

1 BILL NO. 262

A BILL

ORDINANCE NO.

94- 280

2  
3 FOR

4 AN ORDINANCE

5 ADOPTING THE KEIZER HOUSING CODE

6 The City of Keizer ordains as follows:

7 Section 1. PURPOSE. The purpose of this Code is to provide minimum  
8 requirements for the protection of life, limb, health, property safety and welfare  
9 of the general public and the owners, occupants and users of residential  
10 buildings.

11 Section 2. SCOPE. The provisions of this Code shall apply to all  
12 buildings or portions thereof used or designed, or intended to be used, for human  
13 habitation. Such occupancies in existing buildings may be continued, except such  
14 structures as are found to be substandard as defined in this Code.

15 Each mobile home, trailer, and recreational vehicle which is used as a  
16 residence and which does not meet the requirements prescribed pursuant to ORS  
17 446.002 to 446.200 shall comply with all of the requirements of this Code,  
18 whether or not such mobile home, trailer, or recreational vehicle is placed on a  
19 permanent foundation or otherwise affixed to real property.

20 Where any building or portion thereof is used or intended to be used as a  
21 combination apartment house-hotel, the provisions of this Code shall apply to the  
22 separate portions as if they were separate buildings.

23 Every rooming and boarding house shall comply with all the requirements  
24 of this Code for dwellings.

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**LIEN, HOBSON & JOHNSON**

Attorneys at Law  
4855 River Rd. N.  
Keizer, Oregon 97303  
(503) 390-1635

1 Section 3. INTENT. It is not the intent of this Code to impose any  
2 requirements more stringent than those contained in the Uniform Building Code  
3 (UBC), Uniform Mechanical Code (UMC), Uniform Plumbing Code (UPC),  
4 Uniform Fire Code (UFC), or the National Electrical Code (NEC) in effect at the  
5 time the structure or portion thereof was built. Compliance with the laws listed  
6 above shall be considered compliance with this Code. In addition, it is not the  
7 intent of this Code to be in conflict with any state or federal law including, but  
8 not limited to, any Fair Housing Act requirements. The provisions of this Code  
9 shall be enforced only to the extent that enforcement of a particular provision  
10 does not violate state or federal law.

11 Section 4. DEFINITIONS. For the purpose of this Uniform Housing  
12 Code:

13 (1) Authorized Designee(s). Qualified inspectors designated by City  
14 Manager.

15 (2) Bedroom. A habitable room that is not a bathroom and that:

16 (a) Is intended to be used primarily for sleeping purposes;

17 (b) Contains at least seventy (70) square feet; and

18 (c) Is configured so as to take the need for a fire exit into  
19 account.

20 (3) Ceiling Height. The clear vertical distance between the finished  
21 floor and the finished ceiling.

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- 1 (4) Dwelling Unit. Any building or portion thereof which contains  
2 living facilities (including provision for sleeping, eating, cooking and  
3 sanitation as required by this Code).
- 4 (5) Efficiency Dwelling. A combination apartment house/hotel.
- 5 (6) Guest Room. Any room used or intended to be used by a guest for  
6 sleeping purposes. Every 100 square feet of a superficial area in a  
7 dormitory shall be considered to be a guest room.
- 8 (7) Habitable Space (Room). Space in a structure for living, sleeping,  
9 eating or cooking, and bathrooms. Closets, halls, storage or utility  
10 space and similar areas are not considered habitable space.
- 11 (8) Owner. Any person, firm, or corporation (or agent of such party)  
12 having a legal or equitable interest in the subject property, other than  
13 a leasehold or an interest less than a leasehold.
- 14 (9) Rooming and Boarding House. Any building or portion thereof  
15 containing not more than five guest rooms where rent is paid in  
16 money, goods, labor or otherwise.
- 17 (10) Superficial Floor Area. The net floor area within the enclosing  
18 walls of a habitable room, excluding built-in equipment such as  
19 wardrobes, cabinets, kitchen units, or fixtures and excluding all  
20 space where the ceiling height is less than four feet.
- 21 (11) Water Closet. A room with a toilet, but no other plumbing fixtures.

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1 (12) Window. A glazed opening, including glazed portions of doors,  
2 which directly admits natural light from the outdoors, and, if  
3 openable, opens directly upon the outdoors.

