupancy any dwelling, dwelling unit, light housekeeping unit or rooming unit which does not comply with the applicable requirements of Sections 638 through 648.

638. BATHROOMS AND TOILET ROOMS: LOCATION AND ARRANGEMENT.

All toilets, bathtubs and showers shall be located within the dwelling unit in rooms which afford privacy. Bathtubs and showers need not be located in the same room as toilets but every room which contains a toilet shall have readily accessible lavatory facilities. No toilet may be located in a sleeping room.

639. BATHROOMS AND TOILET ROOMS: WINDOWS AND VENTILATION.

Every bathroom and toilet room shall comply with the window area and ventilation requirements for habitable rooms contained in Sections 647 and 648 unless a mechanical ventilation duct directly to the outdoors is provided. Ventilation shall comply with the requirement for air changes specified in Section 615B.

640. BATHROOMS AND TOILET ROOMS: FLOORS.

Every bathroom, toilet room and shower room floor shall be so constructed and maintained as to be reasonably impervious to water and capable of being kept in a clean and sanitary condition at all times.

641. FIRE AND PERSONAL SAFETY.

- A. Single and multiple-station smoke detectors shall be of an approved type and shall be installed and maintained in full operating condition in accordance with the provisions of this Article as follows:
1. **Rooming Houses** - Single or multiple-station smoke detectors shall be installed and maintained in the following locations:
 - 1.1. In all sleeping rooms;
 - 1.2. In every room in the path of the means of egress from a sleeping room to the door leading from the rooming unit; and
 - 1.3. In each story within the rooming house, including basements and cellars.
 2. **Dwelling Units of Multiple Dwellings** - Single or multiple-station smoke detectors shall be installed and maintained in the following locations:
 - 2.1. In the immediate vicinity of every sleeping room; and
 - 2.2. In each story within the dwelling unit, including basements and cellars.
 3. **Dwelling Units in Dwellings Containing Two or Less Dwelling Units** - Single or multiple-station smoke detectors shall be installed and maintained as follows:
 - 3.1. In the immediate vicinity of every sleeping room; and
 - 3.2. In each story within the dwelling unit, including basements and cellars.
 4. **Exceptions:**
 - 4.1. In rooming units and dwelling units with split levels and without an intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one (1) full story below the upper level.
 - 4.2. In structures equipped throughout with an approved automatic sprinkler system, smoke detectors are not required in sleeping rooms equipped with residential sprinklers.
- B. Every owner and operator shall be responsible for providing and maintaining all required smoke detectors in proper operating condition.
- C. If a dwelling is equipped with battery operated smoke detectors, the owner or operator shall be responsible for providing proper batteries to smoke detectors which are in rooming units, light housekeeping units and common areas. The occupant of a dwelling unit shall be responsible

for providing proper batteries to smoke detectors within their dwelling unit.

642. HABITABLE ROOMS: ACCESS TO SLEEPING ROOMS AND ROOMING UNITS.

No dwelling or rooming house shall have such room arrangements where access to a sleeping room or rooming unit can be gained only by going through a bathroom or toilet room. Access and egress for each rooming unit shall be provided without passing through another rooming unit.

643. HABITABLE ROOMS: OCCUPANCY OF BASEMENTS AND CELLARS.

- A. No basement or cellar shall be occupied as a dwelling unit or habitable room unless there is compliance with the following requirements.
1. The floors and walls shall be impervious to leakage of underground and surface runoff water and shall be free of dampness. The floors shall be constructed of material which is easy to keep in a clean and sanitary condition.
 2. Each room shall comply with Sections 647 and 648. Any room intended to be used for sleeping purposes shall have at least one (1) window which can be opened from the inside. Such windows shall have a minimum clear opening of five and seven-tenths (5.7) square feet, at least twenty-four (24) inches in height and no less than twenty (20) inches in width. The finished sill shall be not more than forty-eight (48) inches above the floor. If the window, or any part of it, is located below grade, an exterior excavation shall be made from grade level to at least six (6) inches below the sill. Such excavation shall extend at least thirty-six (36) inches from the exterior of the window and at least thirty-six (36) inches on each side. If the top of the window sill is forty-eight (48) inches or more below grade, a stairway to grade shall be provided. A door leading directly to the outside and exiting at grade level may be provided in lieu of the specified window.
 3. The ceiling height shall be at least seven (7) feet.

