

CODIFIED ORDINANCES OF TITUSVILLE
PART NINETEEN - HOUSING CODE

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CODIFIED ORDINANCES OF TITUSVILLE
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ARTICLE 1901
Definitions

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CROSS REFERENCES

Power to enact housing ordinance - see 3rd Class § 4130
(53 P.S. § 39130)
National Building Code adopted - see BLDG. 1709.01

1901.01 DEFINITIONS GENERALLY.

Whenever the words "structure", "dwelling", "dwelling unit", "rooming house", "rooming unit" or "premises" are used in this Housing Code, they shall be construed as though they were followed by the words "or any part thereof".

Words used in the singular number include the plural and words in the plural number include the singular. The word "building" includes the word "structure".

The following terms, wherever used or referred to in this Housing Code shall have the following respective meanings, which definitions shall apply in the interpretation and enforcement of this Housing Code unless a different meaning clearly appears from the context. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.02 BASEMENT.

"Basement" means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.03 CELLAR.

"Cellar" means a portion of a building located partly or wholly underground and having half, or more than half, of its floor-to-ceiling height below the average grade of the surrounding ground. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.04 DWELLING.

"Dwelling" means any building which is wholly or partly used or intended to be used for living or sleeping by human occupants, provided that temporary housing, as defined in Section 1901.10, shall not be regarded as a dwelling. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.05 DWELLING UNIT.

"Dwelling unit" means any room or group of rooms together with the means of ingress and egress thereto, located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.06 MULTIPLE DWELLING.

"Multiple dwelling" means any dwelling containing two or more dwelling units. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.07 DWELLING UNFIT FOR HUMAN HABITATION.

"Dwelling unfit for human habitation" means any dwelling which by reason of overcrowding or serious deficiencies in drainage, plumbing, water supply, light, heat, ventilation, floor area and rodent or pest control facilities, or by reason of dilapidation, disrepair or other similar conditions, or because of the need for major repairs to the roofs, walls, ceilings, floors, stairs or other parts of the dwelling, is unsanitary or unsafe and constitutes a serious hazard to the health, safety or welfare of the occupants of the dwelling or to the public. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.08 EXTERMINATION.

"Extermination" means the control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as food, by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the laws of the Commonwealth. (Ord. 1567 Art. 5. Passed 9-18-61.)

1901.09 GARBAGE.

"Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.10 TEMPORARY HOUSING.

"Temporary housing" means any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure or to any utility system on the same premises for more than thirty consecutive days.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.11 INFESTATION.

"Infestation" means the presence, within or around a structure, of any insects, rodents or other pests.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.12 OCCUPANT.

"Occupant" means any person over one year of age, living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.13 OPERATOR.

"Operator" means any person who owns, has charge, care or control of a structure or part thereof.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.14 OWNER.

"Owner" means any person who, alone or jointly or severally with others:

- (a) Has legal title to any structure, with or without accompanying actual possession thereof; or
- (b) Operates, has charge, care or control of any structure as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Housing Code, to the same extent as if he were the owner.

(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.15 PERSON.

"Person" means and includes any individual, firm, corporation, association or partnership.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.16 PLUMBING.

"Plumbing" means and includes all of the following supplied facilities and equipment: gas pipes, gas-burning and oil-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing and clothes-drying machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.17 ROOMING HOUSE.

"Rooming house" means any dwelling or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother, father, sister or brother of the owner or operator.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.18 ROOMING UNIT.

"Rooming unit" means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.19 RUBBISH OR REFUSE.

"Rubbish" or "refuse" means combustible and noncombustible waste materials, except garbage. The term includes the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass and crockery.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.20 STRUCTURES.

"Structures" mean buildings of all kinds, including partial and incomplete buildings and foundations, trailers of all kinds and all mobile habitable units with or without wheels.
(Ord. 1567 Art. 5. Passed 9-18-61.)

1901.21 SUPPLIED.

"Supplied" means paid for, furnished or provided by or under the control of the owner or operator.
(Ord. 1567 Art. 5. Passed 9-18-61.)

ARTICLE 1903
Policy, Conflict and Severability

1903.01	Statement of findings and policy.	1903.03	Conflict; higher standard to prevail.
1903.02	Compliance for mixed uses in dwellings or structures.	1903.04	Severability of provisions.

