

ORDINANCE 12-2025

Code of the Town of Bladensburg

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF
BLADENSBURG TO REPEAL AND REENACT CHAPTER 50, “PROPERTY
MAINTENANCE” IN ITS ENTIRETY, TO REPEAL CHAPTER 68,
“HOUSING STANDARDS” IN ITS ENTIRETY, AND TO ADOPT CHAPTER
49 “RENTAL HOUSING”.**

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the Town of Bladensburg (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

WHEREAS, the Mayor and Council have determined that it is in the public interest that the Town adopt an updated Property Maintenance Code by incorporating the International Maintenance Code from Prince George’s County, and to enact a Rental Housing Code, to protect tenants and the public by requiring registration of rental properties and periodic inspections .

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town of Bladensburg that Chapter 50, “Property Maintenance” be and it is hereby repealed, reenacted and amended to read as follows:

§ 50-1. Adoption of Property Maintenance Code. ~~[That a certain document, three (3) copies of which are on file in the office of the Town Clerk of the Town of Bladensburg, being marked and designated as “The BOCA National Property Maintenance Code, Fourth Edition, 1993” as published by the Building Officials and Code Administrators International, Inc., be and is~~

CAPS
[Brackets]
Asterisks * * *
CAPS
[Brackets]

: Indicate matter added to existing law.
: Indicate matter deleted from law.
: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
: Indicate matter added in amendment
: Indicate matter deleted in amendment

~~hereby adopted as the Property Maintenance Code of the Town of Bladensburg, in the State of Maryland; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.~~

~~§ 50 2. Inconsistent Ordinances Repealed. That all ordinances, or parts of ordinances in conflict herewith are hereby repealed.~~

~~§ 50 3. Additions, Insertions and Changes. That the BOCA National Property Maintenance Code is amended and revised in the following respects:~~

~~Section PM 101.1 (page 1, second line), insert: Town of Bladensburg.~~

~~Section PM 106.2 (page 3, third line), insert: \$100.00 and \$200.00.~~

~~Section PM 106.2 (page 3, fourth line), insert: 0 days.~~

~~Section PM 111.2 (page 5, second line), delete: “five members appointed by the chief appointing authority as follows: Thereafter, each new member shall serve for five years or until a successor has been appointed” Insert: “date members appointed by the mayor and approved by the town council.”~~

~~Section PM 111.2.1 (page 5, delete entire sub-section.) Insert: The board shall annually select one of its members to serve as chairman. A member shall not bear an appeal in which that member has any personal, professional, or financial interest.~~

~~Section PM 111.2.2 (page 5, delete entire sub-section.)~~

~~Section PM 111.2.3 (page 5, delete entire sub-section.)~~

~~5002 Section PM 111.2.4 (page 5, delete entire sub-section.)~~

~~Section PM 111.2.5 (page 5, delete entire sub-section.)~~

~~Section PM 111.2.6 (page 5, delete entire sub-section.)~~

~~Section PM 111.5 (page 5, first line), “five members” amend to, “three members.”~~

