



City of Deerfield Beach

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Face Sheet

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Ordinance 2018/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, RELATING TO HOUSING; AMENDING CHAPTER 94 "HOUSING" TO CREATE MINIMUM HOUSING STANDARDS FOR RESIDENTIAL DWELLINGS; CREATING MINIMUM STANDARDS FOR THE INTERIOR AND EXTERIOR OF STRUCTURES; CREATING PROVISIONS FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommended Action:

Commission to vote on Ordinance and set public hearing for June 19, 2018

Background/History:

Planning staff is seeking to revise Chapter 94 of the Code of Ordinances to introduce Standard Housing Code. Currently this section of code adopts the 1979 edition of County Code. This is not effective for enforcement purposes. Staff seeks to adopt a Standard Housing Code that defines all appropriate criteria within the City Code. This item is related to the proposed change for code enforcement matters.

Recommendation to the City Commission on the proposed Code Ordinances and Land Development Code Amendment.

ORDINANCE NO. 2018/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, RELATING TO HOUSING; AMENDING CHAPTER 94 “HOUSING” TO CREATE MINIMUM HOUSING STANDARDS FOR RESIDENTIAL DWELLINGS; CREATING MINIMUM STANDARDS FOR THE INTERIOR AND EXTERIOR OF STRUCTURES; CREATING PROVISIONS FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 94 of the Code of Ordinances contains the City’s Standard Housing Code; and

WHEREAS, currently this chapter of the code adopts the 1979 edition of County Code which is insufficient; and

WHEREAS, minimum housing regulations are necessary to ensure the safety of residents living in dwellings within the City; and

WHEREAS, the City Commission wishes to amend its minimum housing standards in order to improve the structural conditions of dwellings within the City; and

WHEREAS, the City Commission desires to provide these regulations in order to prevent structures from becoming unsafe; and

WHEREAS, the City Commission finds that the minimum housing standards and enforcement regulations are in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA THAT:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. Chapter 94 “Housing” of the City’s Code of Ordinances is hereby amended to read as follows¹:

¹ Additions to the Code text are shown in underline. Deletions to the Code text are shown in ~~strikethrough~~. Shaded text reflects text changes between First and Second Reading.

Chapter 94 - HOUSING

Sec. 94-1. – Standard Housing Code – Adopted.

~~The Standard Housing Code, being particularly the 1979 edition thereof and the whole thereof, save and except such portions may hereinafter be amended, of which a copy is on file in the office of the city clerk of the City of Deerfield Beach, Florida, and the same is hereby adopted and incorporated as fully set forth at length herein, and from the date on which this section shall take effect, the provisions therein shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the area of jurisdiction of the City of Deerfield Beach.~~

Sec. 94-1. - Intent.

The intent of this chapter is to protect the public health, safety, and welfare of the residents of Deerfield Beach by establishing uniform minimum standards governing the condition and maintenance of residential dwellings; establishing uniform minimum standards governing utilities, supplied facilities, and other physical components and conditions essential to make dwellings safe, sanitary, and fit for human habitation; fixing certain responsibilities and duties of the owners, operators, agents and occupants of residential dwellings; authorizing and establishing procedures for the inspection of residential dwellings.

Sec. 94-2. – Same – Vested rights reserved. Scope.

The provision, requirements and uniform minimum standards contained in this chapter are designed and intended to govern:

(a) Every portion of a building or premise, each dwelling used or intended to be used for any residential purpose for permanent occupancy regardless of when the building(s) or premise(s) may have been constructed, altered or repaired, and respective of any permits or licenses which may have been issued for the use or occupancy of the building or premises, for the construction or repair of the building or for the installation or repair of equipment or facilities prior to the effective date of this chapter.

(b) This chapter establishes minimum standards and does not replace, repeal or modify standards otherwise established for the construction, replacement, repairs or use of buildings, structures or premises.

Sec. 94-3. – Same – Penalty for violations. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter, unless the context clearly indicates that a different meaning is intended.

(1) *Accessory building/structure* shall mean a building or structure customarily and clearly incidental and subordinate to the principal building or structure and located on the same premises with the principal building or structure.

(2) *Approved* shall mean complying with all applicable city codes and ordinances.