644. HABITABLE ROOMS: CEILING HEIGHTS.

The ceiling height of any habitable room shall be at least seven (7) feet, except that in any habitable room with a sloping ceiling, at least one-half ($\frac{1}{2}$) of the floor area shall have a ceiling height of at least seven (7) feet. The floor area of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the floor areas under Sections 645 and 646. Duct work and pipes suspended from the ceiling must be at least seventy-eight (78) inches above the floor.

645. HABITABLE ROOMS: TOTAL FLOOR AREA.

Every dwelling unit shall contain at least one hundred fifty (150) square feet of floor area for the first occupant and at least one hundred (100) additional square feet of floor area for each additional occupant. Total floor area shall be calculated by adding the floor areas of all habitable rooms within the dwelling unit.

646. HABITABLE ROOMS: SLEEPING ROOM AREA.

- A. Every room occupied for sleeping purposes in dwelling units shall contain at least seventy (70) square feet of floor area for the first occupant and at least fifty (50) additional square feet of floor area for each additional occupant.

- B. Every room in a rooming house occupied for sleeping purposes by one (1) occupant shall contain at least one hundred (100) square feet of floor area, and every room in a rooming house occupied for sleeping purposes by more than one (1) occupant shall contain at least one hundred (100) square feet of floor area for the first occupant and at least fifty (50) square feet of floor area for each additional occupant twelve (12) years of age or over. Rooming houses permitted prior to the effective date of this Article shall not be required to comply with this section until the rooming house is reconstructed.
- C. Rooming houses permitted as nursing homes or personal care boarding homes by the Commonwealth of Pennsylvania need only comply with the standards set forth by the Commonwealth.

647. HABITABLE ROOMS: WINDOW AREA.

Every habitable room shall have at least one (1) window facing directly to the outdoors. The minimum total window area measured between stops for every habitable room shall be eight (8) percent of the floor area. A skylight-type window is considered a window.

648. HABITABLE ROOMS: VENTILATION.

Every habitable room shall have at least one (1) window which can be opened easily, or any other device as will adequately ventilate the room. If a window is the only means of ventilation, the total of openable window area in every habitable room shall be at least four (4) percent of the floor area. Any window opening onto a glass enclosed porch shall not be included in determining the openable window area. Compliance with the requirements of this Section may be achieved by mechanical ventilation duct directly to the outdoors, provided that the minimum air changes per hour comply with the standards set forth in Section 615 B, 3.10.

649. LEAD HAZARD.

- A. When the Director determines that the presence of lead-based paint or a lead-based paint hazard on any premises creates a health hazard to any child or other person, the Director may issue an order to the owner to eliminate the hazard within a reasonable period prescribed by the Director.
- B. When a lead-based paint hazard has been identified on a chewable surface, as identified by the Director, the lead-based paint shall be completely removed or permanently enclosed with methods approved by the Director. Accessible, non-chewable, lead-based painted surfaces with loose, cracked, chipped, blistered, peeling, or otherwise deteriorated surfaces shall have such lead-based paint completely removed or covered in a manner approved by the Director.
- C. Prior to any attempt to remove, abate or hazard reduce an identified lead-based paint hazard, the owner shall advise the Director in writing of the proposed methods to be used and the schedule of abatement. Removal, abatement or hazard reduction procedures shall not begin until the proposed methods and schedule have been approved in writing by the Director.
- D. No person shall apply or cause to be applied any lead-based paint on a premise except in those areas recommended or approved by the manufacturer of the paint.