~~Section PM 303.8 (page 10, delete entire sub-section.)~~

~~Section PM 304.12 (page 11, first line), insert: April 1, December 1.~~

~~Section PM 602.2.1 (page 17, fifth line), insert: October 1, May 1.~~

~~Section PM 602.3 (page 17, third line), insert: October 1, May 1.~~

~~Section PM 603.0 (page 17, delete entire section.)~~

~~Section PM 604.1 (page 17, delete entire sub-section.)~~

~~Section PM 604.2 (page 17, delete entire sub-section.)~~

~~Section PM 605 A (page 18, delete entire sub-section.)~~

~~Section PM 702.2 (page 19, delete entire sub-section.)~~

~~Section PM 702.3 (page 19, delete entire sub-section.)~~

~~Section PM 702.6 (page 19, delete entire sub-section.)~~

~~Section PM 702.7 (page 19, delete entire sub-section.)~~

~~Section PM 702.8 (page 19, delete entire sub-section.)~~

~~Section PM 707.1 (page 21, delete entire sub-section.)~~

~~50-4. Saving Clause. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall~~

~~any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.~~

~~§ 50-5. Date of Effect. That the Town Clerk shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval as required by law.]~~ THE PRINCE GEORGE'S COUNTY, MARYLAND, HOUSING CODE, AS AMENDED, WHICH INCORPORATES THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH CERTAIN ADDITIONS, EXCEPTIONS, AND MODIFICATIONS, IS ADOPTED BY THIS REFERENCE AND MADE A PART OF THIS CHAPTER AS IF FULLY SET FORTH HEREIN. WHEN A CONFLICT ARISES, THE PROVISIONS OF THIS CODE SHALL CONTROL. THE NOTICE OF VIOLATION AND ENFORCEMENT AND PENALTY PROVISIONS OF CHAPTER 50, "MAINTENANCE CODE" ARE INCORPORATED HEREIN BY REFERENCE AND APPLY TO VIOLATIONS OF THIS CHAPTER.

Section 2. AND BE IT FURTHER ORDAINED that Chapter 68, "Housing Standards" be and it is hereby repealed as follows:

~~[The current Housing Code of Prince George's County, Maryland, as enacted and revised by the County Council, is hereby adopted to be and to continue in effect throughout the Town of Bladensburg. It is the intent of the Mayor and Council that any amendment made to the Housing Code for Prince George's County from time to time by the aforesaid Council members shall become effective elsewhere in the county.]~~

Section 3. AND BE IT FURTHER ORDAINED that Chapter 49, "Rental Housing Code" be and it is hereby enacted to read as follows:

CHAPTER 41 RENTAL HOUSING CODE

§ 49-1 SCOPE.

EVERY PORTION OF A BUILDING OR PREMISE USED OR INTENDED TO BE USED FOR RESIDENTIAL RENTAL PURPOSES SHALL COMPLY WITH THE PROVISIONS OF THIS CODE, IRRESPECTIVE OF WHEN SUCH BUILDING SHALL HAVE BEEN CONSTRUCTED, ALTERED OR REPAIRED. THIS CODE SHALL BE CONSTRUED LIBERALLY AND JUSTLY TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE.

§ 49-2 DEFINITIONS.

IN THIS CHAPTER, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED. WHERE TERMS ARE NOT DEFINED THEY SHALL HAVE THEIR ORDINARILY ACCEPTED MEANINGS SUCH AS THE CONTEXT MAY IMPLY. WORDS USED IN THE PRESENT TENSE INCLUDE THE FUTURE; WORDS USED IN THE MASCULINE GENDER INCLUDE THE FEMININE AND NEUTER, THE SINGULAR INCLUDES THE PLURAL AND THE PLURAL THE SINGULAR. WHENEVER THE WORDS "DWELLING OR DWELLING UNIT," "ROOMING UNIT," "RENTAL DWELLING", "MULTIPLE OR SINGLE-FAMILY DWELLING", "STRUCTURE" OR "PREMISES" ARE USED IN THIS CHAPTER, THEY ARE CONSTRUED AS THOUGH THEY WERE FOLLOWED BY THE WORDS "OR ANY PART THEREOF."

BASEMENT ANY PORTION OF A BUILDING LOCATED WHOLLY OR PARTIALLY UNDERGROUND HAVING ANY PORTION OR ALL OF ITS CLEAR FLOOR-TO-CEILING HEIGHT BELOW THE AVERAGE GRADE OF THE ADJOINING GROUND.

BUILDING CODE THE BASIC BUILDING CODE, LATEST EDITION, AND CURRENT CUMULATIVE SUPPLEMENT OFFICIALLY ADOPTED BY PRINCE GEORGE'S COUNTY AND THE TOWN OF BLADENSBURG FOR THE REGULATIONS OF CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL, DEMOLITION, USE, LOCATION, OCCUPANCY AND MAINTENANCE OF PREMISES, BUILDINGS AND STRUCTURES.

CENTRAL HEATING THE HEATING SYSTEM PERMANENTLY INSTALLED AND ADJUSTED SO AS TO PROVIDE THE DISTRIBUTION OF HEAT TO ALL HABITABLE ROOMS, BATHROOMS AND WATER CLOSET COMPARTMENTS FROM A SOURCE OUTSIDE OF THESE ROOMS.

CODE ENFORCEMENT OFFICER THAT PERSON APPOINTED BY THE MAYOR WITH CONSENT OF THE COUNCIL TO ENFORCE THE HOUSING CODE(S).