CROSS REFERENCES

Emergency order; compliance and hearing - see HSG. 1905.05
Compliance required; space, use and location - see
HSG. 1915.01
Permit required for rooming houses - see HSG. 1919.01

1903.01 STATEMENT OF FINDINGS AND POLICY.

It is hereby declared that inadequate provision for light and air, insufficient protection against fire, unsanitary conditions, improper heating, overcrowding, dilapidation and disrepair of structures and premises, and the occupancy or existence of dwellings unfit for human habitation endanger the health, safety, morals, welfare and reasonable comfort of the community, and that the establishment and maintenance of proper housing standards and the rehabilitation of housing are essential to the public health, safety and welfare.
(Ord. 1567 Art. 2. Passed 9-18-61.)

1903.02 COMPLIANCE FOR MIXED USES IN DWELLINGS OR STRUCTURES.

(a) Whenever any dwelling contains both dwelling units and rooming units, the dwelling units shall comply with the applicable requirements of this Housing Code for dwelling units, and the rooming units shall comply with the applicable requirements of this Housing Code for rooming units. Whenever one or more rooming units in a dwelling containing both dwelling units and rooming units are let to three or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother, the part of the dwelling so used shall also comply with the applicable requirements of this Housing Code for rooming houses.

(b) Whenever any building or structure is occupied in part as a dwelling and in part for industrial or commercial purposes, that part of the building or structure occupied as a dwelling shall comply with the applicable requirements of this Housing Code.
(Ord. 1567 Art. 6. Passed 9-18-61.)

1903.03 CONFLICT; HIGHER STANDARD TO PREVAIL.

Where a provision of this Housing Code is found to be in conflict with a provision in any building or zoning ordinance or in any other City ordinance existing on the effective date of this Housing Code, or in any regulation issued under the authority of such ordinances, the provision which established the higher standard for the protection of health, safety and welfare shall prevail.

(Ord. 1567 Art. 3. Passed 9-18-61.)

1903.04 SEVERABILITY OF PROVISIONS.

The provisions of this Housing Code are severable and if any provision of this Code or the application of any provision under particular circumstances is held unconstitutional, the remaining provisions of this Housing Code or their application in other circumstances shall in no way be affected or impaired. It is thereby declared to be the intent of Council that this Housing Code would have been adopted had such unconstitutional provision not been included herein.

(Ord. 1567 Art. 4. Passed 9-18-61.)

**ARTICLE 1905
Enforcement, Hearings and Penalty**

1905.01	Building Official as enforcing officer.	1905.04	Decision of Building Official; record of proceedings; appeal.
1905.02	Violation notice; contents and service.	1905.05	Emergency order; compliance and hearing.
1905.03	Petition and hearing procedure.	1905.99	Penalty.

CROSS REFERENCES

Power to take action against housing ordinance violation - see 3rd Class § 4133 (53 P.S. § 39133)
 City Manager to act as Building Official - see ADM. 121.01(b)(1)
 Building Official to enforce Building Code - see BLDG. 1705.05, 1709.04
 Hearing on Building Code appeals - see BLDG. 1705.07
 Access for inspections by Building Official - see HSG. 1907.01
 Removal of posted notices - see HSG. 1907.04
 Inspection; violation notice for rooming houses - see HSG. 1919.02

1905.01 BUILDING OFFICIAL AS ENFORCING OFFICER.

The Building Official of the City is hereby designated as the officer to exercise the powers prescribed by this Housing Code. He shall submit periodic reports and recommendations for additional regulations to Council.
 (Ord. 1567 Art. 20. Passed 9-18-61.)

1905.02 VIOLATION NOTICE; CONTENTS AND SERVICE.

Whenever the Building Official determines that there are reasonable grounds to believe that there has been a violation of any provision of this Housing Code or of any rule or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefor, as hereinafter provided. Such notice shall:

- (a) Be put in writing;
- (b) Include a statement of the reasons why it is being issued;
- (c) Allow a reasonable time for the performance of any act it requires, and
- (d) Be served upon the owner or his agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner, agent or occupant if a copy thereof is served upon him personally, is sent by registered mail to his last known address or is posted in a conspicuous place in or about the dwelling affected by the notice.

Such notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Housing Code and with rules and regulations adopted pursuant thereto.

(Ord. 1567 Art. 9. Passed 9-18-61; Ord. 2083. Passed 4-13-98.)

1905.03 PETITION AND HEARING PROCEDURE.

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Housing Code or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Building Official, provided such person shall file in the office of the Building Official or designated office of Council, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten days after the day the notice was served. Upon receipt of such petition, the Building Official shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten days after the day on which the petition was filed, unless postponed for sufficient cause.

