# CHAPTER 21

## HOUSING AND RESIDENTIAL PROPERTY MAINTENANCE CODE

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PURPOSE AND SCOPE

21.01 PURPOSE. It is hereby found and declared that buildings or other structures and properties either occupied or unoccupied, which because of faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors, so that they have become or are becoming dilapidated, neglected, fire hazard, overcrowded with occupants, unsanitary, or vermin infested, jeopardize or are detrimental to the health, safety, morals, welfare, and/or repose of the people of the Village. It is further found and declared that the elimination of such buildings or structures or the prevention of the occurrence of such conditions in the future is in the best interests of the citizens of this Village and that the accomplishments of this end will be fostered and encouraged by the enactment and enforcement of this chapter.

21.02 SCOPE. The provisions of this code shall apply to all existing and future residential buildings and structures, accessory buildings and structures, and all existing and future premises. The provisions of this code constitute minimum requirements and standards for premises, structures, equipment and facilities, for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe, sanitary, and aesthetic maintenance thereof; the responsibility of owners; and the administration, enforcement and penalties for violation thereof.

21.03 COMPLIANCE WITH OTHER CODES. The provisions of this chapter shall not abrogate the responsibility of every person to comply with the provisions of the Village of Bellevue Zoning and Municipal Codes; and the Village, if any, and State of Wisconsin Residential and Commercial Building, Plumbing, Electrical, Heating, Ventilating and Air Conditioning Codes, Rental Weatherization, and International Fuel Gas Code.
21.05 **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of this chapter:

(1) “Approved” shall mean a specific affirmative action taken by the Village in accordance with regulations established by Village of Bellevue or other authority having jurisdiction.

(2) “Basement” shall mean that portion of a building or area located sub-grade and below the first floor (grade level floor).

(3) “Bathroom” shall mean a separate and private room containing bathtub or shower stall which is generally used or intended for human bathing.

(4) “Bedroom” shall mean a habitable room within a dwelling unit which is primarily used or intended for the purpose of sleeping. A kitchen or dining room shall not be considered a bedroom.

(5) “Community Development Director” shall mean the person(s) who has been appointed by the Village to serve in that position and shall have the responsibility for enforcement of this chapter and/or any authorized representative or assign.

(6) “Dormitory” shall mean a room or rooms, building, or part of a building, with sleeping and living accommodations for a group of people, such as at college. Such facilities are communal type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, or restroom facilities. Dormitory shall not have the meaning of shelter facility, educational facility housing, rooming house, boarding or lodging house, community living arrangement, and community based residential facility, or migrant housing, however, each of these housing types may contain dormitory style quarters.

(7) “Dwelling” shall mean any building or structure which is wholly or partly used or intended to be used for the purpose of living or sleeping by human occupants.

(8) “Non-dwelling structure” shall mean a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

(9) “Dwelling Unit” shall mean any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

(10) “Extermination” shall mean 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 their food, and by poisoning, spraying, fumigating, trapping, or any other industry accepted pest elimination methods.

(11) “Family” shall mean any member or individual related by blood, adoption, marriage, and/or no more than two persons not so related, living together on the premises as a single housekeeping unit.

(12) “Habitable Room” shall mean a room or enclosed floor space used or intended to be used for living, sleeping, or eating purposes, excluding bathrooms, toilet rooms, kitchens, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

(13) “Homeless Individual” shall mean:
(a) A homeless individual is an individual who lacks a fixed, regular, and adequate night time residence (without regard to whether the individual is a member of the family); and

(b) An individual whose primary night time residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

(14) “Homeless Family” shall mean a group of one or more related individuals who are homeless individuals.

(15) “Infestation” shall mean the presence of any insects, rodents, or other pests within a dwelling or on the dwelling premises.

(16) “Kitchen” shall mean a habitable room used or intended to be used for cooking or the preparation of meals.

(17) “Living Room” shall mean a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

(18) Meaning of Certain Words: Whenever the words “dormitory,” “dwelling,” “dwelling unit,” “rooming house,” “rooming unit,” “shelter facility,” or “premises” are used in this chapter; they shall be construed as though they were followed by the words "or any part thereof."

(19) “Occupant” shall mean any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit.

(20) “Operator” shall mean any person who has charge, care, or control of a building or part thereof in which dwelling, rooming units, or dormitories, are let or wherein homeless individuals are provided temporary shelter.

(21) “Owner” shall mean any person who alone or jointly or severally with others has legal title or equitable title to any dwelling, or dwelling or rooming unit, dormitory, or shelter facility, or who has charge, care, or control of any dwelling or dwelling or rooming unit as executor, administrator, trustee, or guardian of the estate of the owner.

(22) “Parking” shall mean placing and leaving a fully operable and licensed vehicle unattended while not in use for off-site transportation pursuant to Village of Bellevue Zoning Ordinance Article XXVIII Off-Street Parking Requirements.

(23) “Plumbing” shall mean all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sanitary sewer, storm sewer, or gas lines.

(24) “Premises” shall mean a platted or unplatted lot or part thereof, or any parcel or plot of land or part thereof, either occupied or unoccupied by any dwelling or structure.

(25) “Roomer” shall mean an occupant of a rooming house who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit who is not a member of the family occupying the dwelling unit.

(26) “Rooming House” shall mean a building or structure, other than a hotel licensed by the State, where three or more persons are provided with lodging and meals for compensation.

(27) “Rooming Unit” shall mean any room or group of rooms forming a single habitable unit in a rooming house used or intended to be used for living and sleeping but not for cooking or eating meals.
(28) “Shelter Facility” shall mean a temporary place of lodging for homeless individuals or homeless families.

