

## COMMONLY USED MULTI-FAMILY ORDINANCES

\*ALL ORDINANCES ARE CITY OF ARLINGTON ORDINANCES UNLESS OTHERWISE NOTED

### ADDRESS NOT POSTED

#### I. STREETS AND SIDEWALKS CHAPTER, [ARTICLE IV, SECTION 4.01.](#)

##### Premises Identification Required

The owner, occupant or person otherwise in control of any commercial or residential building or group of buildings in the City shall place approved numbers or addresses on all new and existing buildings, structures and mobile homes in such a position as to be plainly visible and legible from the street or road fronting the property. Address numbers may be posted upon approved ground signs, if permitted by the Sign Chapter of the Zoning Ordinance, with address numbers being a minimum of twenty-four inches (24") above grade. Said numbers shall be a minimum of four inches (4") tall and contrast with their background. However, numbers for multi-family dwelling complexes shall comply with Article XIII of the "Uniform Housing" Chapter of the Code of the City of Arlington. This Section shall be applied in a manner consistent with Section 1.03 (20) of the Fire Prevention Chapter of the Code of the City of Arlington

#### II. UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1303.](#)

##### Premises Identification

- A. On each building within a multi-family dwelling complex, a landlord shall install and maintain building numbers or addresses authorized by the City of Arlington, and so positioned as to be plainly readable from the public or private roadway fronting such building. Such numbers shall be of a color that contrasts with their background and shall be a minimum of six inches (6") in height.
- B. Immediately below each building address or number, a landlord shall install and maintain the letters or numbers indicating the range of dwelling units within such building. Such numbers or letters shall be of a color that contrasts with their background and shall be a minimum of four inches (4") in height.
- C. A landlord shall install and maintain the approved number or address for each dwelling unit at or upon the front door of such unit. Such number or address shall be of a color that contrasts with its background and shall be a minimum of two inches (2") in height.
- D. If the provisions of this section conflict with other provisions in the Code of the City of Arlington, as they pertain to premises identification within a multi-family dwelling complex, this section shall take precedence.

### ANNUAL LICENSE, FAIL TO MAINTAIN

#### UNIFORM HOUSING CODE, [ARTICLE XIV, SECTION 1401.C- D.](#)

- C. Annual multi-family license required. No person shall own, manage, keep, maintain, rent, or otherwise make available for occupancy or use a multi-family structure without first obtaining a license from the Administrator. The owner or manager must annually license any multi-family location with the Administrator. Any person with more than one multi-family location shall obtain a license for each separate location. The fact that a person possesses other types of state or city permits, licenses or registrations does not exempt that person from the requirement of obtaining a multi-family license.
- D. A person commits an offense if the person operates or causes to operate a multi-family structure, building, complex or residence units without a valid license issued by the Administrator.

## **ANNUAL MULTI-FAMILY TRAINING REQUIRED.**

### **UNIFORM HOUSING CODE, [ARTICLE XIV, SECTION 1401.E-F.](#)**

- E. Annual multi-family training required. The holder of a multi-family license shall attend annual training on code familiarization and crime prevention as established by the Administrator.
- F. A person commits an offense if the person operates or causes to operate a multi-family structure, building, complex or residence units