650. RODENT AND PEST VECTOR CONTROL: PROTECTION.

- A. No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling, dwelling unit, light housekeeping unit or rooming unit unless every foundation, floor, wall, ceiling, roof, window, exterior door and basement hatchway is free from openings large enough to permit the entry of rodents.
- B. No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling, dwelling unit, light housekeeping unit or rooming unit unless every basement or cellar window, used or intended to be used for ventilation, and every other opening to a basement or cellar which may permit the entry of rodents is supplied with a protective device which will effectively prevent the entry of rodents.
- C. When the Director determines that the presence of mosquitoes, flies, or other insects in any area of the County constitutes a danger to public health, the Director may require that all dwellings in the area comply with the following provisions during such times of the year as the Director deems necessary.
 - 1. Every door opening directly from a dwelling to outdoor space shall have screens and a self-closing device, except that the Director may exempt from this requirement cellar and basement doors in any dwelling if the exemptions will not create a danger to public health.
 - 2. Every window or other device with openings to outdoor space used or intended to be used for ventilation shall have screens.
 - 3. The owner or operator shall supply and the occupant of a dwelling unit shall hang screens required under the provisions of this Section except where the owner or operator and occupant have agreed otherwise as to who shall supply and hang the screens.
- D. No person shall maintain or permit to be maintained any artificial receptacle or pool, including but not limited to scrap tires or appliances, containing water in such condition that breeding of pest vectors therein may become a danger to the public health or create a nuisance.
- E. No person or municipality shall maintain a premise so as to cause the development of nuisance pest vectors.
- F. No person shall maintain, create or fail to eliminate a food source condition that creates or contributes to a pest vector problem.
 - 1. Feeding of domestic birds or animals shall be done in a manner so as not to create a nuisance by a pest vector attracted by the food. Uneaten food shall be promptly removed and food spillage shall be cleaned up promptly.
 - 2. Feeding of non-domestic birds and animals shall be done in such a manner so as not to create a pest vector nuisance to residents, occupants or users of a premises. When the Director determines that feeding of non-domestic birds or animals have created a nuisance, the Director may order the person feeding to cease such activity.
 - 3. Any food source utilized by a pest vector shall be eliminated by the owner of the property or other responsible party when so ordered by the Director.

651. RODENT AND PEST VECTOR CONTROL: MAINTENANCE.

- A. No person shall maintain domestic animals so as to create a nuisance by reason of animal waste, bedding, food, pest vectors or odors. Any person who maintains domestic animals shall clean up and properly dispose of all animal waste generated so that such waste does not create a nuisance by reason of odors or pest vector attraction. The Director may specify a schedule of maintenance.
- B. It shall be the responsibility of the owner of any property to promptly remove and properly dispose of any dead animals located on their property.
- C. Composting of yard wastes and organic materials shall be conducted so as not to create a pest vector nuisance, actual or potential health hazard, odors or other nuisance. The Director may evaluate a home recycling system and specify methods or materials required for operation to prevent or eliminate a nuisance. The Director may order the suspension of composting and recycling of wastes when the Director determines it contributes to an actual or potential health hazard or nuisance.
- D. No person shall maintain a building or premises, occupied or not, whereby its deterioration, unsealed openings or other characteristics create a pest vector attraction, nuisance or safety hazard.
 - 1. It shall be the responsibility of the owner of a vacant structure to maintain the structure in a condition where all openings are sealed to prevent the entry and attraction of pest vectors and to prevent a nuisance or safety hazard.
 - 2. It shall be the responsibility of the owner of a vacant premise or lot to maintain the property in a condition to prevent the entry, attraction or breeding of pest vectors and to prevent a nuisance or safety hazard.
- E. Any premises determined by the Director to be a nuisance by reason of unrestricted plant growth shall be maintained so as to restrict such growth to ten (10) inches or less. In single family dwellings, the occupant shall be responsible for compliance with this section.

652. RODENT AND PEST VECTOR CONTROL: RESPONSIBILITY FOR GENERAL MEASURES.

Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pest vectors in the dwelling or on the premises. Every occupant in a dwelling containing more than one (1) dwelling unit shall be responsible for extermination when his dwelling unit is the only one infested. When the infestation in either a single or multiple unit dwelling is caused by failure of the owner to maintain the dwelling in a rodent-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner. When infestations exist in two (2) or more dwelling units in any dwelling, or in the shared or public parts of any dwelling, extermination shall be the responsibility of the owner. When infestation exists in any rooming house, extermination shall be the responsibility of the operator.

653. REFUSE: FACILITIES REQUIRED.

Every dwelling unit shall be supplied by the occupant with adequate refuse storage facilities, except that in the case of multiple dwellings and rooming houses, the owner or operator shall be responsible for supplying such facilities. Refuse storage facilities shall be made of metal or equivalent material, shall be watertight and provided with tight covers which shall be kept securely closed at all times. The type and location of refuse storage and disposal facilities shall be subject

to approval by the Director and meet the standards set forth in Article VIII.