(29) “State Building Codes.” Except where it relates to the time of initial construction, “State Building Codes” shall mean the most current version of any of the following as applicable:

- Chapter COMM 16 Electrical Code, Wis. Admin. Codes;
- Chapters COMM 20 – 25 Uniform Dwelling Code (One and Two Family Dwellings), Wis. Admin. Codes;
- Chapter COMM 27 Manufactured Homes, Wis. Admin. Codes;
- Chapters COMM 60 – 63, 65 and 66 Commercial Building Code, Wis. Admin. Codes;
- Chapter COMM 64 Commercial Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Codes;
- Chapter COMM 67 Rental Unit Energy Efficiency, Wis. Admin. Codes;
- Chapters COMM 81 – 87 State Plumbing Code, Wis. Admin. Codes; and
- Americans with Disabilities Accessibility Standards (see US Dept. of Justice for Americans with Disabilities)

(30) “Solid Waste, Domestic” Pursuant to Chapter 11 Village of Bellevue Municipal Code, Domestic Solid Waste shall mean all residential waste other than yard waste; commercial/industrial waste; bulky waste; recyclable waste; animal feces; and construction/demolition waste. Domestic waste shall include the following: garbage (defined as waste resulting from the handling, cooking processing, preparation, serving, storage and consumption of food, including animal, vegetable or other matter which is subject to decomposition, decay, and putrefaction); ashes; small quantities of household wood material; rags; plastic (#3, 4, S. 6, 7, and 8); cloth; stumps, roots or shrubs with intact root balls; clean woody vegetative material greater than 6" in diameter, but weighing no more than 50 pounds; and other waste as determined by the Village Board.

(31) “Supplied” shall mean paid for, furnished by, or provided by or under the control of the owner or operator.
ADMINISTRATION AND ENFORCEMENT

21.10 COMMUNITY DEVELOPMENT DIRECTOR TO ENFORCE. The Community Development Director is responsible for the enforcement of this chapter; however, it is declared that the intent of this chapter can be most effectively carried out by the cooperation of all Village Departments concerned; and all such Departments shall cooperate with the Community Development Director in the enforcement of this chapter.

21.11 INSPECTIONS.

(1) INSPECTIONS TO BE MADE BY OFFICIALS OF THE COMMUNITY DEVELOPMENT DEPARTMENT. Under the direction of and authority given by the Community Development Director, the Officials of the Community Development Department (Department) shall make inspections to determine the condition of dwelling units, rooming units, and premises located within the Village and may enter with due cause any building during reasonable hours in the discharge of their duties; and any person who interferes with the Department in the discharge of their duties shall be in violation of this chapter. Department personnel shall have proper identification and shall show same when making such inspections.

(2) ACCESS OF OWNER OR OPERATOR. Every occupant of a dwelling, dwelling unit, or rooming unit shall give the owner or operator thereof, or an agent or employee, access to any part of such dwelling, dwelling unit, or rooming unit or its premises at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this chapter or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this chapter.

21.12 SERVICE OF NOTICES AND HEARINGS. Whenever the Department determines that there is a violation or that there are reasonable grounds to believe that there is a violation of any of the provisions of this chapter or of any rule or regulation adopted pursuant thereto, a notice shall be given of such violation or alleged violation to the person or persons responsible therefore stating a reasonable time as determined by the Department to bring said violation into compliance or to show proof that no violation exists.

When a building or property is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public as stated in 21.14 (1) herein, a notice in accordance with the provisions of §66.0413, Wis. Stats., shall be given of such violation or alleged violation to the person or persons responsible therefore stating a reasonable time as determined by the Department to bring said violation into compliance or to show proof that no violation exists. The provisions of §66.0413, Wis. Stats., pertaining to the service of notices, petition for hearing and review by the Circuit Court, are adopted by reference and made a part of this chapter as if fully set forth herein.

Continued violation of any code or ordinance shall cause the Department to issue citations with possible forfeitures as determined by Village of Bellevue Municipal Court pursuant to Village of Bellevue Municipal Code Ch. 25.04.

21.13 EMERGENCY ORDERS. Whenever the Department finds that an emergency exists which requires immediate action to protect the public health, safety, welfare, or repose, the Department may, without notice of hearing and in accordance with the provisions of §66.0413, Wis. Stats., issue an order reciting the existence of such an emergency and requiring that such action be taken as the Department deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this chapter, every notice served by the Department in accordance with the provisions of subsections 21.21(2)(3)(6)(8)(9)(10), 21.22(7), 21.34(14), 21.40(1)(k),(l)&(o), 21.40(2)(b), and 21.40(2)(c), Village of Bellevue Municipal Code, shall be regarded as an emergency order. The following are examples, but shall not be considered an all inclusive list of conditions that warrant an emergency order:
(1) Any condition that jeopardizes the security of the unit

(2) Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling

(3) Natural or LP gas or fuel oil leaks

(4) Any electrical problem or condition that could result in shock or fire

(5) Absence of a working heating system when outside temperature is below 60 degrees Fahrenheit

(6) Conditions that present the imminent possibility of injury

(7) Obstacles that prevent safe entrance or exit from the unit

(8) Absence of a functioning toilet in the unit

(9) Discontinuance of Required Services, Facilities, Equipment, or Utilities.

21.14 CONDEMNATION OF DWELLINGS AND DWELLING UNITS AS UNFIT FOR HUMAN HABITATION.

(1) WHEN CONDEMNATION REQUIRED. Any dwelling unit which the Department finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:

   (a) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.

   (b) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.

   (c) One which because of its general condition or location is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public. Any dwelling or dwelling unit may be condemned by the Village as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this chapter or any rule or regulation adopted pursuant thereto, provided such dwelling or dwelling unit is, in the opinion of the Department, unfit for human habitation by reason of such failure to comply.

(2) PROCEDURE FOR CONDEMNATION. The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with §66.0413, Wis. Stats., and the Brown County Health Commissioner is designated as the "other designated officer" under such provisions. In brief this procedure is comprised of proper notification, establishing a time requirement for compliance, an opportunity for a hearing, Circuit Court involvement, and potential razing of the structure by owner or municipality.