CONDEMN TO DECLARE A STRUCTURE, PREMISES OR EQUIPMENT UNSAFE OR UNFIT FOR USE OR OCCUPATION.

DWELLING UNIT ANY ROOM OR GROUP OF ROOMS LOCATED WITHIN A DWELLING INTENDED TO PROVIDE A COMPLETE SINGLE HABITABLE UNIT FOR ONE OR MORE PERSONS WITH FACILITIES WHICH ARE USED OR INTENDED TO BE USED FOR LIVING, SLEEPING, COOKING AND EATING.

DWELLINGS A BUILDING OR STRUCTURE USED FOR HUMAN OCCUPANCY, INCLUDING GARAGES AND OTHER APPURTENANCES.

EMERGENCY AN UNFORESEEN OCCURRENCE OR CONDITION, OR A RAPID DETERIORATION OF CIRCUMSTANCES, NECESSITATING IMMEDIATE ACTION TO AVERT IMMINENT DANGER TO LIFE, LIBERTY OR PROPERTY.

EXTERIOR PROPERTY AREAS THE OPEN SPACE ON THE PREMISES AND ON ADJOINING PROPERTY UNDER THE CONTROL OF OWNERS OR OPERATORS OF SUCH PREMISES.

EXTERMINATION 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; BY POISON SPRAYING, FUMIGATING, TRAPPING, OR BY ANY OTHER PEST ELIMINATION METHODS AS ALLOWED BY LAW.

GARBAGE THE ANIMAL, MINERAL AND VEGETABLE WASTE RESULTING FROM THE HANDLING, PREPARING, COOKING AND SERVING OF FOOD EXCLUSIVE OF RECOGNIZED INDUSTRIAL BY-PRODUCTS AND HUMAN AND ANIMAL FECES.

GROSS FLOOR AREA THE TOTAL AREA OF ALL HABITABLE SPACE IN A BUILDING OR STRUCTURE.

HABITABLE SPACE A ROOM OR ENCLOSED FLOOR SPACE USED OR INTENDED TO BE USED FOR LIVING, SLEEPING, COOKING OR EATING PURPOSES, EXCLUDING BATHROOMS, WATER CLOSET COMPARTMENTS, LAUNDRIES, PANTRIES, FOYERS OR COMMUNICATING CORRIDORS, CLOSETS AND STORAGE SPACES, WORKSHOPS AND OTHER ROOMS USED ONLY OCCASIONALLY.

HOUSING CODE ALL RULES AND REGULATIONS CONTAINED HEREIN OR PROMULGATED PURSUANT TO AUTHORITY HEREUNDER.

INFESTATION THE PRESENCE, WITHIN OR AROUND A DWELLING, OF INSECTS, RODENTS, VERMIN OR OTHER PESTS.

MAINTENANCE ACTS OF REPAIR AND OTHER ACTS TO PREVENT A DECLINE IN THE CONDITION OF GROUNDS, STRUCTURES, OTHER APPURTENANCES AND EQUIPMENT SUCH THAT THE CONDITION DOES NOT FALL BELOW THE STANDARDS ESTABLISHED BY THIS CODE AND OTHER APPLICABLE STATUTES, CODES AND ORDINANCES.

MULTI-FAMILY DWELLING ANY BUILDING CONTAINING TWO OR MORE DWELLING UNITS.

OCCUPANT ANY PERSON, OVER ONE YEAR OF AGE (INCLUDING THE OWNER OR OPERATOR AND DOMESTIC SERVICE EMPLOYEES) LIVING, SLEEPING, COOKING OR EATING IN OR HAVING ACTUAL POSSESSION OF OR SPACE WITHIN A DWELLING UNIT OR ROOMING UNIT.

OPERATOR AN OWNER OR REPRESENTATIVE OF THE OWNER WITH AUTHORITY TO OPERATE THE PREMISES.

ORDINARY MINIMUM WINTER CONDITIONS THE TEMPERATURE 15° F. ABOVE THE LOWEST RECORDED TEMPERATURE FOR THE PREVIOUS TEN-YEAR PERIOD.