(3) *Board* shall mean the Unsafe Structures Board of the City of Deerfield Beach.

(4) *Building* shall mean any structure having a roof supported by columns and/or walls and intended for the shelter, housing, or enclosure of persons, animals or chattel.

(5) *Deteriorated* shall mean the condition or appearance of a building and/or structure, or parts thereof, characterized by holes, breaks, rot, crumbling, crackling, peeling, rustling or other evidence of physical decay or neglect, excessive use or lack of maintenance.

(6) *Dilapidated* shall mean no longer adequate for the purpose or use for which it was originally intended.

(7) *Dwelling* shall mean any building, or groups of buildings containing one or more units designed, used or intended to be used for living, sleeping, cooking and eating and which is used for permanent occupancy.

(8) *Dwelling unit* shall mean any habitable room or group of habitable rooms located within a dwelling, forming a single habitable unit with facilities used, or intended to be used for living, sleeping, cooking, and eating.

(9) *Egress* shall mean an arrangement of exiting facilities to assure a safe means of exit from a building.

(10) *Extermination* shall mean the control of insects, rodents, vermin, or other pests by destroying their harborage places by removing or making inaccessible those materials that may serve as their food, by poisoning, spraying, fumigating, trapping, or by any other recognized and legal method.

(11) *Florida Building Code* shall mean that edition of said Code (including any applicable Broward County Amendments) as authorized by Chapter 553, Part IV, Florida Statutes, as amended.

(12) *Flush water closet* shall mean a toilet bowl which is flushed with water which has been supplied under pressure and equipped with a water-sealed trap.

(13) *Garbage* shall mean all waste and accumulation of animal matter that attends or results from the preparation, use, handling, cooking, serving or storage of meats, fish, fowl, fruit, putrefaction, and the generation of noxious and offensive gases and odors, or which may serve as breeding or feeding materials for flies and/or other germ-carrying insects.

(14) *Good state of repair as it relates to a structure* shall mean that it is safe and reasonably comfortable for its ordinary intended use, or that the materials used in the structure are sound and stable and performing the function for which they were intended and as it relates to fixtures, equipment, appurtenances and similar items located within, on the premises or any structure shall mean that said property is sound, in good working condition and fully performing the function for which it was designed and intended.

(15) *Good working condition* shall mean the item is fully operable for the use for which it was designed and intended.

(16) *Hotel* shall mean any building or group of buildings, which contains sleeping room accommodations for three (3) or more guests, which offers the services generally provided by a hotel, and is recognized as a hotel in the community in which it is situated, or by the industry; is declared to be a hotel; or which must be licensed by the Florida Division of Hotels and Restaurants. For the purpose of this article, motels and buildings offering dormitory-type sleeping accommodations shall be included in this category.

(17) *Hotel unit* shall mean any room or group of hotel rooms forming a single habitable unit used, or intended to be used, for living or sleeping purposes. For the purpose of this article, motel units and dormitory-type sleeping accommodations shall be included in this category.

(18) *Infestation* shall mean the presence of any rodents, vermin, insects or other pests.

(19) *Multifamily dwelling* shall mean any structure or building containing two (2) or more dwelling units.

(20) *Nuisance* shall mean any condition that endangers life or health, obstructs reasonable or comfortable use of property or any nuisance prohibited by general laws, or city ordinance.

(21) *Occupant* shall mean any person living, sleeping, cooking, eating in or having actual possession of a residential unit.

(22) *Operator* shall mean any person who has charge, care, or control of a building or part thereof in which rental units are let.

(23) *Owner* shall mean the person, persons, association, corporation or other entity reflected as the property owner in the most recent real estate property ad valorem tax rolls of Broward County which has been furnished to the city by the county.

(24) *Permanent occupancy* shall mean occupancy when the residential unit is the sole residence of the occupant(s).

(25) *Plumbing* shall mean, includes and refers to all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, toilets, sinks, installed dishwashers, lavatories, bathtubs, shower tubs, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures and equipment, together with all connections to water, sewer, gas or electrical lines.

(26) *Premises* shall mean a platted or unplatted lot or parcel of land, or part thereof, occupied or unoccupied by any dwelling or non-dwelling structure(s) and includes any such building or part thereof, accessory structure or other structure thereon.