(Ord. 1567 Art. 9. Passed 9-18-61.)

1905.04 DECISION OF BUILDING OFFICIAL; RECORD OF PROCEEDINGS; APPEAL.

After such hearing the Building Official shall sustain, modify or withdraw the notice, depending upon his finding as to whether the provisions of this Housing Code and of the rules and regulations adopted pursuant thereto have been complied with. If the Building Official sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to Section 1905.02 shall automatically become an order if a written petition for hearing is not filed in the office of the Building Official or designated office of Council within ten days after such notice is served. The proceedings at such hearing, including the findings and decision of the Building Official, shall be summarized, reduced to writing and entered as a matter of public record in the designated office of Council. Such record shall also include a copy of every notice of order issued in connection with the matter. Any person aggrieved by the decision of the Building Official may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of the Commonwealth of Pennsylvania.
(Ord. 1567 Art. 9. Passed 9-18-61.)

1905.05 EMERGENCY ORDER; COMPLIANCE AND HEARING.

Whenever the Building Official or other duly appointed representative of Council finds that a localized emergency exists which requires immediate action to protect the public health or safety, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as is deemed necessary to meet the emergency. Notwithstanding the other provisions of this Housing Code, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but, upon petition to Council or the Building Official, shall be afforded a hearing as soon as possible. After such hearing, depending upon the findings as to whether the provision of this Housing Code and of the rules and regulations adopted pursuant thereto have been complied with, such order shall continue in effect or it may be modified or revoked.
(Ord. 1567 Art. 9. Passed 9-18-61.)

1905.99 PENALTY.

Any person, firm or corporation violating any of the provisions of this Housing Code shall, upon conviction in a summary proceeding before Council or any Justice of the Peace or Alderman of the City be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty days or both. Each violation of any of the provisions of this Housing Code and each day the same is violated shall be deemed to be a separate and distinct offense.
(Ord. 1567 Art. 19. Passed 9-18-61.)

**ARTICLE 1907
Inspections and Prohibitions**

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| <p>1907.01 Access for inspections, repairs or alterations.</p> <p>1907.02 Preliminary area survey.</p> <p>1907.03 Noncomplying structure a nuisance; occupancy or use prohibited.</p> | <p>1907.04 Removal of posted notices or orders.</p> <p>1907.05 Occupation prohibited after correction time expires.</p> |
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CROSS REFERENCES

- Power to take action against housing ordinance violation - see 3rd Class § 4133 (53 P.S. § 39133)
- Right of entry for Building Official to inspect - see BLDG. 1705.06, 1709.06
- Dwelling unit occupancy - see HSG. 1913.08
- Building Official to repair or demolish unsafe structures - see HSG. 1921.02

1907.01 ACCESS FOR INSPECTIONS, REPAIRS OR ALTERATIONS.

The Building Official is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, structures and premises located within the Municipality, in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections, the Building Official is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units, structures and premises. The owner or occupant or the person in charge thereof shall give the Building Official free access to such dwelling, dwelling unit, rooming unit or structure and its premises at all reasonable times for the purpose of such inspection, examination and survey. Every occupant or operator shall give the owner thereof or his agent or employee access to any part of such building or its premises, at all reasonable times, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this Housing Code or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this Housing Code. (Ord. 1567 Art. 7. Passed 9-18-61.)

1907.02 PRELIMINARY AREA SURVEY.

The Building Official may make a preliminary survey in any area of the Municipality to determine the general condition of the structures in that area, the extent of dilapidation of structures and the unsafe and unsanitary conditions which may exist.

(Ord. 1567 Art. 7. Passed 9-18-61.)

1907.03 NONCOMPLYING STRUCTURE A NUISANCE; OCCUPANCY OR USE PROHIBITED.

If any order issued and served in accordance with this Housing Code is not complied with, within the time specified therein, the structure with respect to which the order has been issued is hereby declared to be a public nuisance, and no person, firm or corporation that has knowledge of the issuance of such order shall occupy, as a human habitation or in any manner use the structure or any part thereof.

(Ord. 1567 Art. 8. Passed 9-18-61.)

1907.04 REMOVAL OF POSTED NOTICES OR ORDERS.

No person, firm or corporation shall, without the written consent of the Building Official, remove or permit the removal of any complaint, notice or order posted in accordance with the provisions of this Housing Code.

(Ord. 1567 Art. 8. Passed 9-18-61.)