21.15 MODIFICATIONS. Whenever there are practical difficulties in carrying out the provisions of this code, the Department shall have the authority to grant modifications for individual cases where the owner makes written request to modify said requirement, provided the Department finds that special individual reason makes strict enforcement of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, safety, welfare, and fire safety requirements. All details of the action granting the modification shall be in writing and kept in the Department files for a length of time as required by state statute.

21.16 MORE RESTRICTIVE PROVISION TO APPLY. Where regulations contained herein conflict with, or are either more or less restrictive than comparable regulations imposed by other provisions...
of this ordinance, or any other law, ordinance, rule, resolution, or regulations, the requirements that are more restrictive or which impose a higher standard shall govern.

21.17 SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section, phrase, sentence, or portion of this Ordinance is for any reason adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such decision shall not affect the validity of the remaining portions thereof.

21.18 ENFORCEMENT AND PENALTIES. Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty in accordance with Village of Bellevue Municipal Code Chapter 25.04 or §66.0413 Wis. Stats. as applicable. Under Chapter 25.04 each day of continued violation shall constitute a separate offense; under §66.0413, Wis. Stats., every week shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to Wisconsin Statutes.
HOUSING REQUIREMENTS

21.20 SCOPE AND APPLICABILITY. This section Housing Requirements in its entirety shall apply to all dwellings, and dwelling units for the purpose of living, sleeping, cooking, or eating meals therein, and as applicable, pursuant to the State Building Code if any in effect at the time the structure, addition, or portion thereof, was/is constructed.

21.21 MINIMUM REQUIREMENTS FOR BASIC EQUIPMENT, EXITS, AND FACILITIES. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

(1) BATH. Every dwelling unit shall contain a bath, which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.

(2) CARBON MONOXIDE DETECTION AND SMOKE DETECTION.

(a) Carbon monoxide detectors shall be installed and maintained in a good and operable condition at all times pursuant to 2007 Wisconsin Act 205, and State Building Codes COMM 21.095 and COMM 62.1200. Note - these codes differentiate and have different requirements and compliance dates for structures/facilities that were reviewed and/or constructed prior to October 1, 2008 and those that are reviewed and constructed on or after October 1, 2008.

(b) Smoke detectors shall be provided by the owners of residential occupancies. Owners shall install at least one smoke detector in the following locations: 1. In the basement; 2. At the head of every open stairway; 3. At the door to each floor level leading to every enclosed stairway; and 4. Either in each sleeping area of each living unit or elsewhere in the unit within six feet from the doorway of each sleeping area and not within a kitchen." In addition, smoke detection installations shall be provided pursuant to Wisconsin State Statutes 101.645 (3), COMM 21.09, COMM 28, and COMM 62 as applicable.

(3) CONNECTION TO WATER AND SEWER SYSTEM. Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.

(4) EXITS, DOORS AND HALLWAYS. Every dwelling unit shall have exits which conform to the exit requirements of the Village of Bellevue Building Code, if any, and State Building Codes COMM 21.03 for one and two family dwellings and COMM 62 for three or more family dwellings and commercial buildings, as applicable. Every exit, door, and hallway shall also comply with the following requirements:

(a) It shall be kept in good repair.

(b) It shall be unobstructed at all times.

(c) Exterior doors shall be weather stripped to avoid air infiltration, have a threshold, have no holes, have all trim intact, and shall be lockable. Doors shall not be secured with hardware or other means that would prevent a person from exiting a building without the use of keys, tools, special knowledge or effort.

(d) All interior doors shall have no holes, have all trim intact, and be openable without the use of a key. This requirement does not preclude the use of a bathroom or bedroom privacy lock.

(5) HOT AND COLD WATER SUPPLY TO BATH AND SINKS. Every bath, kitchen sink, and lavatory required under this chapter shall be properly connected with both hot and cold water lines.
(6) **KITCHEN SINK AND LAVATORY.** Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.

(7) **PLUMBING.** All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the Village and State.

(a) Any tub, shower, toilet, sink, wash machine, or laundry sink that drains across a basement floor to a floor drain are prohibited.

(b) All sump pumps connected to the sanitary sewer shall be prohibited.

(c) The water pressure at all fixtures and appliances shall meet or exceed the minimum required pursuant to the manufacturer’s specification, and Village, if any, and State Plumbing Code.

(d) Pressure reducing valves shall be installed wherever water pressure exceeds 80 psi maximum pursuant to the manufacturer’s specification, Village, if any, and State Plumbing Code.

(8) **SOLID WASTE AND RECYCLING.** Every dwelling and every dwelling unit shall be provided with adequate facilities for the storing of solid waste and recycling. Such facilities shall comply with the provisions of Chapter 11 of the Village of Bellevue Municipal Code. Every dwelling unit located on premises with two or more additional dwelling units shall have such facilities supplied.

(9) **TOILET.** Every dwelling unit shall contain a toilet, which shall be placed in a separate room enclosed with partitions which extend to the ceiling which affords privacy to the user; typically a toilet room or bathroom.

(10) **WATER HEATING FACILITIES.** Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, are properly connected with the hot water lines required under sub. (6), and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required hot water outlet and appliance at a temperature of not less than 110°F and not more than 125°F. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.

21.22 **MINIMUM REQUIREMENTS FOR LIGHT, GLAZING, VENTILATION, ELECTRIC, AND HEATING.**

(1) **WINDOW AREA.**

(a) Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least 8 percent of the floor area of the room. The top of at least one such window shall be not less than 6 1/2' above the floor. At least one-half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least 8 percent of the floor area, but not less than 4 sq. ft.; provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a properly sized and operational ventilation system.

(b) If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

(2) **NATURAL LIGHT.** This paragraph shall apply as applicable pursuant to the State Building Code in effect at the time the structure, addition, or portion thereof, is/was constructed. All habitable rooms shall be provided with natural light by means of glazed openings. The area of the glazed openings shall be at least 8% of the net floor area, except under the following circumstances:

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(a) Exception. Habitable rooms, other than bedrooms, located in basements or ground floors do not require natural light.