4 Section 5. AUTHORITY. The City Manager and/or authorized designee  
5 are hereby authorized to enforce all of the provisions of this Code.

6 Section 6. RIGHT OF ENTRY. Whenever necessary to make an  
7 inspection to enforce any of the provisions of this Code, or whenever the City  
8 Manager or designee has probable cause to believe that there exists in any  
9 building or upon any premises, any condition which makes such building or  
10 premises in violation of Section 8 of this Code, the City Manager and/or designee  
11 shall present proper credentials and request entry; and if such building or  
12 premises be unoccupied, he/she shall first make a reasonable effort to locate the  
13 owner or other persons having charge or control of the building or premises and  
14 request entry. If such entry is refused, the City Manager shall have recourse  
15 to every remedy provided by law to secure entry, including, but not limited to,  
16 requesting the Keizer Municipal Court to issue an inspection warrant.

17 Section 7. RESPONSIBILITY DEFINED. Every owner is responsible  
18 for maintaining their property or premises in full compliance with the  
19 requirements of this Code even though the owner has, by agreement, imposed on  
20 the occupant(s) the duty of furnishing required equipment or of complying with  
21 this Code.

1 Every owner, in addition to being responsible for maintaining his or her  
2 building in compliance with the requirements of this Code, shall be responsible  
3 for keeping that part of the building or premises which he/she occupies or  
4 controls in a clean, sanitary, and safe condition, including the shared or public  
5 areas in a building containing two or more dwelling units.

6 Section 8. CODE REQUIREMENTS. Any dwelling unit, rooming and  
7 boarding house, guest room or suite of rooms, or the premises on which the  
8 same is located shall meet the following requirements:

9 (1) Sanitation Requirements.

10 (a) Every dwelling unit shall be provided with a water closet, a  
11 lavatory, and a bathtub or shower.

12 (b) Each dwelling unit shall be provided with kitchen facilities  
13 complete with kitchen sink. Such facility shall be separate  
14 from the lavatory, bath, and toilet facilities required by  
15 subsection (a) of this section.

16 (c) All plumbing fixtures shall be drained into an approved  
17 sanitary sewer or private sewage disposal system in  
18 conformance with the UPC. All plumbing fixtures shall be  
19 provided with hot and cold running water from an approved  
20 water supply system, provided however, that water closets  
21 may be supplied with cold water only. All plumbing fixtures  
22 shall be of approved nonabsorbent materials.

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1 (d) Any room in which a toilet is located shall be separated from  
2 kitchen facilities, food preparation, and food storage areas by  
3 a tight-fitting door.

4 (e) All sanitary facilities, drain, waste, vent, and water piping  
5 shall be of approved materials, and shall be installed and  
6 maintained in a safe and sanitary condition, free from cross-  
7 connections and siphonage between fixtures, and free from  
8 any other condition which would allow impure water to enter  
9 the potable water supply system.

10 (2) Structural Requirements.

11 (a) Buildings or structures may be of any type of construction  
12 permitted by the UBC. Roofs, floors, walls, fireplaces,  
13 chimneys, foundations and all other structural components of  
14 buildings shall be capable of resisting any and all forces and  
15 loads to which they may be subjected. All structural elements  
16 shall be proportioned and joined in accordance with the design  
17 criteria specified in the appropriate sections of the UBC.

18 (b) All wood shall be protected against insect damage and other  
19 decay. Exterior surfaces shall be protected from damage  
20 resulting from moisture penetration.

21 (c) Access to all attic and underfloor areas shall be provided by  
22 means of openings not less than 14 inches by 24 inches in  
23 size.

1 (3) Occupancy Requirements.

2 (a) The occupancy load for any dwelling unit, rooming and  
3 boarding house, and guest room shall be determined by  
4 multiplying the number of bedrooms by four (4). [See Section  
5 8(9) for occupancy requirements for efficiency dwellings.]

6 (b) A building within the scope of this Code shall not be used,  
7 designed, or equipped for use by or for more occupants than  
8 the occupancy load determined under subsection (a) of this  
9 section.

10 (4) Electrical Requirements.

11 (a) All electrical equipment, wiring, and appliances shall be  
12 installed and maintained in a safe manner in accordance with  
13 the NEC. All electrical equipment shall meet all applicable  
14 codes and regulations.

15 (b) Every habitable room shall contain at least two supplied  
16 electric convenience outlets, or one supplied electric  
17 convenience outlet and one supplied electric light fixture.