654. REFUSE: RESPONSIBILITY FOR PROPER STORAGE AND DISPOSAL.

The occupant of every dwelling unit or rooming unit shall be responsible for the storage of garbage, refuse and rubbish in a clean and sanitary manner in accordance with the provisions of this Article and in compliance with any other Rules and Regulations of the County. In the case of multiple dwellings and rooming houses, the owner or operator shall be responsible for maintaining the shared refuse storage facilities in a clean and sanitary manner.

655. GENERAL REPAIR AND MAINTENANCE.

Every owner of a premises and every operator of a rooming house shall maintain the dwelling and premises, including all fences, enclosures and appurtenances, in sound condition and good repair.

656. GENERAL MAINTENANCE: ROOMING HOUSES.

The operator of every rooming house shall be responsible for the maintenance of all walls, floors and ceilings in every part of the rooming house. Unless exempted by the Director in writing, the operator of every rooming house shall provide clean bed linen and towels at least once a week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

657. GENERAL SANITATION: OCCUPANT RESPONSIBILITY.

Every occupant of a dwelling unit, light housekeeping unit or rooming unit shall keep that part of the dwelling and premises which they occupy and control in a clean and sanitary condition, free from any accumulation of dirt, refuse, debris or other matter.

658. GENERAL SANITATION: OWNER RESPONSIBILITY FOR SHARED OR PUBLIC AREAS.

Every owner of a dwelling containing two (2) or more dwelling units or one (1) dwelling unit and one (1) or more rooming units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises.

659. VARIANCES.

Any interested party may request a variance from the provisions of this Article from the Director. All requests must be in writing, state the reasons for the request, and provide evidence that the variance poses no real or potential hazard to the health, safety or welfare of the public or any individual.

660. OCCUPANCY AND LETTING OF DWELLING UNITS AND ROOMING UNITS.

- A. No person shall occupy as owner-occupant or let to another for occupancy any vacant dwelling unit, light housekeeping unit or rooming unit unless it is clean, sanitary, in good maintenance and repair and fit for human habitation. Should a unit for which violations have been identified and orders issued becomes vacant prior to correction of these violations, the owner shall have the unit inspected and corrections verified by the Department prior to any reoccupancy.
- B. After an initial "no charge" inspection to approve a dwelling unit for reoccupancy, the owner of the dwelling unit shall pay a fee for each additional inspection that is needed to determine compliance as specified in a fee schedule as determined by the Director upon annual consultation with the Board of Health.

661. FACILITIES AND SERVICES.

Every facility, piece of equipment or utility which is required under this Article shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition by the person responsible under this Article.

662. DISCONTINUANCE OF SERVICES.

No owner, operator, tenant or occupant shall cause any service which is required under this Article to be removed, shut off or discontinued in any occupied dwelling except for such temporary interruption as may be necessary while actual repairs are in process or during temporary emergencies.

663. UNCONSTITUTIONALITY CLAUSE.

Should any section, paragraph, sentence, clause or phrase of this Article be declared unconstitutional or invalid for any reason, the remainder of the Article shall not be affected thereby.

664. PENALTIES.

- A. Summary Offenses--Any person who violates any of the provisions of this Article or any Rule or Regulation of the Department, or who interferes with the Director or any other agent of the Department in the discharge of his official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before any alderman or justice of the peace of Allegheny County, or before any police magistrate if such offense is committed in a city of the second class, be sentenced to pay the costs of prosecution and a fine of not less than thirty (\$30) dollars nor more than three hundred (\$300) dollars and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.
- B. Misdemeanors--Any person who violates any of the provisions of this Article or any Rule or Regulation of the Department, or who interferes with the Director or any other agent of the Department in the discharge of their official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred (\$500) dollars nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year or both.
- C. Separate Offenses--For the purpose of this Section, violations on separate days shall be considered separate offenses. Each violation of any separate subsection or section of this Article shall constitute a separate offense.
- D. Civil Penalties--Pursuant to the provisions of Article XVI "Environmental Health Civil Penalties," any person who violates any of the provisions of this Article may be assessed a civil penalty whether or not the violation is willful.

665. REPEALER

Upon the effective date of this Article. The existing Article VI, "Houses and Rooming Houses", effective January 1, 1957, as amended is hereby repealed and superseded by this Article.