1907.05 OCCUPATION PROHIBITED AFTER CORRECTION TIME EXPIRES.

When the Building Official finds that a structure is unfit for human habitation or is dangerous within the meaning of this Housing Code, and has notified the owner to such effect and when the time limit set by the Building Official for the correction of the defects, or of the repair, alteration or improvement, or of the vacation, closing or removal of same, has expired, no person shall receive rentals, offer rent or occupy the same as a human habitation or for any other purpose.

(Ord. 1567 Art. 8. Passed 9-18-61.)

**ARTICLE 1909
Utilities and Fixtures**

1909.01 Responsibility for compliance. 1909.02 Electricity supply. 1909.03 Electric fixtures and outlets; public area lighting. 1909.04 Heating facilities. 1909.05 Water supply. 1909.06 Installation and maintenance of utilities equipment. 1909.07 Kitchen sinks.	1909.08 Water closets, lavatory basins and bathtubs or showers in dwellings other than rooming houses. 1909.09 Water closets, lavatory basins or bathtubs and showers in rooming houses. 1909.10 Bathrooms and water closets in future construction.
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CROSS REFERENCES

Plans and specifications; inspection of electrical work - see BLDG. 1705.03
 Adoption of National Electrical Code - see BLDG. 1709.11(d)
 Light and ventilation - see HSG. Art. 1911
 Compliance required for safe and sanitary maintenance - see HSG. 1913.01
 Water closet and bathroom floors - see HSG. 1913.06

1909.01 RESPONSIBILITY FOR COMPLIANCE.

Except as provided elsewhere in this Housing Code, the responsibility for compliance with the applicable requirements of this article shall be upon the person who occupies as owner-occupant or lets to another for occupancy any dwelling, dwelling unit or rooming unit. Every occupant of a dwelling unit shall keep all electric, heating and water supplied fixtures therein in a clean and sanitary condition and shall exercise reasonable care in their proper use and operation. (Ord. 1567 Art. 14. Passed 9-18-61.)

1909.02 ELECTRICITY SUPPLY.

Every rented dwelling within 300 feet of power lines shall be supplied with electricity. Every habitable room offered for rent shall be supplied with electric lighting facilities. (Ord. 1567 Art. 14. Passed 9-18-61.)

1909.03 ELECTRIC FIXTURES AND OUTLETS; PUBLIC AREA LIGHTING.

(a) Every communicating corridor, public hall and stairway shall contain at least one ceiling or wall-type electric service. 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 in accordance with the requirements of the National Electrical Code.

(b) Every public hall and stairway in every rooming house and in every multiple dwelling containing five or more dwelling units shall be adequately lighted at all times. Every public hall and stairway in every other dwelling may have conveniently located light switches which may be turned on when needed instead of full-time lighting. The Building Official may require the adequate lighting at all times of any public hall or stairway leading to one 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. (Ord. 1567 Art. 14. Passed 9-18-61.)

(c) All habitable rooms shall contain a minimum of two single baseboard or wall-type electrical outlets or one double baseboard electrical outlet. However, this requirement shall not apply in the case of a room used only for sleeping, where the other electrical provisions of the Building Code, its supplements and amendments, are met. (Ord. 1631 § 3. Passed 3-2-64.)

1909.04 HEATING FACILITIES.

Every dwelling shall have heating facilities which are properly installed, maintained in safe and good working conditions and capable of safely and adequately heating all habitable rooms, rooms containing a water closet, bathtub or shower, communicating corridors in dwelling units and communicating corridors from rooming units to rooms containing a water closet, bathtub or shower. The Building Official may prohibit the use of any gas or oil-fired space heater where the heater may constitute a danger to health or safety. (Ord. 1567 Art. 14. Passed 9-18-61.)

1909.05 WATER SUPPLY.

Every dwelling unit and rooming house shall be supplied with piped running water to provide an adequate, safe and sanitary water supply to every fixture connected with the water supply and drainage system. (Ord. 1567 Art. 14. Passed 9-18-61.)

**1909.06 INSTALLATION AND MAINTENANCE OF UTILITIES
EQUIPMENT.**

Every gas pipe, water pipe, garbage disposal unit, waste pipe, water closet, flush urinal, sink, installed dishwasher, lavatory basin, bathtub, shower, installed clothes-washing machine, catch basin, drain, vent, gas-burning fixture, any device connected with the water supply and drainage system or any other similar fixture, together with all connections to water, sewer or gas lines shall be cleanable and shall be installed and maintained in good, sanitary working condition, free from defects, leaks and obstructions and in accordance with the laws of the Commonwealth of Pennsylvania and the ordinances of the Municipality. Every kitchen sink, lavatory basin, water closet, flush urinal, bathtub or shower shall be connected to the water supply system and to a sewer system which is subject to the approval of the Building Official. (Ord. 1567 Art. 14. Passed 9-18-61.)