(b) Exception. Natural light may be obtained from adjoining areas through glazed openings, louvers or other approved methods. Door openings into adjoining areas may not be used to satisfy this requirement.

(3) SAFETY GLASS. This paragraph shall apply as applicable pursuant to the State Building Code in effect at the time the structure, addition, or portion thereof, is/was constructed, and at the time of replacement of any such glazing after the effective date of this ordinance. Except as provided in par. (e), glazing shall consist of safety glass meeting the requirements of ANSI Z 97.1 when installed in any of the following locations:

(a) In any sidelight adjacent to a door where the nearest point is within 2 feet of the door.

(b) In a wall that comprises part of a tub or shower enclosure where the glazing is within 5 feet vertically of the lowest drain inlet and within 3 feet horizontally of the nearest part of the inner rim of the tub.

(c) Within 4 feet vertically of a tread or landing in a stairway and within one foot horizontally of the near edge of the tread or landing.

(d) Within 4 feet vertically of the floor and 3 feet horizontally of the nosing of the top or bottom tread of a stair.

(e) Safety glass is not required where the size of an individual pane of glass is 8 inches or less in the least dimension.

Note: The U.S. Consumer Product Safety Commission requires safety glass for glazing in internal and external doors, including storm doors and patio doors, as well as for the tub or shower enclosures themselves. These federal rules, contained in 16 CFR, subchapter B, part 1201, apply in addition to any state rules or statutes.

(4) LIGHTING OF PUBLIC HALLS AND STAIRWAYS. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60 watt standard incandescent light bulb for each 200 square feet of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet and the minimum illumination at all floors, landings and treads shall not be less than 1 foot candle.

(5) VENTILATION.

(a) Natural ventilation. Natural ventilation shall be provided to all habitable rooms by means of openable doors, skylights or windows. The net area of the openable doors, skylights or windows shall be at least 3.5% of the net floor area of the room. Balanced mechanical ventilation may be provided in lieu of openable exterior doors, skylights or windows provided the system is capable of providing at least one air change per hour of fresh outside air while the room is occupied. Infiltration may not be considered as make-up air for balancing purposes.

(b) SCREENS. All open-able windows in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16.

(c) BASEMENT WINDOW SCREENS. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.
(d) EXHAUST VENTILATION. All exhaust ventilation shall terminate outside the building.

(6) ELECTRIC OUTLETS. Every kitchen, living room, and rooming unit within a dwelling shall contain at least two separate and remote floor or wall type electric convenience outlets or one such convenience outlet and one supplied ceiling or wall type electric light fixture; and every bedroom, dining room, toilet room, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling type or wall type electric fixture; provided in lieu of one supplied ceiling type or wall type electric fixture a bedroom and dining room may each contain at least two separate and remote floor or wall type electric convenience outlets. All interior and exterior stairways shall be supplied with a light fixture controlled by switching located at the top and bottom of the stairs. All basements shall have at least one working light fixture. At least one working luminary shall be so located near all mechanical equipment to allow for servicing of the equipment.

All electrical junction boxes shall have an approved cover. All splices in electric wiring (except knob and tube) shall be made in an approved junction box.

Every such outlet, fixture, and switch shall be properly installed, maintained in good working condition, and connected to the source of electric power in a proper manner and in accordance with the Village, if any, and State Electrical Code.

(7) HEATING FACILITIES.

(a) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 70°F, measured 3' above the floor level and 3' from an outer wall, when the outside temperature is at or above -15°F. Every central heating system shall comply with the Village Building and Heating Codes, if any, and the State Building and Heating, Ventilating and Air Conditioning Codes as applicable. It shall also comply with the following requirements:

1. The central heating unit shall be in good operating condition.

2. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.

3. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.

(b) Every space heater shall comply with the Village Building and Heating Codes, if any, and the State Building and Heating, Ventilating, and Air Conditioning Codes, when applicable, and with all of the following requirements:

1. No space heater burning solid, liquid, or gaseous fuels shall be a portable type.

2. Every space heater burning solid, liquid, or gaseous fuels shall be properly installed and vented.

3. Every coal-burning or oil-burning space heater shall have a fire-resistant panel beneath it.

4. The location of space heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and wall or ceilings through which they go shall be in accordance with the Heating, Ventilating and Air Conditioning Code of the Village, if any, and the State Building, Heating, Ventilating, and Air Conditioning Codes.
21.23 MINIMUM SPACE, USE, AND LOCATION REQUIREMENTS. 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:

(1) DWELLING UNIT TO BE OCCUPIED BY ONE FAMILY. No dwelling unit shall be occupied by more than one family.

(2) MINIMUM FLOOR AREA FOR DWELLING UNIT. The Village of Bellevue Zoning District in which the dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating meals lay within shall determine the minimum square foot unit size requirement. Additionally, for the purpose of determining the minimum floor area requirement for each occupant living within, every dwelling unit shall contain at least 150 sq. ft. of floor space for the first occupant thereof and at least 100 additional sq. ft. of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area. To give example, if the minimum unit size requirement for a two bedroom apartment is 850 sq. ft., the maximum family size permitted to dwell within would be limited to 8 individuals based on minimum floor area per occupant. Nine occupants would require an additional 100 sq. ft. of habitable living space.

(3) MINIMUM FLOOR AREA FOR SLEEPING PURPOSES. Every room occupied by one person for sleeping purposes shall contain at least 70 sq. ft. of floor space and 490 cu. ft. of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 sq. ft. of floor space and 400 cu. ft. of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.

(4) ARRANGEMENT OF SLEEPING, BATH, AND TOILET ROOMS. No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the occupants of more than one sleeping room can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or toilet room.

(5) WHEN BASEMENT AND GROUND FLOOR SPACE MAY BE HABITABLE. No basement or ground floor space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing Village and State Building Codes as applicable and complies with the following requirements:

(a) The total window area in each room shall be at least equal to the minimum window area required in subsection 21.22(1) or (2) as applicable, Village of Bellevue Municipal Code.