## **APARTMENT INSPECTION FEES, FAILURE TO PAY**

### **UNIFORM HOUSING CODE, [ARTICLE III, SECTION 304.\(a-b\).](#)**

#### **Duplexes, Multi-Family Dwelling Complexes and Extended-Stay Hotels and Motels**

- a. A fee is hereby authorized to be charged to the ownership of all duplexes, multi-family dwelling complexes and extended-stay hotels and motels, which terms are defined respectively as a building or portion thereof, arranged, designed or occupied as two (2) dwelling units not for transient use except owner occupied duplexes; a building or portion thereof, arranged, designed or occupied as three (3) or more dwelling units not for transient use except owner occupied dwelling units; or a building or portion thereof, arranged, designed or occupied as an extended-stay hotel or motel. An extended-stay hotel or motel shall be, for the purpose of this ordinance, any hotel or motel which offers more than five (5) percent of its rental units for stays exceeding thirty (30) consecutive days. The authorized fees shall be used to provide for inspections to ensure compliance with the requirements of this chapter. The inspection and reinspection fees shall be established by resolution of the City Council and shall be the fees in effect at the time payment is made.
- b. Except for the reinspection fees and duplex fees, the fees to be imposed shall be paid on a semi-annual basis upon all existing multi-family dwelling complexes and extended-stay hotels and motels with a valid Certificate of Occupancy. Billing periods shall be March through August (billable in September) and September through February (billable in March). Payments shall be due to the City within thirty (30) days from the billing date. For multi-family units and extended-stay hotel and motels completed after a billing period has commenced, fees shall be billed on a pro rata basis beginning with the date upon which a Certificate of Occupancy is issued. Thereafter, billing shall occur in accordance with the two (2) billing periods set forth above. Reinspection fees to be imposed may be billed monthly and payments shall be due to the City within thirty (30) days from the billing date. Duplex fees to be imposed shall be paid on an annual basis upon all existing duplexes. The billing period shall be September through August (billable in September). Payment shall be due to the City within thirty (30) days from the billing date. For duplex units completed after a billing period has commenced, fees shall be billed on a pro rata basis. Thereafter, billing shall occur in accordance with the annual billing period previously set forth above.

## **BLOCKING EGRESS**

### **UNIFORM HOUSING CODE, [ARTICLE VIII, SECTION 801.](#)**

**General** Every dwelling unit or guest room shall have access directly to the outside or to a public corridor. All buildings or portions thereof shall be provided with exits, exit ways and appurtenances as required by the Building Code.

Every sleeping room below the fourth (4th) story shall have at least one (1) operable window or exterior door approved for emergency egress or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All egress or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be twenty-four inches (24"). The minimum net clear opening width dimension shall be twenty inches (20"). Where windows are provided as a means of egress or rescue, they shall have a finished sill height not more than forty-four inches (44") above the floor. (Amend Ord 04-009, 1/13/04)

## **BUSINESS OUT OF HOME**

**UNIFIED DEVELOPMENT CODE CHAPTER, [ARTICLE 3, SECTION 3.3.6.H.7.](#)**

**Annual Registration** No residence shall be allowed to operate a home-based business until the Building Official or a designee has issued an annual Registration Certificate. The issuance of a Certificate requires that an applicant affirm knowledge of, and intent to comply with all ordinances applicable to home-based businesses. The Building Official, or a designee, shall establish that the proposed use is allowable under the terms of the ordinance. The issuance of a Certificate shall not authorize any violations of the Code of the City of Arlington. Violations may result in the revocation or non-renewal of Certificates thereby terminating the home-based business.

## **DEADBOLT LOCKS, FAILURE TO INSTALL AND/OR MAINTAIN**

**UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302.A.1-3.](#)**

### **Deadbolts Required.**

1. Each exterior door of a dwelling unit within a multi-family dwelling shall be equipped with a deadbolt lock. Sliding glass doors, screen doors and garage doors are exempt from this requirement. Doors between the living area of a dwelling unit and its garage are included.
2. Each strike plate of a required deadbolt lock shall be metal and secured by two (2) or more metal screws of a minimum length of three inches (3").
3. Each deadbolt lock and doorknob lock shall be rekeyed between tenant occupancies.

## **DILAPIDATED FENCE**

**UNIFIED DEVELOPMENT CODE CHAPTER, [ARTICLE 5, SECTION 5.3.4.C.](#)**

### **General Fence Maintenance**

1. All screening fences constructed as required by this Code, previous ordinances, or other approvals must be perpetually maintained, repaired, or replaced by the owner of use of the more intensively zoned property.
2. All portions of fences in a dilapidated state must be repaired or replaced by the owner of the property upon which the fence is located. A dilapidated fence is defined as any 8-foot horizontal section of a fence that is more than 15 degrees out of vertical alignment or that has 10 percent of its pickets or structural components damaged, missing, rotted, or destroyed. For the purpose of this section, owner of the property for which the fence permit was issued is presumed to be the owner of the fence.
3. Fences must not be braced by guy wires, braces, or any other material that may be visible from any public street, right-of-way, alleyway, or property or easement controlled by the City.