1909.07 KITCHEN SINKS.

Every dwelling unit shall contain an installed sink which shall be located in the kitchen, pantry or utility room. (Ord. 1567 Art. 14. Passed 9-18-61.)

**1909.08 WATER CLOSETS, LAVATORY BASINS AND BATHTUBS
OR SHOWERS IN DWELLINGS OTHER THAN ROOMING
HOUSES.**

(a) Every dwelling unit shall contain a room, separate from the habitable rooms, provided with at least one flush water closet, one lavatory basin and one bathtub or shower. (Ord. 1752 § 3. Passed 2-28-72.)

(b) Every dwelling unit shall contain, within a room which affords privacy to a person within such room, a bathtub or shower in good working condition and properly connected to a water and sewer system approved by the Health Officer.

(c) The required flush water closet, lavatory basin and bathtub or shower may be located in the same room, which room affords privacy to a person within such room. The flush water closet and lavatory basin shall be in the same room. (Ord. 1694 § 1. Passed 4-13-68.)

**1909.09 WATER CLOSETS, LAVATORY BASINS OR BATHTUBS AND
SHOWERS IN ROOMING HOUSES.**

There shall be at least one flush water closet, one lavatory basin and one bathtub or shower within every rooming house for each six persons or fraction thereof, including members of the operator's family whenever they share the use of such facilities. (Ord. 1567 Art. 14. Passed 9-18-61.)

**1909.10 BATHROOMS AND WATER CLOSETS IN FUTURE
CONSTRUCTION.**

(a) No dwelling containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet room can be had only by going through another sleeping room.

(Ord. 1752 § 2. Passed 2-28-72.)

(b) Every bathroom and water closet in such future construction shall comply with the window area and ventilation requirements for habitable rooms contained in Article 1911.

(Ord. 1567 Art. 14. Passed 9-18-61.)

**ARTICLE 1911
Light and Ventilation**

1911.01 Windows for light and ventilation in future construction.
1911.02 Artificial lighting and ventilation.

1911.03 Screens for windows and doors.

CROSS REFERENCES

Electricity supply; fixtures and outlets - see HSG. 1909.02,
1909.03

Heating facilities - see HSG. 1909.04

1911.01 WINDOWS FOR LIGHT AND VENTILATION IN FUTURE CONSTRUCTION.

Every habitable room in buildings hereafter constructed shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be ten percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light-obstruction structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least ten percent of the total floor area of such room.

Every habitable room shall have at least one window or skylight, which can easily be opened or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to at least forty-five percent of the minimum window area size or minimum skylight-type window size, as hereinabove provided, except where there is supplied some other device affording adequate ventilation and approved by the Building Official. (Ord. 163 §1. Passed 3-2-64.)

1911.02 ARTIFICIAL LIGHTING AND VENTILATION.

All existing rooms used or to be used for living purposes must conform to the requirements for light and air as set forth in Section 1911.01. In the event that extreme hardship is encountered in meeting these requirements, adequate artificial lighting and ventilation may be approved by the Building Official. The cutting of window space through an outside wall shall not be deemed a hardship. (Ord. 1567 Art. 11. Passed 9-18-61.)

1911.03 SCREENS FOR WINDOWS AND DOORS.

Where mechanical ventilation is not provided, all windows, the areas of which have been included to meet openable window standards under Section 1911.01 and doors, shall be provided with screens. (Ord. 1631 §2. Passed 3-2-64.)

ARTICLE 1913
Safe and Sanitary Maintenance

<p>1913.01 Compliance required.</p> <p>1913.02 Foundation, floor, wall, ceiling and roof.</p> <p>1913.03 Windows and doors.</p> <p>1913.04 Stairs and porches.</p> <p>1913.05 Plumbing fixtures and pipes.</p>	<p>1913.06 Water closet and bathroom floors.</p> <p>1913.07 Required equipment and facilities.</p> <p>1913.08 Dwelling unit occupancy.</p>
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CROSS REFERENCES

National Plumbing Code adopted - see BLDG. 1709.11(c)
 Plumbing - see BLDG. Art. 1713
 Dwelling unit defined - see HSG. 1901.05
 Noncomplying structure a nuisance - see HSG. 1907.03
 Light and ventilation - see HSG. Art. 1911
 General conditions before occupancy - see HSG. 1923.04

1913.01 COMPLIANCE REQUIRED.

No person shall occupy as owner-occupant or let to another for occupancy any structure, for the purpose of living or transaction of business therein, which does not comply with the following requirements of this article. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.02 FOUNDATION, FLOOR, WALL, CEILING AND ROOF.

Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodent-proof, shall be capable of affording privacy and shall be kept in good repair. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.03 WINDOWS AND DOORS.

Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodent-proof, and shall be kept in sound working condition and good repair. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.04 STAIRS AND PORCHES.

Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair by the person responsible under this Housing Code. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.05 PLUMBING FIXTURES AND PIPES.

Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.06 WATER CLOSET AND BATHROOM FLOORS.

Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.07 REQUIRED EQUIPMENT AND FACILITIES.

Every supplied facility, piece of equipment or utility which is located in any structure and which is essential to public health 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 Housing Code. (Ord. 1567 Art. 12. Passed 9-18-61.)

1913.08 DWELLING UNIT OCCUPANCY.

No owner shall occupy or let to any other occupant any vacant structure unless it is clean, sanitary and fit for human occupancy. (Ord. 1567 Art. 12. Passed 9-18-61.)

ARTICLE 1915
Space, Use and Location Requirements

1915.01	Compliance required.	1915.04	Ceiling height.
1915.02	Floor space per occupant.	1915.05	Basement as dwelling unit.
1915.03	Sleeping room floor space.	1915.06	Cellar as work or playroom.

CROSS REFERENCES

Basement and cellar defined - see HSG. 1901.02, 1901.03

Compliance required for safe and sanitary maintenance - see HSG. 1913.01

Bedding and floor space for rooming houses - see HSG. 1919.01

1915.01 COMPLIANCE REQUIRED.

No person shall occupy or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements of this article. (Ord. 1567 Art. 13. Passed 9-18-61.)

1915.02 FLOOR SPACE PER OCCUPANT.

Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area. (Ord. 1567 Art. 13. Passed 9-18-61.)

1915.03 SLEEPING ROOM FLOOR SPACE.

In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least seventy square feet of floor space and every room occupied for sleeping purposes by more than one occupant shall contain at least forty square feet of floor space for each occupant thereof. (Ord. 1567 Art. 13. Passed 9-18-61.)

1915.04 CEILING HEIGHT.

At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet. The floor area of that part of any room where the ceiling height is less than four feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof. (Ord. 1567 Art. 13. Passed 9-18-61.)

1915.05 BASEMENT AS DWELLING UNIT.

No basement space shall be used as a habitable room or dwelling unit unless:

- (a) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness;
- (b) The total of window area in each room is equal to at least the minimum window area sizes as required in Section 1911.01;
- (c) Such required minimum window area is located entirely above the grade of the ground adjoining such window area; and
- (d) The total of openable window area in each room is equal to at least the minimum as required in Section 1911.01, except where there is supplied some other device affording adequate ventilation and approved by the Building Official.

(Ord. 1567 Art. 13. Passed 9-18-61.)

1915.06 CELLAR AS WORK OR PLAYROOM.

No cellar shall be occupied as a dwelling unit or habitable room. This section shall not be construed to prohibit workrooms, playrooms or other recreation rooms in cellars. In the event that a cellar is used as a workroom, playroom or other recreation room, it must comply with the following requirements.

- (a) The floors and walls shall be impervious to leakage of underground and surface runoff water and protected against dampness. The floors shall be constructed of material which is easy to keep in a clean and sanitary condition.
- (b) There shall be adequate lighting and ventilation and a safe and unobstructed means of egress.

(Ord. 1567 Art. 13. Passed 9-18-61.)

ARTICLE 1917
Responsibilities of Owners and Occupants

1917.01	Rodent and pest control.	1917.03	Accumulation of junk declared a nuisance.
1917.02	Refuse storage, disposal and incineration facilities.	1917.99	Penalty.