(b) Such required minimum window area shall be located entirely above the grade of the adjoining ground.

(c) The total openable window area in each bathroom and toilet room shall be at least equal to the minimum required under subsection 21.21(1) or (2) as applicable Village of Bellevue Municipal Code, unless there is supplied some other approved ventilating device.

(d) Every habitable room in a basement or ground floor shall be at least 7’ high from the floor to the ceiling; and the ceiling shall be at least 4’ above the outside grade level of the ground. The walls and floors shall be damp-proof and waterproof.

1. Exception: Basement and ground floor bedrooms shall be permitted where the ceiling is less than 4’ above the outside grade provided they comply with all regulations contained herein and also with the Village, if any and State Building Code(s) COMM. 21.03 for one and two family dwellings and COMM 62 for three or more family dwellings at the time of construction and occupancy. The foregoing include specific requirements for minimum floor space, ceiling height, windows and natural light, heating and ventilation, electric and lighting, doors, and means of egress.
(e) Basements and ground floors shall not contain or be utilized for habitable rooms or spaces except in compliance with this chapter, Village of Bellevue Building Codes, if any, and State Building Codes COMM. 21.03 for one and two family dwellings and COMM 62 for three or more family dwellings and commercial buildings, as applicable. Note - among other important items, these sections include required exiting specifications.

(f) Habitable spaces, rooms, or areas constructed in a basement or ground floor without a local building permit or in violation of Village, if any, and State Building Code(s) are illegal and shall not be permissible as habitable spaces, rooms, or areas.

(6) OCCUPANTS TO HAVE ACCESS TO SANITARY FACILITIES. Every occupant of every dwelling shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling.

(7) CEILING HEIGHT WITH RESPECT TO FLOOR AREA. At least one-half of the floor area of every habitable room shall have a ceiling height of at least 7’; and the floor area of that part of any room where the ceiling height is less than 5’ shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
ROOMING HOUSE/SHELTER FACILITY/DORMITORY REGULATIONS

21.30 COMPLIANCE REQUIRED. In addition to the requirements of Village of Bellevue Municipal Codes sections 21.20 Scope and Applicability, 21.21 Housing Requirements, 21.22 Minimum Requirements for Light, Glazing, Ventilation, Electric, and Heating, and 21.23 Minimum Space, Use, and Location Requirements, no person shall operate a rooming house, shelter facility, or dormitory, or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility, or dormitory, except in compliance with the requirements of this subchapter and any other applicable section within the Village of Bellevue Zoning and Municipal Codes.

21.31 PERMITS.

(1) REQUIRED. No person shall operate a rooming house, shelter facility, or dormitory, without a valid rooming house/shelter facility conditional use permit issued by the Village in the name of the operator and for the specific dwelling, dwelling unit, or structure, within which the rooming house, shelter facility, or dormitory is contained; provided the provisions of this subsection shall not apply to rooming house associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements for eight or fewer persons which are licensed by an agency of the State of Wisconsin. "Shelter facilities," as defined in the Village of Bellevue Municipal Code, shall comply with all the rules and regulations herein.

(2) APPLICATION. (a) Pursuant to Village of Bellevue Zoning Code Article XXXVII Administration and Enforcement and Article XXVI Physical Development Standards, the operator shall file the application for a rooming house, shelter facility, or dormitory, conditional use permit to include site and building plans, in the office of the Community Development Director on development request application forms provided by the Village.

(3) ISSUANCE OF BUILDING PERMIT AND FEES. After a rooming house, shelter facility, or dormitory, conditional use permit has been approved, any provisions of approval satisfied, and when all applicable provisions of this subchapter and any rules and regulations adopted pursuant thereto have been shown to be in compliance on a Village approved plan, an operating permit with annual renewal, and where necessary a building permit, may be issued to change the use as approved and with fees paid, construction, if any, may begin.

(4) POSTING OF PERMIT. Every rooming house, shelter facility, and dormitory permit issued by the Village shall be conspicuously posted by the operator in the rooming house, shelter facility, or dormitory, for which it is issued and shall remain so posted at all times unless removed by the order of the Department.

(5) NONTRANSFERABILITY OF PERMIT. No rooming house, shelter facility, or dormitory, permit issued under this subchapter shall be transferable as to person or place without express written approval by the Village.

(6) RELATIONSHIP OF PERMIT TO OTHER CODES. The issuance of a rooming house, shelter facility, or dormitory, operating permit shall not relieve the owner or operator of responsibility for compliance with the codes and requirements of all authorities having jurisdiction as applicable.

(7) SUSPENSION AND REVOCATION OF PERMIT.

(a) When Suspension Required. Whenever, upon inspection of a rooming house, shelter facility, or dormitory, the Department finds that conditions or practices exist which are in violation of any provision of this chapter or any other provisions of the Village of Bellevue Zoning and Municipal Codes, rule or regulation adopted pursuant thereto, or if the operator keeps or maintains a disorderly house, the Department shall, as a first step in gaining compliance prior to commencing a Raze action pursuant to §66.0413, Wis. Stats., give written notice to the operator of such rooming house, shelter facility, or
dormitory, that unless such conditions or practices are corrected within a reasonable period as determined by the Department, the operator's rooming house, shelter facility, or dormitory permit will be suspended.

(b) Hearing. Prior to the Department commencing a Raze action pursuant to §66.0413, Wis. Stats., any person who has received notice from the Department that the permit is to be suspended unless the existing condition or practices are corrected may request and shall be granted a hearing on the matter before the Village Board. Determinations made by the Village Board at as a result of this hearing shall be binding upon the operator/owner. A request for hearing made by the operator/owner/lessee under this subsection shall not preclude the Village from seeking other injunctive relief pursuant to §66.0413, Wis. Stats.

(c) Suspension. If no petition for such hearing is filed within 20 days, the permit shall be automatically suspended and the operator shall cease operation of such rooming house or shelter facility. Based on the condition of the facility the Department may also commence action to Raze the facility in accordance with §66.0413, Wis. Stats.