## **EXTERIOR LIGHTING, FAILURE TO INSTALL AND/OR MAINTAIN**

**UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302.E.](#)**

### **Exterior Lighting Required.**

1. Each multi-family dwelling complex shall have exterior lighting in publicly accessible areas of the complex.

2. All such lighting shall be controlled by a photocell or seasonally adjusted timer switch, not operable by individual residents of the complex.
3. Lights shall be mounted at a height not less than nine feet (9') and not greater than thirty feet (30').
4.
  - a. Light intensity shall be a minimum of 0.4-foot candle power.
  - b. The light intensity value does not represent the initial illumination of a light but shall represent the maximum level of acceptable darkness in any publicly accessible area of a complex, when measured at a height not greater than three feet (3') from the ground.
  - c. Lighting fixtures that have been identified as non-operable shall be repaired to an operable state within seventy-two (72) hours of written notice.

**UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302. F.](#)**

**Premises Identification Lighting Required.**

1. Each building contained within a multi-family dwelling complex shall have exterior lighting that provides clear viewing and identification of the building numbers or addresses as required by Subsections 1303(A) and (B).
2. All such lighting shall be controlled by a photocell or seasonally adjusted timer switch, not operable by individual residents of the complex.

**FAULTY WEATHER PROTECTION.**

**UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(h\).](#)**

Faulty Weather Protection, which shall include but not be limited to the following:

1. Deteriorated, crumbling or loose plaster.
2. Deterioration or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint or weathering due to lack of paint or other approved protective covering.
4. Severely peeling, flaking or chipped paint.
5. Missing, broken, rotted, split, dilapidated or buckled exterior wall coverings, roof coverings or garage doors. (Amend Ord 00-059, 5/16/00)

**FAILURE TO REMOVE GRAFFITI AFTER NOTICE**

**NUISANCE CHAPTER, [ARTICLE VIII, SECTION 8.02.](#)**

**Graffiti Removal Requirement, Offense**

- A. It shall be the duty of the owner of any tangible property to remove or cause to be removed all graffiti from the property that is visible from any public property or right-of-way or from any private property other than the property on which the graffiti exists.

**FIRE HAZARD/ FAILURE TO MAINTAIN DRAFT SHOPS**

**I. UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(i\).](#)**

**Fire Hazard.** Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which in the opinion of the Chief of the Fire Department would augment the spread and intensity of fire or explosion arising from any cause.

## II. INTERNATIONAL FIRE CODE, [SECTION 703.1. \(2021 EDITION\)](#)

### PENETRATIONS

**Maintaining protection.** Materials and firestop systems used to protect membrane and through penetrations in *fire-resistance-rated* construction and construction installed to resist the passage of smoke shall be maintained. The materials and firestop systems shall be securely attached to or bonded to the construction being penetrated with no openings visible through or into the cavity of the construction. Where the system design number is known, the system shall be inspected to the listing criteria and manufacturer's installation instructions.

### [SECTION 703.2. \(2021 EDITION\)](#)

**Repair of penetrations.** Where damaged, materials used to protect membrane- and through-penetrations shall be replaced or restored with materials or systems that meet or exceed the code requirements applicable at the time when the assembly was constructed, remodeled or altered.

### FIRE HAZARD.

#### UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(i\).](#)

**Fire Hazard.** Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which in the opinion of the Chief of the Fire Department would augment the spread and intensity of fire or explosion arising from any cause.

### HAZARDOUS MECHANICAL EQUIPMENT.

#### UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(g\).](#)

**Hazardous Mechanical Equipment.** All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition. All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition.