CROSS REFERENCES

Garbage and rubbish collection and disposal - see S.U. & P.S. Art. 929
 Dumping rubbish - see HLTH. 1107.01
 Weeds - see HLTH. Art. 1111
 Extermination and infestation defined - see HSG. 1901.08, 1901.11
 Garbage and rubbish or refuse defined - see HSG. 1901.09, 1901.19
 Screens for windows and doors required - see HSG. 1911.03
 Safe and sanitary maintenance required - see HSG. 1913.01

1917.01 RODENT AND PEST CONTROL.

Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests in the dwelling or on the premises. Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for extermination whenever his dwelling unit is the only one infested, except that where infestation is caused by failure of the owner to maintain the dwelling in a rodent-proof or reasonable insect-proof 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, extermination shall be the responsibility of the owner. Whenever infestation exists in any rooming house, extermination shall be the responsibility of the operator. Whenever infestation exists in any other structure, extermination shall be the responsibility of the occupant or the owner if vacant.
 (Ord. 1567 Art. 15. Passed 9-18-61.)

1917.02 REFUSE STORAGE, DISPOSAL AND INCINERATION FACILITIES.

(a) Every dwelling unit shall be supplied by the occupant with adequate refuse storage facilities or refuse disposal 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 facilities and refuse disposal facilities shall be subject to approval by the Building Official.

(b) The occupant of every dwelling unit or rooming unit shall be responsible for the storage of garbage and rubbish in a clean and sanitary manner in accordance with the provisions of this Housing Code and in compliance with the ordinance of the Municipality. Except where otherwise provided in this section, the occupant of every dwelling unit where an incinerator is used shall be responsible for the clean and sanitary disposal of any residue remaining after incineration. Where an incinerator is used in a rooming house, the owner or operator shall be responsible for the clean and sanitary disposal of any residue remaining after incineration. (Ord. 1567 Art. 16. Passed 9-18-61.)

1917.03 ACCUMULATION OF JUNK DECLARED A NUISANCE.

(a) The unlicensed accumulation of junk or the placement or establishment of junk is hereby declared to be a nuisance and detrimental to the health, safety, comfort and welfare of the citizens of the City of Titusville because the accumulation of junk and the placement or establishment of junk in a noncontrolled, unregulated area provides a breeding place for rodents and insects, it can become an attractive nuisance for children, and it can create other hazards which may be dangerous to the health and welfare of the citizens of the City of Titusville.

(b) Junk shall be defined for purposes of interpreting this section as any discarded or salvageable article or material including, but not limited to, scrap metal, paper, rags, glass, containers, scrap wood, abandoned, uninspected or unlicensed motor vehicles, and parts thereof, tires, trailers, machinery and equipment. This definition shall not include domestic or commercial garbage or waste stored temporarily in containers for regular periodic disposal. (Ord. 3045. Passed 5-29-01.)

1917.99 PENALTY.

(a) Except as provided for in subsection (b), penalties not exceeding one per month on a property and limited to no more than one thousand dollars for the first two continual and uncorrected violations on the same property and not exceeding five thousand dollars for the third and any subsequent continual and uncorrected violation on the same property.

(b) If a violation is found to pose a threat to the public's health, safety or property, then penalties or fine may be provided for as follows:

- (1) Not exceeding one citation per five calendar days for a continual, uncorrected violation on the same property;
- (2) Limited to no less than five hundred dollars and no more than one thousand dollars for the first two continual and uncorrected violations on the same property and no less than one thousand dollars and not exceeding ten thousand dollars for the third and any subsequent continual and uncorrected violation. (Ord. 3045. Passed 5-29-01.)

**ARTICLE 1919
Rooming Houses**

1919.01 Permit required; bedding and floor space.

1919.02 Inspection; violation notice and hearing.

CROSS REFERENCES

Power to take action against housing ordinance violation - see 3rd Class §4133 (53 P.S. §39133)

Rooming house defined - see HSG. 1901.17

Floor space per occupant - see HSG. 1915.02

Sleeping room floor space - see HSG. 1915.03

Rooming house maintenance - see HSG. 1923.03

1919.01 PERMIT REQUIRED; BEDDING AND FLOOR SPACE.

No person shall operate a rooming house or shall let to another for occupancy any rooming unit in any rooming house, unless he or she first apply for and receive a nontransferable permit to operate such rooming house. Application for such permit shall be made at the office of the Council.

The operator of every rooming house shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner, and all bed linen and towels shall be changed at least once each week and prior to the letting of any room to any occupant.

Every room occupied for sleeping purposes by one person shall contain at least seventy square feet of floor space, or in the event of more than one person per room, at least forty square feet of floor space per person. (Ord. 1567 Art. 18. Passed 9-18-61.)