(27) *Principal building* shall mean a building or buildings in which is conducted the main or principal use of the premises on which the building or buildings are situated.

(28) *Privacy* shall mean the existence of conditions which will permit an individual or individuals to carry out an activity commenced without interruption or interference, either by sight or sound by unwanted individuals.

(29) *Public hall* shall mean a hall, corridor or passageway for providing egress from a residential unit to a public way and not within the exclusive control of one family.

(30) *Refuse* shall mean all putrescible and non-putrescible solid waste including garbage, rubbish, ashes, and dead animals.

(31) *Refuse container* shall mean a watertight container that is constructed of metal or other durable material, impervious to rodents, that is capable of being serviced without creating unsanitary conditions.

(32) Rental unit shall mean any single-family dwelling, dwelling unit or rooming unit designed, used, or intended to be used for permanent occupancy.

(33) Rubbish shall mean all combustible and non-combustible waste materials except garbage, including but not limited to, inoperative toys, bicycles, motorcycles, automobile, mechanical equipment and machines.

(34) Sound condition/good repair shall mean in good working condition.

(35) Structure shall mean that which is built or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner, the use of which requires permanent attachment to the ground or which is attached to something permanently attached to the ground. The term shall be construed as followed by the words "or part thereof."

(36) Structurally sound shall mean that the condition is such that it is free of imperfections and damage which could adversely affect the intended use.

(37) Supplied shall mean paid for and/or furnished and/or provided by or under the control of the owner or operator.

Sec. 94-4. – Housing authority created. Conflict.

(a) Where any provision of this chapter is found to be in conflict with a provision of any zoning, building, electrical, plumbing, fire safety or health codes or other city, county, state, or federal regulations, the provision which establishes the more stringent standard shall prevail.

(b) All departments, officials and employees of the city who have the duty or authority to issue permits, licenses or other approvals in regard to the construction, installation, repair, use or occupancy of a rental dwelling governed by this chapter shall not issue any permit, license or other such approval if it would conflict with this chapter, except as provided for in paragraph (a) of this section.

Sec. 94-5. - Responsibility of owners.

Owners of all dwellings governed by this chapter shall be responsible for the requirements, standards, and responsibilities as set forth in this chapter unless the content clearly states otherwise.

Sec. 94-6. - Responsibilities of occupants.

Unless otherwise expressed in this chapter, occupants of a unit shall be responsible for the following:

(a) To keep that part of the dwelling and/or premises occupied and/or controlled in a clean and sanitary condition.

(b) To keep all the equipment, sanitary facilities and fixtures within the occupied dwelling in a clean and sanitary condition and to exercise reasonable care in the proper use and operation thereof.

(c) To properly dispose of rubbish, garbage, refuse and other waste material as provided by law or ordinance.

(d) The extermination of any insects, rodents or other pest within the rental unit caused by failure of the owner to maintain the premises in an insect-proof, rodent-proof condition.

(e) Not to allow animals or pets to be kept in such a manner as to create unsanitary conditions.

(f) Not to destroy, deface, damage, impair, or remove any part of the premises or property under the control of the occupant.

Sec. 94-7. - Minimum standards for maintenance of premises.

The premises of all buildings, structures, or both, that are governed by this chapter shall be kept free of all nuisances, any hazards to the safety of the occupants, pedestrians and all other persons utilizing the premises and free of all unsanitary conditions. For the purpose of this section, nuisances, hazards and unsanitary conditions include but are not limited to the following conditions:

(a) Ground surface hazards such as, but not limited to, holes, excavations, broken glass and dangerous projections.

(b) Excrement of pets and other animals on the driveways, parking areas, play areas, paths or walks or other pedestrian ways.

(c) Property which is not graded, drained and maintained so as to eliminate any standing water or to prevent dampness to the foundation, floors, exterior walls or structure located on the property.

(d) Garbage receptacles which are not maintained in a good state of repair and which are not equipped or provided with tight fitting covers to prevent flies, insects, rodents or animals from gaining access to the contents.

(e) Not providing and maintaining approved household garbage removal service.

(f) All shared and/or public areas of the premises shall be kept in a clean and sanitary condition. Shared or public areas shall include but shall not be limited to, yards, courts, driveways, lawns, restrooms, laundry rooms, meter rooms and storage rooms.