### HAZARDOUS PLUMBING.

#### UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(f\).](#)

**Hazardous Plumbing.** All plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.

### HAZARDOUS WIRING.

#### UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(e\).](#)

**Hazardous Wiring.** All wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

### INADEQUATE AIR CONDITIONING EQUIPMENT.

#### UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001. \(p\).](#)

**Air Conditioning Equipment.** Where air conditioning is furnished to the occupant of a rental unit, failure to design to a twenty (20) degree difference between inside and outside temperatures and to function to at least a fifteen (15) degree difference

## **INADEQUATE FIRE PROTECTION OR FIRE FIGHTING EQUIPMENT.**

**UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(n\).](#)**

**Inadequate Fire Protection or Fire Fighting Equipment.** All buildings or portions thereof which are not provided with the fire resistive construction or fire extinguishing systems, or equipment required by this code, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire resistive integrity and fire extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition or any change in occupancy.

## **INADEQUATE SANITATION.**

**UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(b\).](#)**

**Inadequate Sanitation** Inadequate sanitation shall include but not be limited to the following:

1. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit as described in Section 505.
2. Lack of or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel as described in Section 505.
3. Lack of or improper kitchen sink as described in Section 505.
4. Lack of hot and cold running water to plumbing fixtures in a hotel as described in Section 505.
5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit as described in Section 505.
6. Lack of adequate heating facilities as described in Section 701.
7. Lack of or improper operation of required ventilating equipment as described in Section 701.
8. Lack of minimum amounts of natural light and ventilation required by this code as described in Section 504.
9. Room and space dimensions less than required by this code as described in Section 503.
10. Lack of required electrical lighting as described in Section 701.
11. Dampness of habitable rooms as described in Section 601.
12. Infestation of insects, vermin or rodents as determined by the Health Officer.
13. General dilapidation or improper maintenance as described in Section 1001(1).
14. Lack of connection to required sewage disposal system as described in Section 1001(f).
15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the Health Officer.
16. Furnished appliances (provided by the owner) in inoperative condition.

## **NUISANCE OUTSIDE STORAGE.**

**NUISANCE CHAPTER, [ARTICLE II, SECTION 2.02.M.](#)**

**Nuisance Outside Storage.** Storage or accumulation outside of an enclosed structure including the storage or accumulation under a carport or covered patio or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, impure, unwholesome, filthy, or unsanitary matter including the storage or accumulation of the following items that present health or safety hazards:

1. Broken, inoperable, deteriorated, dismantled or discarded indoor (non-weather resistant) furniture, appliances, machines, tools, boxes, and cartons, and lawn maintenance equipment;
2. Used, deteriorated or discarded building materials or supplies;
3. Wet, broken or leaking barrels, casks, or boxes;
4. Used, discarded, or broken automotive parts or equipment including engines, transmissions,
5. electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts;

6. Firewood that is not stacked a minimum of twelve (12) inches off the ground;
7. Trash, garbage or other refuse; or An
8. Any other material which tends to decay or become putrid or provides harborage for rodents and other vermin.

The following are exceptions to Nuisance Outside Storage:

1. Building materials or supplies stored in a workmanlike manner as part of and in conjunction with, an active building permit and is in compliance with all other City ordinances.
2. Non-hazardous materials or items of any kind:
  - a. awaiting pickup by the city or other sanitation service;
  - b. in a container or bag as approved by the city; and
  - c. in an approved location for the city or other sanitation service pickup.

The following is an affirmative defense to Nuisance Outside Storage:

1. Outside storage with a legal land use and is in compliance with all other city ordinance.

### **OVERFILLING OF OPEN-TOP TRASH CONTAINERS**

HEALTH AND SANITATION CHAPTER, [ARTICLE II, SECTION 2.10.E.](#)

**Overfilling Prohibited:** Commercial-type containers with open tops shall not be filled with garbage or trash above the top flange of such container.