21.32 OPERATOR TO CONTROL OCCUPANCY. No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this subchapter.

21.33 APPLICABILITY OF OTHER PARTS OF THIS CHAPTER. No person shall operate a rooming house, shelter facility, or dormitory, unless all of the requirements of subsections 21.20, 21.21, 21.22, 21.23, and 21.40 Village of Bellevue Municipal Code, are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this subchapter, "multiple dwelling" or "dwelling" shall be interpreted to mean rooming house, shelter facility, or dormitory, and "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house, shelter facility, or dormitory, shall comply with all of the requirements for dwelling units as established in accordance with this chapter.

21.34 ARRANGEMENT, EQUIPPING, MAINTENANCE, AND USE OF FACILITIES.

(1) TOILETS AND LAVATORY BASINS. At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.

(2) BATHS. At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.

(3) LOCATION OF SANITARY FACILITIES. Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be located within the rooming house or shelter facility and shall be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling and without going through another dwelling unit or through a rooming unit of another occupant.

(4) MINIMUM AREA FOR SLEEPING PURPOSES ROOMING HOUSE/SHELTER FACILITY. The capacity of any room occupied for sleeping purposes shall be as follows:

(a) 400 cu. ft. for each occupant over 12 years of age; and

(b) 200 cu. ft. for each occupant 12 years of age or under.

(c) Exception: Upon request of the operator, the Department may at their discretion with due cause, allow homeless families on an emergency basis to occupy a sleeping room of a shelter facility which does not meet the above minimum sleeping area requirements if the operator makes all reasonable
(5) MINIMUM AREA FOR SLEEPING PURPOSES FOR DORMITORIES. The capacity of any room occupied for sleeping purposes shall be as follows:

(a) Sleeping areas of at least 50 sq. ft. per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.

(b) Rooms shall consist of enclosed spaces having walls that extend from the ceiling to the floor and an entry door.

(6) NUMBER OF SLEEPING ROOMS. Every sleeping room in every rooming house, shelter facility, or dormitory, shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Community Development Director.

(7) PREPARATION OF MEALS IN ROOMING UNITS OF ROOMING HOUSES AND SHELTER FACILITIES PROHIBITED. No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less the 3/8" in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM;" and such sign shall remain posted at all times.

(8) PREPARATION AND EATING OF MEALS IN DORMITORIES. In lieu of a cafeteria, there shall be one kitchen and dining area for every 10 individuals or fraction thereof residing in the dormitory facility. Where a cafeteria sized for the overall capacity of the facility is provided, there shall be one kitchen and dining facility for every 50 individuals or fraction thereof residing in the dormitory facility.

(9) NUMBER OF LAUNDRY FACILITIES REQUIRED IN ROOMING HOUSES AND DORMITORY FACILITIES. There shall be one laundry facility, consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin, for every 10 individuals or fraction thereof residing in the rooming house or dormitory facility.

(10) NUMBER AND SIZE OF COMMON AREA/LOUNGE REQUIRED IN ROOMING HOUSE, SHELTER FACILITY, AND DORMITORIES. There shall be a common use area/lounge of at least 600 sq. ft. in size for relaxation and recreation of the occupants for every 10 individuals or fraction thereof residing in the rooming house, shelter facility, or dormitory.

(11) BED LINENS AND TOWELS. The operator of every rooming house, shelter facility, or dormitory, shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.

(12) SHADES AND DRAPES. Every window of every room used for sleeping shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.

(13) SANITARY MAINTENANCE. The operator of every rooming house, shelter facility, or dormitory, shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house, shelter facility, or dormitory, and the entire premises where the entire structure or building within which the rooming house, shelter facility, or dormitory, is contained is leased or occupied by the operator.
(14) STORAGE AND DISPOSAL OF RUBBISH AND GARBAGE. Adequate garbage and rubbish storage containers, whose type and location are approved pursuant to Village of Bellevue Zoning Ordinance, Article XXXVII Administration and Enforcement Section G, Article XXV Multi-Family Residential Development Standards, and/or Article XXVI Physical Development Standards, as appropriate, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all rubbish and garbage in a clean and sanitary manner by placing it in the required containers.

(15) HANGING SCREENS, STORM DOORS, AND STORM WINDOWS. The operator of a rooming house, shelter facility, or dormitory, shall hang all screen and double storm doors and windows whenever the same are required under this chapter or any rule or regulation adopted pursuant thereto except where the owner has agreed to supply such service. Screens shall be required from May 1 until October 1 of each year. Storm windows and storm doors shall be required all other times of the year.

(16) EXTERMINATION OF PESTS. The operator of a rooming house, shelter facility, or dormitory, shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator. Notwithstanding the foregoing provisions of this subsection, whenever infestation of a rooming house, shelter facility, or dormitory, is caused by a failure of the operator to maintain the dwelling within which the rooming house, shelter facility, or dormitory, is contained in a rodent-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.

(17) EXITS AND DOORS. Every sleeping room in every rooming house, shelter facility, or dormitory, shall have exits which conform to the exit requirements of the Village of Bellevue Building Codes, if any, and State Building Codes COMM 21.03 for one and two family dwellings and COMM 62 for three or more family dwellings and commercial buildings, as applicable. In addition, every exit and passageway shall comply with the following:

(a) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.

(b) It shall be kept in a reasonably good state of repair.

(c) It shall be unobstructed at all times.

(d) Exterior doors shall be weather stripped to avoid air infiltration, have a threshold, have no holes, have all trim intact, and shall be lockable. Doors shall not be secured with hardware or other means that would prevent a person from exiting a building without the use of keys, tools, special knowledge or effort.

(e) Exit doors from sleeping rooms shall not have holes, shall have trim intact, and shall be lockable. Doors shall not be secured with hardware or other means that would prevent a person from exiting without the use of keys, tools, special knowledge or effort.