OWNER ANY PERSON WHO, ALONE OR JOINTLY OR SEVERALLY WITH OTHERS:

A. SHALL HAVE LEGAL AND/OR EQUITABLE TITLE TO ANY DWELLING, DWELLING UNIT, OR ROOMING UNIT, WITH OR WITHOUT ACCOMPANYING ACTUAL POSSESSION THEREOF; OR

B. SHALL HAVE CHARGE, CARE, POSSESSION OR CONTROL OF ANY DWELLING UNIT OR ROOMING UNIT, AS OWNER OR AGENT OF THE OWNER, OR AS EXECUTOR, ADMINISTRATOR, TRUSTEE OR GUARDIAN OF THE ESTATE OF THE OWNER. ANY SUCH PERSON THUS REPRESENTING THE ACTUAL OWNER SHALL BE BOUND TO COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, AND OF RULES AND REGULATIONS ADOPTED PURSUANT THERETO, TO THE SAME EXTENT AS IF THEY WERE THE OWNER.

PERSON ANY INDIVIDUAL, FIRM, CORPORATION, ASSOCIATION, PARTNERSHIP, LIMITED PARTNERSHIP, TRUST OR ESTATE.

PLUMBING THE PRACTICE, MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION AND ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES AND APPURTENANCES WITHIN THE SCOPE

OF THE PLUMBING CODE INCLUDING BUT NOT LIMITED TO ALL OF THE FOLLOWING SUPPLIED FACILITIES AND EQUIPMENT: GAS PIPES, GAS-BURNING EQUIPMENT, WATER PIPES, WATER HEATING FACILITIES, GARBAGE DISPOSAL UNITS, WASTE PIPES, WATER CLOSETS, SINKS, INSTALLED DISHWASHERS, LAVATORIES, BATHTUBS, SHOWER BATHS, INSTALLED CLOTHES-WASHING MACHINES, CATCH BASINS, DRAINS, VENTS AND ANY OTHER SIMILAR SUPPLIES OR FIXTURES, TOGETHER WITH ALL CONNECTIONS TO WATER, SEWER OR GAS LINES.

PLUMBING FIXTURE A RECEPTACLE OR DEVICE WHICH IS EITHER PERMANENTLY OR TEMPORARILY CONNECTED TO THE WATER DISTRIBUTION SYSTEM OF THE PREMISES AND DEMANDS A WATER SUPPLY THEREFROM; OR DISCHARGES USED WATER, LIQUID BORNE WASTE MATERIALS OR SEWAGE EITHER DIRECTLY OR INDIRECTLY TO THE DRAINAGE SYSTEM OF THE PREMISES, OR WHICH REQUIRES BOTH A WATER SUPPLY CONNECTION AND A DISCHARGE TO THE DRAINAGE SYSTEM OF THE PREMISES.

PREMISES A LOT, PLOT OR PARCEL OF LAND INCLUDING THE BUILDING OR STRUCTURES THEREON.

RENOVATION A BUILDING AND ITS FACILITIES MADE TO CONFORM TO PRESENT DAY MINIMUM STANDARDS OF SANITATION, FIRE AND LIFE SAFETY.

RENTAL DWELLING A RENTED OR LEASED ROOM OR GROUP OF ROOMS LOCATED IN A SINGLE-FAMILY OR MULTI-FAMILY BUILDING FORMING A SINGLE HABITABLE UNIT OCCUPIED BY ONE OR MORE PERSONS WHICH IS INTENDED TO BE USED BY THE OCCUPANTS FOR LIVING OR SLEEPING.

RUBBISH ALL COMBUSTIBLE AND NONCOMBUSTIBLE WASTE MATERIALS, EXCEPT GARBAGE; AND THE TERM SHALL INCLUDE BUT NOT BE LIMITED TO THE RESIDUE FROM THE BURNING OF WOOD, COAL, COKE AND OTHER COMBUSTIBLE MATERIALS, PAPER RAGS, CARTONS, BOXES, WOOD EXCELSIOR, RUBBER, LEATHER, TREE BRANCHES, YARD TRIMMINGS, TIN AND ALUMINUM CANS, METALS, MINERAL MATTER, CLASS CROCKERY, AND DUST.

SUPPLIED PAID FOR, FURNISHED, OR PROVIDED BY OR UNDER THE CONTROL OF, THE OWNER OR OPERATOR.