18 (5) Lighting Requirements.

19 (a) Each habitable room, bathroom, and water closet compartment  
20 shall be provided with natural light by means of windows or  
21 skylights with a minimum area of five percent (5%) of the  
22 superficial floor area of the room.

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1 (b) In lieu of natural light as provided in subsection (a) of this  
2 section, interior rooms, bathrooms, and water closet  
3 compartments may be provided with artificial light equivalent  
4 to one 40 watt incandescent bulb for each 100 square feet of  
5 superficial floor area or fraction thereof, provided the light is  
6 so located as to illuminate all foot traffic areas of the room  
7 and the interior of any tub or shower stall with light having  
8 an intensity of one foot candle at floor level.

9 (c) Each laundry room, utility room, storage room, closet,  
10 workshop, service room, and cellar having more than 20  
11 square feet of superficial floor area shall be provided with  
12 natural or artificial light, or any combination thereof,  
13 equivalent to that specified in subsection (a) or (b) of this  
14 section.

15 (6) Heating Requirements.

16 (a) Every dwelling unit and guest room shall be provided with  
17 comfort heating facilities capable of maintaining a temperature  
18 of 60 degrees Fahrenheit at a point three feet above the floor  
19 in all habitable rooms. All heating devices or appliances shall  
20 meet all applicable codes and regulations.

21 (b) Combustion air for fuel burning appliances shall be provided  
22 as required in the UMC.

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1 (c) All fuel burning appliances shall be installed and maintained  
2 in accordance with the provisions of all applicable Codes.  
3 Unvented fuel-burning heaters are prohibited.

4 (7) Ventilation Requirements. Each habitable room, bathroom, and  
5 water closet compartment shall be equipped with openable windows,  
6 openable skylights, a mechanical ventilation system, or any  
7 combination thereof, capable of producing at least two air changes  
8 per hour. Openable windows or skylights with an area at least one-  
9 twentieth of the superficial floor area of the room, but in no event  
10 less than five square feet, shall be deemed to satisfy the requirements  
11 of this section.

12 (8) General Sanitary Requirements. All buildings and premises shall be  
13 kept free of dead organic matter, debris, garbage, offal, rat  
14 harborage, stagnant water, combustible materials, and similar  
15 materials or conditions that constitute fire, health, or safety hazards.  
16 In addition, all premises shall be kept free of insect and rodent  
17 infestation, and every owner shall be responsible for the  
18 extermination of any insects, rodents, or other pests.

19 (9) Efficiency Dwelling Requirements. An efficiency dwelling unit shall  
20 conform to all requirements of this Code except as herein provided:

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1 (a) The unit shall have not less than 220 square feet of superficial  
2 floor area and 100 additional square feet of superficial floor  
3 area shall be provided for each occupant of such unit in excess  
4 of two.

5 (b) The unit shall be provided with a separate closet.

6 (c) The unit shall be provided with a separate bathroom  
7 containing a water closet, lavatory and bathtub or shower.

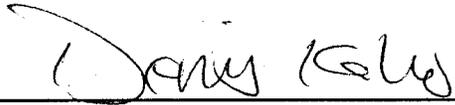
8 Section 9. REMEDIES. Violations of this Code are infractions, and the  
9 responsible parties may be cited under the Keizer Civil Infraction Ordinance. In  
10 addition, as a nuisance, the nuisance may be abated under Keizer Nuisance  
11 Abatement Procedures, Ordinance No. 282. These procedures and/or remedies  
12 shall not prohibit in any way any alternative remedies set out in city ordinances  
13 or state statutes intended to alleviate ordinance violations. The remedies set forth  
14 herein are not exclusive, but are in addition to any and all common law remedies  
15 for the abatement of nuisances.

16 PASSED this 6th day of June, 1994.

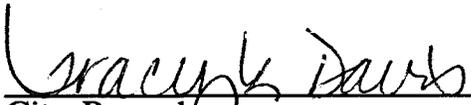
17 SIGNED this 6th day of June, 1994.

PASSED ON FIRST READING

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\_\_\_\_\_  
Mayor

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City Recorder

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**LIEN, HOBSON & JOHNSON**

Attorneys at Law  
4855 River Rd. N.  
Keizer, Oregon 97303  
(503) 390-1635