(f) Interior Doors. All interior doors shall have no holes, have all trim intact, and be openable without the use of a key. This requirement does not preclude the use of a bathroom or bedroom privacy lock.

21.35 REPORTING OF COMMUNICABLE DISEASE BY OPERATOR. The operator of a rooming house, shelter facility, or dormitory, shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Chapter 441 (nurses) or Chapter 448 (medical practitioners), Wis. Stats., immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Wisconsin Department of Health and Family Services, number HFS 145, Wis. Admin. Code; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house, shelter facility, or dormitory, may be afflicted with any communicable disease.
21.36 KEEPING OF REGISTER. Each rooming house, shelter facility, or dormitory, shall provide a register and require all occupants to register their true names before being assigned a sleeping room. The register shall be kept intact for at least one (1) year. Unless otherwise precluded by state or federal law, the operator of a rooming house, shelter facility, or dormitory, shall give the Police Department all information from the register as is necessary to:

1. Assist the police in its search for any wanted person at any time; or
2. Assist in missing person inquiries; or
3. Protect the police prior to police contact or involvement with an individual at the rooming house or shelter facility; or
4. Identify person in need of medical attention; or
5. Assist in the identification of any deceased person found within the rooming house or shelter facility; or
6. Deliver emergency messages. Unless known personally by the operator or agent, the operator or agent shall require proof of identification, such as a driver’s license, birth certificate, social security card, or other reasonable means of identification. After the name of a person occupying any sleeping room, the operator or an agent shall write the number of the room which such person is to occupy together with the date when such room is occupied, all of which shall be done before such person is permitted to occupy such room. No person shall write or cause to be written in any rooming house or shelter facilities register any other or different name than the true name of such person.
MAINTENANCE REQUIREMENTS

21.40 MAINTENANCE OF DWELLINGS, DWELLING UNITS, AND ROOMING UNITS.

1. OWNER'S RESPONSIBILITY. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or rooming unit for the purpose of dwelling therein which does not comply with the following requirements:

(a) Maintenance of Foundations, Exterior Walls, Roofs. Every foundation, exterior wall, and roof shall be provided in a manner that is weather-tight, water-tight, and inspect-proof, shall be rodent and rodent-proof, and shall be kept in a good state of maintenance and repair. The exterior walls of dwellings, rooming houses, and non-dwelling structures shall be either pre-finished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not pre-finished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.

(b) Foundations. There shall be no hole or penetration through the foundation wall revealing daylight. Any such hole shall be repaired in a good and workmanlike manner. There shall be no wood support posts rotted away at the bottom from moisture or severely deteriorated joists or beams. These items shall be repaired or replaced in a manner that is structurally sound and consistent with basic engineering principles.

(c) Exterior. The exterior of the building/structure shall not have missing or severely deteriorated sections of exterior siding, trim, soffit, or fascia. In addition, siding, trim, soffit, and fascia shall be properly installed.

(d) Protection of Exterior Wood Surfaces. All exterior wood surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike fashion. All exterior surfaces including accessory structures and fences with peeling paint regardless of occupancy or location are prohibited. All exterior surfaces including accessory structures and fences in severe need of paint or replacement items such as siding, windows, or doors that have not been painted are prohibited.

(e) Roofing and Chimneys. 1. There shall be no missing sections of roofing; or severely deteriorated, worn, buckling, or curling roofing; or chimneys with missing sections of brick or in danger of collapse.

1. Chimney and Supplied Smoke Pipes. Every chimney and every supplied smoke pipe shall be properly sized for the equipment, adequately supported, reasonably clean, and maintained in a good state of repair and in accordance with the National Fuel Gas Code, Village Building and Heating Codes, if any, and the State Building and Heating, Ventilating, and Air Conditioning Codes.

(f) Gutters and Rain Water Drains. Rain water shall be so drained and conveyed from every roof and building so as not to cause dampness around the foundation, in the garage, or in the walls, ceilings, or floors of any room.

(g) Windows. Every window shall be weather-stripped as needed to ensure a weather-tight seal, and shall be kept in a good working condition, well-maintained, and repaired. Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced. All windows must have a storm window or be of insulated glass and be in good repair. All open-able windows must have a screen in good repair.

(h) Doors and Hatchways. All exterior doors shall have a threshold, and all exterior doors and basement hatchways shall be weather-stripped as needed to ensure a weather-tight seal to avoid any air or water infiltration, shall be kept in a good working condition, well-maintained and repaired, be lockable, have
no holes, and have all trim intact. All doors (except out swinging and insulated doors) must have a storm door with screen in good repair. All interior doors must have no holes, have all trim intact, and be openable without the use of a key.

(i) Stairways, Porches, Handrails, and Railings. Every inside and outside stairway, 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 in a good state of maintenance and repair. All structurally deficient porches, steps, railings and handrails shall be repaired or replaced.

(j) Maintenance of Interior Walls, Floors, and Ceilings. Every interior partition, wall, floor, and ceiling shall be capable of affording privacy, kept in a good state of repair, and so maintained as to permit them to be kept clean and sanitary.

1. In areas where plaster or drywall is sagging, severely cracked, or otherwise damaged, it must be repaired or replaced.

2. All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be secured and made level. If they cannot be leveled, they must be replaced. All floors must be in a finished state. Raw wood or unsealed concrete is not permitted. All floors should have some type of base shoe, trim, or sealing for a “finished look.” Vinyl base shoe is permitted.

3. Bathroom and Toilet Room Floors. Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.

(k) Supplied Plumbing Fixtures. Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the Village and the State.

1. All plumbing fixtures and appliances shall have shut off valves as per Village, if any, and State Plumbing Codes COMM 81-87.

2. Leaky or dripping faucets and fixtures shall be replaced or repaired promptly.

3. All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly.

4. All sinks must have functioning stoppers.

(l) Supplied Facilities. Every supplied facility, piece of equipment, or utility which is required under this chapter shall be so constructed or installed that it will function properly and shall be maintained in good working condition.