Sec. 94-8. - Minimum standards for interior of structures.

The interior of all structures, buildings, or both, that are governed by this chapter shall be properly maintained in accordance with the following standards. In addition to dwelling units, the interior of the structure shall, if applicable, include but not be limited to laundry rooms, storage rooms, meter rooms and recreational rooms and all other shared areas, public areas, or both areas.

(a) Space.

(1) Each dwelling and each dwelling unit shall have a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and not less than one hundred (100) square feet for each additional occupant.

(2) Every room or unit in a dwelling, dwelling unit, hotel, or rooming house occupied for sleeping purposes shall:

a. Have a gross floor area of not less than seventy (70) square feet and, when occupied by more than one occupant, it shall have a gross floor area of not less than fifty (50) square feet for each occupant.

b. Have a minimum width of seven (7) feet.

(3) Every dwelling unit shall have a minimum of twenty-four (24) square feet of total shelving in wall or base cabinets for the storage of cooking utensils. Usable storage shelving in a cooking

range or under a sink may be included in the calculation of meeting this requirement. Where in existence, cabinet doors shall be properly and securely hung and shall be maintained in good condition.

(4) Every dwelling, dwelling unit, hotel, hotel unit, or rooming house shall have a minimum of twelve (12) square feet of floor area of closet space for the first bedroom and six (6) square feet of floor area of closet space for each additional bedroom. Kitchen closet space shall not be considered as space meeting this requirement. All clothes closets shall have a shelf and rod.

(5) Gross floor area shall be calculated on the basis of total habitable room area.

(b) *Electric, light and ventilation requirements.*

(1) All electrical switches, electrical outlets, electrical wiring and other electrical fixtures shall be installed and maintained so as to avoid the possibility and danger of electrical shock or malfunction and must be maintained in good working condition. Lighting facilities must be capable of providing not less than one (1) footcandle of illumination throughout and such facilities shall be controlled by, and available to, the occupants at all times.

(2) All electrical switches, electrical outlets and other electrical fixtures shall be installed and maintained. (3) Every habitable room shall have at least one window with a minimum total area of not less than ten (10) percent of the floor area of the room or a skylight with a minimum total area of less than fifteen (15) percent of the floor area of the room, except windows or skylights shall not be required in those bathrooms, shower rooms and water closet compartments equipped with an adequate and properly functioning ventilating system which was permitted and inspected in accordance with the Florida Building Code.

(4) All windows and skylights shall face or open directly to a non-habitable area.

(5) Every public hall, public stairway and other non-habitable public space or area located within or on the exterior of the structure shall be provided with properly installed electric lighting facilities capable of providing illumination throughout the space.

(6) Every habitable room shall be ventilated directly outdoors. Such ventilation shall be provided by an open area equal to fifty (50) percent of the required minimum window or skylight area or by satisfactory mechanical ventilation complying with the Florida Building Code.

(8) Every bathroom, shower room, or water closet compartment shall comply with the light and ventilation requirements established for habitable rooms under Subsection 94-9(b)(6) of this article, except that windows or skylights shall not be required in those bathrooms, shower rooms, and water closet compartments equipped with an adequate and properly functioning ventilating system installed and maintained in accordance with the Florida Building Code and other regulatory codes of the City, Broward County and the state of Florida.

(9) The openable area of every window or other device opening to the outdoors and intended to provide ventilation for a habitable room, bathroom, shower room, or water closet compartment shall be properly fitted with an adequate screen for protection against mosquitoes, flies, and other insects.

(10) Every door opening directly from a dwelling, dwelling unit, hotel, hotel unit, or rooming unit to outdoor spaces shall be adequately screened for protection against mosquitoes, flies, and other insects.

a. Where separate screen doors are provided, they shall be self-closing.

b. Screen doors shall not be required for units which are mechanically air conditioned or which have a total openable window area of fifteen (15) per cent of the total floor area.

c. The screen wire installed on every screen door or on every window screen shall be at least 18 × 14 mesh per inch.

(11) Every window and exterior door shall be reasonably weather-tight, maintained without cracks and holes, and in a good state of repair. All windows intended for ventilation must be equipped with fully operable hardware. Every interior door shall be maintained in a good state of repair.