### **PARKING AREAS, FAIL TO MAINTAIN**

UNIFIED DEVELOPMENT CODE CHAPTER, [ARTICLE 5, SECTION 5.4.9.B.4.](#)

**Maintenance** Parking facilities and loading berths shall be maintained and kept in a state of good repair at all times by the owner or the person in control of the premises.

### **PEEPHOLES, FAILURE TO INSTALL AND/OR MAINTAIN.**

UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302.D.](#)

#### **Peepholes Required.**

1. Each exterior door of a dwelling unit within a multi-family dwelling shall be equipped with a peephole. Sliding glass doors, screen doors, garage doors, and doors between the living area of a dwelling unit and its garage are exempt from this requirement. A door with a vision panel that provides clear viewing and identification of persons and objects on the exterior side is exempt.
2. Peepholes shall be installed centrally on the door, at a height not greater than sixty-six inches (66") from the finished floor.

### **PIN LOCKS, FAILURE TO INSTALL AND/OR MAINTAIN**

UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302.B.](#)

#### **Pin Locks Required.**

1. Each exterior sliding glass door of a dwelling unit within a multifamily dwelling shall be equipped with a pin lock.
2. Pin locks that are installed after the effective date of this ordinance shall comply with the requirements of Subsection (B)(3).
3. Pin locks shall be installed so that the pin passes through the frames of both the stationary and sliding halves of the door. A pin lock shall be installed not more than eighteen inches (18") from the bottom frame of the door.

## **STRIKE PLATES, FAILURE TO INSTALL AND/OR MAINTAIN.**

**UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302 .A.2.](#)**

### **Deadbolts Required.**

1. Each exterior door of a dwelling unit within a multi-family dwelling shall be equipped with a deadbolt lock. Sliding glass doors, screen doors and garage doors are exempt from this requirement. Doors between the living area of a dwelling unit and its garage are included.
2. **Each strike plate of a required deadbolt lock shall be metal and secured by two (2) or more metal screws of a minimum length of three inches (3").**
3. Each deadbolt lock and door knob lock shall be rekeyed between tenant occupancies.

## **STRUCTURAL HAZARDS.**

**UNIFORM HOUSING CODE, [ARTICLE X, SECTION 1001.\(c\).](#)**

**Structural Hazards.** Structural hazards shall include but not be limited to the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor support.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
6. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
8. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

## **SUBSTANDARD STRUCTURE.**

**NUISANCE CHAPTER, [ARTICLE II, SECTION 2.02.D.](#)**

**Substandard Structure.** Any structure which is in violation of Section 202 of the City of Arlington Uniform Housing Code, as amended, or any structure in violation of Section 16.03 of the Construction Chapter, as amended.

## **UNCLEAN PREMISES.**

**NUISANCE CHAPTER, [ARTICLE II, SECTION 2.02.B.](#)**

**Unclean Premises.** Any public or private property, any yards, lots, alleys, stables, animal pens or enclosures for animals which become offensive to persons of ordinary sensibilities due to objectionable odors or accumulation of waste and fecal matter, cellars, vaults, drains, pools, wells, cisterns, privies, sewers, grounds, premises, or buildings of any character, containing accumulations of litter, limbs, unsanitary matter of any kind, refuse, garbage, rubbish, junk, dead carcasses, decaying flesh, fish, fowls, vegetables, stagnant water or other stagnant or unsanitary liquids or unsanitary water on the ground or in a vessel, flammable liquids, slops, trash, or other deposits or substances of any and every character, which are likely to or do become unwholesome, filthy, unsightly, offensive, or unsanitary or likely to create or engender disease. Unclean Premises shall also be areas or conditions that harbor rodents or parasitic insects, or promotes mosquito breeding; or with dilapidated fences, or poison oak or poison ivy or other poisonous plant within 50 feet of a structure or fence line.