(m) Discontinuance of Required Services, Facilities, Equipment, or Utilities. No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this chapter to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.

(n) Pest Extermination. Whenever infestation exists in two or more dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling in a rodent-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner.
(o) Cleanliness of Public Areas of Dwellings. Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition all communal, shared, or public areas of the dwelling and premises thereof which are used or shared by the occupants of two or more dwelling units.

(p) Vacant Dwelling Units to be Clean and Sanitary before Being Let for Occupancy. No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit unless it is clean, sanitary, free of infestation, and complies with all provisions of this chapter and all rules and regulations adopted pursuant thereto.

(2) RESPONSIBILITY OF OCCUPANTS.

(a) Cleanliness. Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.

(b) Disposal of Domestic Solid Waste. Every occupant of a dwelling or dwelling unit shall dispose of all domestic solid waste in a clean and sanitary manner by placing it in the solid waste containers pursuant to Chapter 11 Village of Bellevue Municipal Code. Pursuant to Chapter 11 Village of Bellevue Municipal Code. (See “Solid Waste, Domestic” Chapter 21.05 Definitions herein)

(c) Disposal of Recycling Materials. Every occupant of a dwelling or dwelling unit shall dispose of all recycling materials, in storage containers pursuant to Chapter 11.22 Village of Bellevue Municipal Code.

(d) Domestic solid waste, recycling, yard waste, or refuse containers shall be stored during the time period between collection days in an enclosed structure or building or stored in containers required by Chapter 11 Village of Bellevue Municipal Code which are screened from view of the public right-of-way. Domestic solid waste, recycling, yard waste, or refuse shall not be stored in the following locations:

1. The front and corner side yards along a street right-of-way
2. On, under, or along side of a front porch, stoop, steps, landing, accessible ramp, or deck fronting on a public way
3. Within 15 ft. of a public right-of-way, except during collection time periods

(e) Hanging Screens. Except where the owner/operator has agreed to supply such service, every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provision of this chapter or any rule or regulation adopted pursuant thereto. Screens shall be hung from May 1 to October 1 of each year.

(f) Extermination of Pests. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination within the unit occupied whenever that dwelling unit is the only one infested; provided whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent-proof and insect-proof condition, extermination shall be the responsibility of the owner.

(g) Use and Operation of Supplied Plumbing Fixtures. Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

(h) Destruction, Mutilation, and Defacing of Property. Every occupant of a dwelling unit or rooming unit shall be responsible for the repair or replacement of any part of required residential real
estate, required supplied fixtures and equipment, required supplied furnishings, and other required property
of an owner when such has been willfully or wantonly damaged, mutilated, or defaced by such occupant.

21.41 MAINTENANCE OF NON-DWELLING STRUCTURES, FENCES, AND PREMISES. No
owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with
the following requirements:

(1) MAINTENANCE OF NON-DWELLING STRUCTURES. Every foundation, exterior wall,
roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling
structure shall be so maintained as to prevent the structure from becoming a harbor for rodents and shall
be kept in a reasonably good state of maintenance and repair.

(a) EXTERIOR APPEARANCE. (1) Missing or severely deteriorated sections of exterior
siding, trim, soffit, fascia, roofing, windows, and doors, shall be unlawful. In addition, siding, trim, soffit,
fascia, roofing, windows, and doors, shall be installed reasonably straight, square, plumb, and in a
workmanlike manner.

(2) PROTECTION OF EXTERIOR WOOD SURFACES. All exterior wood surfaces of all non-
dwelling structures shall be properly protected from the elements and against decay by paint or other
approved protective coating applied in a workmanlike manner.

(3) MAINTENANCE OF FENCES. Every fence that is an eyesore, is severely deteriorated or
in danger of collapse shall be torn down and removed from the site. Fences shall both be kept and
maintained in a reasonably good state of repair or shall be removed.

(4) GRADING AND DRAINAGE OF PREMISES. All premises shall be so graded and
maintained that no water will accumulate, stand, or stagnate on the premises, adjacent to a building where
water will have the effect of causing dampness, infiltration, leakage, mold, mildew, rot, or unduly burden the
stormwater sump pump system, or within any building or structure located on the premises.

(5) PAVED SIDEWALKS AND DRIVEWAYS. (a) Paved sidewalks and driveways shall be
maintained in a reasonably good state of repair so that no portion(s) are deteriorated, settled, heaved, or
missing , therein, posing a safety hazard to residents or the general public or causing a water problem
pursuant to 21.41(4) above.

(6) GRAVEL DRIVEWAYS. Where gravel driveways are permitted, there shall be no large
potholes or ruts.

(7) ACCUMULATIONS. There shall be no accumulations (piles) of earth, gravel, broken
concrete or other material; nor shall there be accumulation of old tires, batteries, lumber, metal, garbage,
scrap, or debris on the property including the garage and yard.

(8) TREES AND PLANT MATERIAL. Any tree growing in close proximity to a structure so that
it is doing damage to the structure (foundation, siding, roofing, porch, or garage) shall have the tree and
stump removed. Tree branches from trees away from the structure but doing damage to the structure shall
be removed.

(9) SHRUBBERY AND BUSHES. Overgrown shrubbery or bushes encroaching on driveways,
sidewalks, porches, or the structure shall be cut back or removed. Any accumulation of noxious weeds on
the property shall be removed.

(10) WEEDS AND GRASS AND LAWNS. All weeds, grass and lawns shall be maintained at a
height of less than 8”.

All grass yards shall be considered lawn and shall be planted. All planted lawns shall be Kentucky
Blue Grass, or a mixture of Kentucky Blue Grass, Rye and Fescue. Lawns shall be established within 6
months after taking occupancy unless the time of year prevents it, in which case the lawn shall be planted and established by June 10th of the following year.

(11) NOXIOUS WEEDS. Noxious weeds shall be considered a nuisance and are enforced pursuant to Village of Bellevue Municipal Code Chapter 10.