(12) Chimneys, smoke pipes, flues, ventilating pipes, and ducts shall be maintained in a safe, properly operating condition.

(c) Basic sanitary facilities and equipment requirements.

(1) Each dwelling unit shall have not less than the following:

a. A flush water closet, lavatory basin and a bathtub or shower shall be required for every dwelling unit;

b. An approved source of running water suitable for human consumption;

c. An approved type kitchen sink;

d. Receptacles for the storage of garbage, trash, refuse, and rubbish;

(2) Each unit shall provide privacy for an accessibility to toilet and bath facilities as follows:

a. All water closets, urinals, bathtubs and showers shall be located in a room or rooms which afford privacy to the user;

b. Rooms containing water closets, urinals, bathtubs or showers shall be not more than one story removed from the rooming unit of any occupant sharing the facilities;

c. All toilet and bath facilities shall be so located so as to be accessible without going outside of the building or without going through a dwelling unit, or rooming unit of another occupant;

d. Each kitchen sink, lavatory basin, bathtub and shower shall be supplied with hot and cold water. Hot water shall mean water heated to a temperature of not less than one hundred twenty (120) degrees Fahrenheit measured at faucet outlet.

e. Every occupied dwelling unit shall have proper utility connections for cooking facilities.

(d) Extermination requirement. The owner shall be responsible to make reasonable provisions for extermination on the following cases, except as provided by F.S. § 83.51:

(1) When infestation exists in one or more units of a multiple-unit structure.

(2) When infestation exists in shared or public area of a multiple-unit structure.

(e) Windows.

(1) Every window other than a fixed window shall be capable of being easily opened and closed, be equipped with fully operable hardware, have a functional locking device and kept in good working condition.

(2) All screens shall be free of holes, tears or other defects and maintained in a good state of repair.

(3) Every window shall be weathertight, maintained without cracks and/or holes and kept in a good state of repair.

(g) Electrical. All electrical switches, electrical outlets and other electrical fixtures shall be installed and maintained so as to avoid the possibility and danger of electrical shock and must be maintained in good working condition.

(h) Supplied facilities and equipment. Every supplied facility and piece of equipment to be utilized by a tenant or occupant shall be installed and maintained in a safe, sanitary and in a good working condition.

(i) Floors.

a. Floor surface in water closet compartments, bathrooms, and shower rooms shall be of an approved material such as but not limited to vinyl, plastic, rubber, ceramic tile, terrazzo, linoleum or other durable water proof, non-absorbent material, impervious to water and such floors shall be in good state of repair and properly maintained in a clean and sanitary condition.

b. Every interior floor shall be free of holes, breaks, cracks and shall be free of any loose, warped, or protruding, rotten or missing materials and shall be kept in good state of repair.

c. Every interior floor shall be adequately protected against the passage, harborage, or both passage and harborage of insects, rodents, or both insects and rodents, and shall be kept in a good state of repair.

(j) Walls and partitions.

a. Every interior wall and interior partition, shall not be loose, warped, protruding, rotten or have missing materials and shall be kept in good state of repair.

b. Every interior wall and interior partition shall be adequately protected against the passage, harborage, or both passage and harborage of vermin, rodents, or both vermin and rodents and shall be kept in good state of repair.

(k) Ceilings.

a. Every interior ceiling shall be free of holes, breaks, cracks and shall be free of any loose, warped, protruding, rotten or missing materials and shall be kept in good state of repair.

b. Every interior ceiling shall be adequately protected against the passage, harborage, or both passage and harborage of vermin, rodents, or both vermin and rodents, and shall be kept in good state of repair.

c. Every interior ceiling shall have a ceiling height of not less than seven (7) feet for at least fifty (50) per cent of the floor area of the room. Any portion of a habitable room having a ceiling height of five (5) feet or less shall not be included in computing the gross floor area of such room.

(l) *Doors.*

a. Every interior door shall be free of holes, breaks, cracks and shall be free of any loose, warped, protruding, rotten or missing materials and shall be kept in good state of repair.

b. Every interior door shall be capable of being easily closed and opened and equipped with fully operating hardware.

c. Every interior door shall be maintained in such a condition to insure the door fits properly to the door frames when the door is closed.

d. Every interior door frame shall be maintained in such a condition to insure the door frame fits properly to the wall.