## **WORK WITHOUT A PERMIT**

### **CONSTRUCTION CHAPTER, [ARTICLE IV, SECTION 4.02.A.](#)**

It shall be unlawful for any Registrant or person without first obtaining a separate building permit for such work from the Building Official:

1. to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure;

EXEMPTION: see exceptions in paragraphs (B) and (C) below.

2. to install, enlarge or repair any fence;

EXEMPTION: Repair or replacement of fencing where not less than 50% of one side of the fence is being repaired and/or replaced.

3. to erect, alter a sign, including the copy face or lettering of any sign, either by changing the message or by renovating an existing message, or erect any sign or sign structure;

EXEMPTION: Changing a changeable copy message or a message center sign message; general maintenance such as repainting the same message or changing the face of a sign permitted as an off-site advertising sign;

4. to reroof any building or structure;

5. to excavate, grade, or fill property, or cause the same to be done;

EXEMPTION: Excavation for construction of a structure permitted under this code; Refuse disposal sites controlled by other regulations; Excavations for wells, or trenches for utilities; Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties; or, Exploratory excavations performed under the direction of a registered design professional.

Separate permits are required for electrical, plumbing and mechanical work as set forth in the Electrical, Mechanical and Plumbing Chapters of this Code.

## **VACANT AND UNSECURED STRUCTURE**

### **I. CONSTRUCTION CHAPTER, [ARTICLE XVI, SECTION 16.03.C.1-3.](#)**

Any building or structure is a dangerous building, regardless of its structural condition,

1. When unoccupied by its owners, lessees, or other invitees and unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children, or
2. When boarded up, fenced or otherwise secured in any manner if the means used to secure the building or structure are inadequate to prevent unauthorized entry or use by vagrants or other uninvited persons as a place of harborage, or to prevent entry or use by children, or
3. When boarded up, fenced or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry.

### **II. INTERNATIONAL FIRE CODE [311.1 AND 311.2 \(2021 EDITION\)](#)**

#### **VACANT PREMISES**

**311.1 General.** Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with this section.

**311.1.1 Abandoned premises.** Buildings, structures and premises for which an *owner* cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or

which present a danger of structural collapse or fire spread to adjacent properties shall be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the *International Property Maintenance Code* and the *International Building Code*.

**311.1.2 Tenant spaces.** Storage and lease plans required by this code shall be revised and updated to reflect temporary or partial vacancies.

**311.2 Safeguarding vacant premises.** Temporarily unoccupied buildings, structures, premises or portions thereof shall be secured and protected in accordance with Sections 311.2.1 through 311.2.3.

**311.2.1. Security.** Exterior and interior openings open to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The *fire code official* is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

**311.2.2 Fire protection.** Fire protection systems shall be maintained in an operable condition at all times.

**Exceptions:**

1. Where the premises have been cleared of all combustible materials and debris and, in the opinion of the *fire code official*, the type of construction, *fire separation distance* and security of the premises do not create a fire hazard.
2. Where approved by the *fire code official*, buildings that will not be heated and where *fire protection systems* will be exposed to freezing temperatures, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided that the building does not have contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons.
3. Where *approved* by the *fire code official*, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service in seasonally occupied buildings: that will not be heated; where fire protection systems will be exposed to freezing temperatures; where *fire areas* do not exceed 12,000 square feet (1115m<sup>2</sup>); and that do not store motor vehicles or hazardous materials.

**311.2.3 Fire separation.** *Fire-resistance-rated* partitions, *fire barriers* and *fire walls* separating vacant tenant spaces from the remainder of the building shall be maintained. Openings, joints and penetrations in *fire-resistance-rated* assemblies shall be protected in accordance with Chapter 7.

## **WINDOW LATCH, FAILURE TO INSTALL OR MAINTAIN**

### **UNIFORM HOUSING CODE, [ARTICLE XIII, SECTION 1302.C.](#)**

**Latches Required.** Each exterior vertically or horizon-tally opening window of a dwelling unit within a multi-family dwelling shall be equipped with an operative latch. Windows opening from a dwelling unit into a garage shall be included under this requirement.