

City Code, Chapter 16A: COLUMBUS HOUSING CODE

CHAPTER 16A
COLUMBUS HOUSING CODE

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CHAPTER 16A
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ARTICLE I
TITLE, SCOPE, SEVERABILITY

SECTION 16A-100. TITLE. This Chapter shall be known as the Columbus Housing Code and may be cited as such.

SECTION 16A-101. PURPOSE. The purpose of this Chapter is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all residential buildings and structures within this jurisdiction.

SECTION 16A-102. APPLICATION.

A. The provisions of this Chapter shall apply to all structures, buildings, or portions thereof used, or designed or intended to be used, for human habitation. Such occupancies in existing buildings may be continued as provided in Section 104(c) of the Uniform Building Code (1985), except such structures as are found to be substandard as defined in this Code.

Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this Code shall apply to the separate portions as if they were separate buildings. Every rooming house or lodging house shall comply with all the requirements of this Code for dwellings.

B. Alteration. Existing buildings which are altered or enlarged shall be made to conform to this Code insofar as the new work is concerned and in accordance with Section 104(a) and (b) of the Uniform Building Code (1985).

C. Relocation. Buildings or structures moved into or within this jurisdiction shall comply with the requirements in the Building Code for new buildings and structures.

(Supporting authority for Article I: Chapter 1 of Uniform Housing Code of 1988, International Conference of Building Officials, Whittier, California (U.H.C.); Minn. Stat. Section 368.01 (1989).)

[CHAPTER 16A, ARTICLE I, § 16A-102, amended by Ord. No. 89-17, effective December 8, 1989.]

SECTION 16A-103. SEVERABILITY CLAUSE. Should any part of this Chapter be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the validity of the ordinance as a whole or any part thereof other than the part so declared invalid or unconstitutional.

ARTICLE II
ENFORCEMENT

SECTION 16A-200. AUTHORITY. The building official is hereby authorized and directed to enforce all of the provisions of this Code. For such purposes, he shall have the powers of a law enforcement officer.

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SECTION 16A-201. RIGHT OF ENTRY. Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the building official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises, any condition or Code violation which makes such building or premises unsafe, dangerous or hazardous, the building official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official or this Code, provided that if such building or premises be occupied, he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

When the building official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official or his authorized representative for the purpose of inspection and examination pursuant to this Code.

SECTION 16A-202. RESPONSIBILITIES DEFINED.

A. Every owner remains liable for violations of duties imposed upon him by this Code even though an obligation is also imposed on the occupants of his building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this Code.

B. Every owner, or his agent, in addition to being responsible for maintaining his building in a sound structural condition, shall be responsible for keeping that part of the building or premises which he occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a building containing two or more dwelling units.

C. Every owner shall, where required by this Code, or other applicable law, furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain such approved devices, equipment or facilities for the prevention of insect and rodent infestation, and where infestation has taken place, shall be responsible for the extermination of any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.

D. Every occupant of a dwelling unit, in addition to being responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which he occupies and controls, shall dispose of all his rubbish, garbage and other organic waste in a manner required by the City Code.

E. Every occupant shall, where required by this Code or the City Code, furnish and maintain approved devices, equipment or facilities necessary to keep his premises safe and sanitary.

[§ 16A-202 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 16A-203. SUBSTANDARD BUILDINGS. All buildings or portions thereof which are determined to be substandard as defined in this Code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Chapter 16C of the City Code.

[§ 16A-203 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 16A-204. VIOLATIONS. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any

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building or structure or cause or permit the same to be done in violation of this code. Violations hereof may be prosecuted as a misdemeanor in accordance with state law and in accordance with the provisions of Chapter 1, Article I, Section 1-109 of the City Code.

(Supporting authority for Article II: Chapter 2 of Uniform Housing Code of 1988, International Conference of Building Officials, Whittier, California (U.H.C.); Minn. Stat. Section 368.01 (1989).)

[§ 16A-204, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE III **PERMITS AND INSPECTIONS**

SECTION 16A-300. GENERAL. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by this Code without first obtaining a separate permit for each building or structure from the building official in the manner and according to the applicable conditions prescribed in Chapter 3 of the Uniform Building Code (1985).

[§ 16A-300, amended by Ord. No. 89-17, effective December 8, 1989.]

SECTION 16A-301. FEES. Whenever a building permit is required by Section 16A-300 of this Code, the appropriate fees shall be paid to the building official as specified in Section 304 of the Uniform Building Code (1985).

[§ 16A-301, amended by Ord. No. 89-17, effective December 8, 1989.]

SECTION 16A-302. INSPECTION. All buildings or structures within the scope of this Code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this Code and Sections 305 and 306 of the Uniform Building Code (1985).

(See Chapter 3 of Uniform Housing Code of 1988, International Conference of Building Officials, Whittier, California (U.H.C.); Minn. Stat. Section 368.01 (1989).)