(m) *Stairways, hallways, corridors and appurtenances.*

a. Every interior stairway, hallway, corridor and all appurtenances thereto shall be maintained in a safe condition and capable of supporting the loads of which it is intended and used and shall be kept in good state of repair.

b. Every interior stairway, hallway, corridor and all appurtenances thereto shall be adequately lighted by natural or electrical lights at all times, so as to provide effective illumination in all parts thereof.

c. All protective railings or protective handrails shall be capable of supporting the load to which it is intended.

(n) *Heating facilities.*

(1) Every dwelling, dwelling unit, hotel, or hotel unit which is let, or intended to be let, for occupancy shall have adequate space-heating facilities, which are properly installed and maintained in a safe and good working condition as provided in the Florida Building Code and other regulatory codes of the state of Florida.

a. A heating facility shall be adequate only if it contains permanent space-heating equipment capable of heating two-thirds (2/3) of all habitable rooms to a minimum air temperature of sixty-eight (68) degrees Fahrenheit, to be measured three (3) feet above the floor when the outside temperature is forty-five (45) degrees Fahrenheit, or permanent space-heating equipment

with a capacity of five (5) BTUs per hour of input per cubic foot of habitable room space within two-thirds of the habitable room.

b. The five (5) BTUs per hour input standard is based on a heating unit with seventy (70) per cent rating of input to output efficiency. An appropriate correction factor will be applied when the proposed heating unit exceeds an input to output efficiency rating of seventy (70) per cent. Heating units supplied on the basis of this calculation shall otherwise comply with the standards set forth hereunder.

c. Permanent heating equipment is defined as heating equipment securely affixed to a structure and properly connected to a flue or vent or, if electric, properly installed and permanently connected to an adequately wired and sized branch.

(2) Heating equipment shall be installed and maintained in accordance with the provisions of the Florida Building Code and other applicable regulatory codes of the state of Florida.

(3) Oil heaters, gas heaters, and wood stoves shall be connected to a properly installed vent, said vent conforming to the provisions of the Florida Building Code.

(4) Electric heaters shall be of a type readily fixed into position and be properly installed and permanently connected to an adequately wired and sized branch.

(5) Any portable heating device approved by the Underwriter's Laboratories, Inc., or a properly installed fireplace, may be used as an accessory heating unit.

(6) Accessory heating units will be deemed to be supplementary to a permanent heating facility and shall not be considered when calculating the adequacy of the permanently installed heating equipment.

(7) The use of unsafe heating or cooking stoves and the use of cooking stoves, including ovens, for heating purposes is prohibited.

Sec. 94-9. - Minimum standards for exterior of structures.

(a) Foundations.

(1) Every foundation shall be watertight, weathertight and rodent-proof.

(2) Every foundation shall be structurally sound and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in a good state of repair.

(b) Exterior walls.

(1) Every external wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain water or dampness to the interior.

(2) Every external wall shall be watertight, weathertight and rodent-proof.

(3) Every external wall shall be structurally sound and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in good state of repair.

(4) Every external wall with wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint or other protective coverings or treatment.

(5) Every external wall without wood surfaces must be painted in accordance with acceptable standards and all siding material must be kept in a good state of repair.

(6) All exterior walls shall be free of graffiti.

(c) Roofs.

(1) Every roof shall be free of holes, breaks, loose tile or shingles or rotting boards or timber and other conditions which might admit rain water or dampness to the interior.

(2) Every roof shall be watertight, weathertight and rodent-proof.

(3) Every roof shall be structurally sound and kept in a good state of repair.

(4) Every roof with wood surfaces, other than decay resistant wood, shall be protected from the elements and decay by paint or other protective covering or treatment.

(5) Every roof should be so designed and maintained to provide proper drainage or rain water and prevent standing water.

(6) Gutters and downspouts, where in existence shall be maintained in a good state or repair and properly maintained.

(7) Every roof shall be free of debris, trash and refuse.

(d) General interior maintenance requirements.

