

## CHAPTER 1652

### **Housing: Responsibilities of Owners and Occupants**

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- 1652.99 Penalty.

#### CROSS REFERENCES

- Landlord and tenant - see ORC 5321
- Sewage disposal nuisances - see EHC 816.05
- Unsanitary household sewage disposal systems - see EHC 848.05
- Storage of garbage and waste material - see EHC 1220.02
- Rodent control - see EHC 1220.07
- Basement window screens - see EHC 1220.07(b)(1)
- Accumulation of waste material as nuisances - see EHC 1220.08
- Windows and skylights - see EHC 1660.02 & 1660.03
- Climate control facilities as integral function of structures - see EHC 1660.04
- Minimum thermal standards - see EHC 1664
- Screens for insect control - see EHC 1668.04
- Rat control - see EHC 1668.05
- Fences as harborage for rats - see EHC 1668.06

**EHC** Environmental Health Code      **ORC** Ohio Revised Code      **OAC** Ohio Administrative Code

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#### 1652.01 CONDITION OF LEASED PREMISES.

No owner or other person shall occupy or let to another person any dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy and in compliance with all applicable requirements of State law and the regulations of the General Health District.

#### 1652.02 MAINTENANCE OF SHARED OR PUBLIC AREAS.

Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

#### 1652.03 MAINTENANCE OF AREAS OCCUPIED AND CONTROLLED.

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

#### 1652.04 STORAGE AND DISPOSAL OF RUBBISH.

Every occupant of a dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary and safe manner.

#### 1652.05 STORAGE AND DISPOSAL OF GARBAGE.

Every occupant of a dwelling or dwelling unit shall store and dispose of all his garbage and any other organic waste, which might provide food for insects or rats, in a clean, sanitary and safe manner. Ratproof, insectproof, watertight refuse containers shall be used for storage, pending collection.

#### 1652.06 FACILITIES AND CONTAINERS FOR STORAGE AND DISPOSAL OF GARBAGE AND RUBBISH.

(a) Every owner of a dwelling containing three or more dwelling units shall supply facilities or refuse containers for the sanitary and safe storage or disposal of rubbish and garbage. In the case of single or two-family dwellings, it shall be the responsibility of each occupant to furnish such facilities or refuse containers.

(b) The total capacity of all provided garbage and/or refuse cans and bulk storage containers shall be sufficient to meet the needs of the occupants of the dwelling. (Resolution 190-77 adopted 11/18/77)

#### 1652.07 SCREENS, STORM DOORS AND WINDOWS.

The owner of a dwelling unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this Housing Code or any rule or regulation issued pursuant thereto, except where there is a written agreement between the owner and occupant. However, the owner is exempt from this requirement when it can be demonstrated that these or other supplied facilities are willfully destroyed by the occupant. In the absence of such an agreement, maintenance or replacement of screens and storm doors and windows, once installed in any one season, becomes the responsibility of the occupant. The occupant's responsibility shall be exclusive to his dwelling unit.

#### 1652.08 EXTERMINATION OF INSECTS AND RATS.

Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects and rats on the premises. Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of

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

#### 1652.09 ACCUMULATIONS OF RUBBISH, BOXES, LUMBER, ETC. BY OCCUPANTS.

No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal or any other material in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly in piles elevated at least eighteen inches above the ground or floor.

#### 1652.10 ACCUMULATIONS OF RUBBISH, BOXES, LUMBER, ETC. BY OWNERS.

No owner of a dwelling containing three or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal or any other material in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly in piles elevated at least eighteen inches above the ground or floor.

#### 1652.11 STORAGE AND ACCUMULATIONS OF MATERIAL THAT MAY SERVE AS RAT FOOD.

No owner or occupant of a dwelling or dwelling unit shall store, place or allow to accumulate any material that may serve as food for rats in a site accessible to rats.

#### 1652.12 MAINTENANCE AND USE OF SUPPLIED FIXTURES AND FACILITIES.

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

#### 1652.13 MINIMUM TEMPERATURE.

In every dwelling unit and/or rooming unit, when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least sixty-eight degrees Fahrenheit shall be maintained in all habitable rooms, the bathroom and the water closet compartments at a distance of thirty-six inches above the floor level.

#### 1652.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3709.20, 3709.21 or 3709.22, and subject to penalties provided in ORC 3707.99 and 3709.99.

(Resolution 137-76 adopted 10/12/76 and Resolution 190-77 adopted 11/18/77)