[§ 16A-302, amended by Ord. No. 89-17, effective December 8, 1989.]

ARTICLE IV **DEFINITIONS**

SECTION 16A-400. DEFINITIONS. For the purpose of this Code, certain terms, phrases, words and their derivatives shall be construed as specified in either this Chapter or as specified in the Building Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1961, shall be considered as providing ordinary accepted meanings. Words in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

“**BUILDING CODE**” is the Uniform Building Code (1985) promulgated by the International Conference of Building Officials, as adopted in Chapter 13 of the City Code.

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“EFFICIENCY DWELLING UNIT” is a dwelling unit containing only one habitable room and meeting the requirements of Section 503(b) of the Uniform Building Code (1985), exception.

“HEALTH OFFICER” is the legally-designated head of the Department of Health of this jurisdiction.

“HOT WATER” is hot water supplied to plumbing fixtures at a temperature of not less than 110°F.

“MECHANICAL CODE” is Minn. Rules, Ch. 1346, as amended, promulgated jointly by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction.

[§ 16A-400, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 92-2, effective April 17, 1992, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-02, effective March 5, 2009.]

SECTION 16A-401. NUISANCE. The following shall be defined as nuisances:

- A. Any public nuisance known at common law or in equity jurisprudence.
- B. Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators or motor vehicles; or any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.
- C. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- D. Overcrowding a room with occupants.
- E. Insufficient ventilation or illumination.
- F. Inadequate or unsanitary sewage or plumbing facilities.
- G. Uncleanliness, as determined by the health officer.
- H. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

SECTION 16A-402. STRUCTURE. In addition to other cited definitions, “structure” includes, but is not limited to, the definition of structure as shown in Chapter 7A of the City Code.

(See Chapter 4 of Uniform Housing Code of 1988, International Conference of Building Officials, Whittier, California (U.H.C.); Minn. Stat. Section 368.01 (1989).)

[§ 16A-402, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE V
UNIFORM HOUSING CODE (1988):
SELECTED PROVISIONS

SECTION 16A-500. ADOPTION OF SELECTED PROVISIONS. The following provisions are adopted as part of the Columbus Housing Code and are incorporated herein by reference:

- Chapter 5 (Space and Occupancy Standards),
- Chapter 6 (Structural Requirements),
- Chapter 7 (Mechanical Requirements),

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Chapter 8 (Exits),
Chapter 9 (Fire Protection), and
Chapter 10 (Substandard Buildings), of the Uniform Housing Code of 1988, International Conference of Building Officials, Whittier, California.
Copies of the Uniform Housing Code (1988) are on file and may be examined in the office of the City Clerk.
[§ 16A-500, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE VI
NOTICES AND ORDERS OF BUILDING OFFICIAL

SECTION 16A-600. COMMENCEMENT OF PROCEEDINGS. Whenever the building official has inspected or caused to be inspected any building and has found and, determined that such a building is a substandard building, he shall commence proceedings to cause the repair, rehabilitation, vacation or demolition of the building.

SECTION 16A-601. NOTICE AND ORDER. The building official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain:

- A. The street and address and a legal description sufficient for identification of the premises upon which the building is located.
- B. A statement that the building official has found the building to be substandard with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 16A-203 of this Chapter.
- C. A statement of the action required to be taken as determined by the building official.
 1. If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed sixty (60) days from the date of the order) and completed within such time as the building official shall determine is reasonable under all of the circumstances.
 2. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the building official to be reasonable.
 3. If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine reasonable (not to exceed sixty (60) days from the date of the order); that all required permits be secured therefor within sixty (60) days from the date of the order, and that the demolition be completed within such time as the building official shall determine is reasonable.
- D. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official: (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) shall notify the City Council of the owner's failure to comply with the building official's order.

[§ 16A-601 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 16A-602. LEGAL ACTION. Upon receipt of the notification of noncompliance with the building official's order(s), the City Council may direct:

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- A. That the offending property owner be prosecuted for the Code violations; or,
- B. That abatement proceedings be commenced pursuant to Chapter 16C of the Columbus City Code; or,
- C. That civil proceedings be commenced to enjoin the offending conduct or offending use; or,
- D. That other remedies, as the law may provide, be employed to terminate the offending conduct or offending use.

[§ 16A-602, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 94-3, effective September 9, 1994, amended by Ord. No. 07-02, effective March 1, 2007.]



CHAPTER 16A, added by Ord. No. 86-4, effective June 27, 1986. History of ordinances affecting the text of Chapter 16A (since adoption of Ord. No. 86-4):

Ord. No. 89-17, effective December 8, 1989.

Ord. No. 92-2, effective April 17, 1992.

Ord. No. 94-3, effective September 9, 1994.

Ord. No. 07-02, effective March 1, 2007.

Ord. No. 09-02, effective March 5, 2009.

This Chapter has been updated through the date of the latest ordinance listed above.

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