(1) Supplied cabinets; shelves. Supplied cabinets,shelves, or both for the storage of eating, drinking and cooking equipment and utensils shall be maintained in a sanitary condition and kept in a good state of repair;

(2) Water heating facilities.

a. Water heating facilities shall be properly installed, connected and maintained in a safe and good working condition.

b. No electric water heater shall be allowed in any bathroom unless the water heater and all electrical connections are totally encased in a non-conductive material or the water heater is installed in such a manner as to avoid any probability of shock hazard;

(3) Plumbing.

a. All plumbing fixtures shall be properly connected to approved water, sewer or gas systems. Where a sewer system is not available, drain lines shall be connected to an approved septic tank.

b. Every plumbing fixture, water pipe, waste pipe, gas line and drain line shall be maintained in good working condition and free of leaks, defects and obstructions.

(4) Supplied facility and equipment.

a. Every supplied stove or similar device in every occupied dwelling unit shall be properly installed and shall have at least two (2) properly operating top burners and all burners,elements, or both, shall be maintained in good working condition.

b. Every supplied refrigerator or similar device for the safe storage of food in every occupied dwelling unit shall be properly installed, maintained in good working condition and be capable of maintaining a temperature of less than forty (40) degrees Fahrenheit.

c. Supplied heating facilities or similar device[s] in every occupied and permitted rental unit, shall be properly installed and maintained in good working condition.

(5) Exterior doors.

a. Every exterior door shall be capable of being easily opened and closed, be equipped with fully operable hardware, have a functional locking device and be kept in a good state of repair.

b. Every exterior door and supplied screen door shall be weathertight, weatherproof, maintained without cracks, holes, or neither cracks nor holes, and kept in a good state of repair.

(6) Porches, balconies, decks, exterior stairs, walkways and appurtenances.

a. Every porch, balcony, deck, exterior stairs, walkways and every appurtenance thereto shall be constructed and maintained so as to be safe and capable of supporting the loads of which it is intended and comply with the Florida Building Code, and shall be kept in a good state of repair.

b. All protective railings or protective handrails shall be capable of supporting the load to which it is intended and comply with the Florida Building Code, and kept in a good state of repair.

c. No stair riser height shall exceed seven (7) inches and no stair tread depth shall be less than eleven (11) inches. Protective railings or handrails shall be required on any unenclosed structure over three (3) feet from the ground level, and on every interior or exterior stair or stairwell of more than four (4) risers, and shall be located in accordance with the requirements of the Florida Building Code.

Sec. 94-10. Unsafe dwellings, rooming houses, hotels, and structures.

A dwelling, dwelling unit, hotel, hotel unit, rooming house, or structure shall be deemed unsafe when any one (1) or more of the conditions set forth within Subsection 116.2 of the Florida Building Code, as amended from time to time, are met.

Sec. 94-11. - Unlawful to utilize premises in violation of this chapter.

No person shall occupy or let to another person for occupancy any dwelling, dwelling unit, hotel, or hotel unit for the purpose of living, sleeping, cooking, or eating which has been declared to be in violation of this chapter and determined to be unsafe by the Unsafe Structures Board..

Sec. 94-12. - Enforcement and penalties.

It shall be within the discretion of the director of the planning and development services department or their designee to determine whether a violation of this section of the code shall be cited by direct citation, in accordance to the requirements of the special magistrate, in accordance to the requirements of the unsafe

structures board, or any other appropriate action as permitted by the Code of Ordinances or the Land Development Code.

Sec. 94-213. - Same—Vested rights reserved.

Nothing in this chapter or in the code adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing under any act or ordinance superseded, amended or repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this chapter.

Sec. 94-315. — Same — Penalty for violations.

~~Any person, association of persons, co partnership or corporation violating any of the provisions of the Standard Housing Code, under conviction thereof shall be punished by a fine not exceeding \$500.00. Each day shall constitute a separate offense.~~

Section 3. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 4. Should any section or provision of this Ordinance or any portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

Section 5. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

Section 6. This Ordinance shall take effective immediately upon adoption on Second Reading.

PASSED AND ADOPTED ON FIRST READING THIS ____ DAY OF _____, 2018.

PASSED AND ADOPTED ON SECOND READING THIS ___ DAY OF _____, 2018.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLARD, CMC, CITY CLERK