1919.02 INSPECTION; VIOLATION NOTICE AND HEARING.

Whenever, upon the inspection of any rooming house, the Building Official finds conditions or practices in violation of this Housing Code, notice in writing of such violation shall be given to the operator of such rooming house that, unless such conditions and/or practices are corrected within a period of time to be set by the Building Official, the operator's permit shall be suspended. At the close of this period of time, if such violations still are not corrected, the operator's permit shall be revoked. The operator may request and be granted a hearing, on any violations, before the Building Official under the provisions of Article 1905. (Ord. 1567 Art. 18. Passed 9-18-61.)

ARTICLE 1921
Unsafe Structures; Demolition

1921.01 Inspection; remedial notice and duty of owner.

1921.02 Duty of Building Official to repair or demolish; costs a lien.

CROSS REFERENCES

Abatement of public nuisances - see 3rd Class §2320 et seq.
(53 P.S. §37320 et seq.)

Power to take action against housing ordinance violation - see 3rd Class §4133 (53 P.S. §39133)

Dwelling unfit for human habitation defined - see HSG. 1901.07

Occupation prohibited after expiration of correction time - see HSG. 1907.05

Responsibilities of owners and occupants - see HSG. Art. 1917

1921.01 INSPECTION; REMEDIAL NOTICE AND DUTY OF OWNER.

The Building Official shall make periodic inspection of any dwelling vacated as unfit for human habitation or any other vacant structure. Whenever an inspection of the structure discloses that the structure by reason of its being a rat harborage or for any other reason has become a public nuisance or a hazard to the health, safety or welfare of the public, the Building Official shall issue a written notice requiring the owner, within a reasonable time specified in the notice, to rectify the conditions constituting the nuisance, or to remove or demolish the structure. Such removal or demolition shall not be ordered unless the cost of such repair, alteration or improvement shall exceed fifty percent of the value of the structure. Service of the notice shall be made in accordance with Section 1905.02.
(Ord. 1567 Art. 10. Passed 9-18-61.)

**1921.02 DUTY OF BUILDING OFFICIAL TO REPAIR OR DEMOLISH;
COSTS A LIEN.**

If the owner fails to rectify the conditions and the cost of rectifying the same shall be less than fifty percent of the value of the structure, the Building Official may make such repairs, alterations or improvements. The cost of such alterations, improvements, or vacating and closing, removal or demolition shall be a municipal lien against the real property upon which the cost was incurred. If the structure is removed or demolished by the order of the Building Official, he shall sell the materials of such structure for the best price attainable and shall credit the proceeds of such sale against the cost of removal or demolition. Any balance remaining shall be disbursed to the owner or paid into the office of the Prothonotary of the County in accordance with existing laws for payment of money into Court.
(Ord. 1567 Art. 10. Passed 9-18-61.)

**ARTICLE 1923
General Sanitation**

1923.01 Proper grading and drainage.
1923.02 Dwelling units and commercial establishments.

1923.03 Rooming house maintenance.
1923.04 General conditions before occupancy.

CROSS REFERENCES

Garbage and rubbish collection and disposal - see S.U. & P.S. Art. 929
Weeds - see HLTH. Art. 1111
Plumbing - see BLDG. 1709.11(c), Art. 1713
Plumbing fixtures; pipes - see HSG. 1913.05
Dwelling unit occupancy - see HSG. 1913.08
Rooming houses - see HSG. Art. 1919

1923.01 PROPER GRADING AND DRAINAGE.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unless the premises are properly graded and drained. Any drainage required by the laws of the Commonwealth or the ordinances of the Municipality shall be constructed in accordance with such laws or ordinances. (Ord. 1567 Art. 17. Passed 9-18-61.)

1923.02 DWELLING UNITS AND COMMERCIAL ESTABLISHMENTS.

(a) Every occupant of a dwelling unit shall keep in a clean and sanitary condition and free from any accumulation of dirt, refuse, debris or other matter that part of the dwelling and premises which he occupies and controls, including the shared and public areas.

(b) Every means of ingress and egress of commercial establishments shall be kept unobstructed and free of an accumulation of debris by the operator.
(Ord. 1567 Art. 17. Passed 9-18-61.)

1923.03 ROOMING HOUSE MAINTENANCE.

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for the maintenance of a sanitary condition in every part of the rooming house. (Ord. 1567 Art. 17. Passed 9-18-61.)

1923.04 GENERAL CONDITIONS BEFORE OCCUPANCY.

No person shall occupy as owner-occupant or let to another for occupancy any vacant dwelling unit or rooming unit unless it is clean, sanitary, in good repair and fit for human occupancy. (Ord. 1567 Art. 17. Passed 9-18-61.)