VENTILATION THE PROCESS OF SUPPLYING AND REMOVING AIR BY NATURAL OR MECHANICAL MEANS TO OR FROM ANY SPACE.

A. MECHANICAL VENTILATION BY POWER DRIVEN DEVICES.

B. NATURAL VENTILATION BY OPENING TO OUTER AIR THROUGH WINDOWS, SKYLIGHTS, DOORS, LOUVERS, OR STACKS WITHOUT WIND DRIVEN DEVICES.

WORKMANLIKE WHENEVER THE WORDS "WORKMANLIKE STATE OF MAINTENANCE AND REPAIR" ARE USED IN THIS CHAPTER, THEY SHALL MEAN THAT SUCH MAINTENANCE AND REPAIR SHALL BE MADE IN A REASONABLY SKILLFUL MANNER AND IN ACCORDANCE WITH INDUSTRY STANDARDS SO AS TO SECURE THE RESULTS INTENDED BY THIS CODE.

YARD AN OPEN SPACE SURROUNDING A BUILDING.

§49-3 RENTAL PROPERTY LICENSE AND RENEWALS.

A. RENTAL LICENSE. IT SHALL BE UNLAWFUL FOR ANY PERSON TO RENT OR LEASE ANY PREMISES, INCLUDING ANY SINGLE-FAMILY RENTAL DWELLING UNIT, MULTIPLE RENTAL DWELLING UNIT OR ROOMING UNIT WITHIN THE TOWN OF BLADENSBURG, WITHOUT HAVING FIRST OBTAINED A LICENSE OR TEMPORARY CERTIFICATE TO DO SO AS HEREINAFTER PROVIDED.

B. LICENSE APPLICATION FOR EXISTING RENTAL PROPERTY. ON OR BEFORE JULY 1, 2025, THE LEGAL OWNER OF RECORD OF A MULTI-FAMILY RENTAL PROPERTY, AND ON OR BEFORE JULY 1, 2026, THE LEGAL OWNER OF RECORD OF A SINGLE-FAMILY RESIDENCE, SHALL MAKE WRITTEN APPLICATION TO THE TOWN FOR AN ANNUAL RENTAL LICENSE UPON SUCH FORM OR FORMS AS THE TOWN SHALL FROM TIME TO TIME DESIGNATE. FOR ANY OTHER PROPERTY PROPOSED TO BE USED AS RENTAL PROPERTY, SUCH APPLICATION SHALL BE MADE AT LEAST 30 DAYS PRIOR TO THE EFFECTIVE DATE OF ANY LEASE. SAID FORMS SHALL INCLUDE THE OWNER'S ADDRESS FOR SERVICE OF ANY NOTICES REQUIRED UNDER THIS CHAPTER, A CELLPHONE NUMBER, AND AN EMAIL ADDRESS OR OTHER CONTACT MECHANISM FOR IMMEDIATE CONTACT. THE OWNER SHALL PROVIDE A COPY OF THE PRINCE GEORGE'S COUNTY USE AND OCCUPANCY PERMIT FOR THE PREMISES. THE APPLICATION SHALL BE SUBMITTED TOGETHER WITH A NON-REFUNDABLE RENTAL LICENSE APPLICATION FEE. THE AMOUNT OF SUCH FEE IS TO BE ESTABLISHED BY THE TOWN COUNCIL.

C. TEMPORARY CERTIFICATES. UPON RECEIPT OF A COMPLETED APPLICATION FOR A LICENSE, THE TOWN ADMINISTRATOR MAY ISSUE A NON-TRANSFERABLE "TEMPORARY CERTIFICATE" TO THE OWNERS OF PROPERTIES THAT ARE BEING RENTED ON THE EFFECTIVE DATE OF THIS CHAPTER, INDICATING THAT A LICENSE HAS BEEN DULY APPLIED FOR, AND THAT A NON-TRANSFERABLE LICENSE WILL BE ISSUED OR DENIED AFTER THE BUILDING, INCLUDING INTERIOR PORTIONS THEREOF, AND

PREMISES HAVE BEEN INSPECTED FOR COMPLIANCE WITH APPLICABLE PROVISIONS OF THE HOUSING CODE, AND AUTHORIZING OCCUPANCY UNTIL THE PROCESS HAS BEEN COMPLETED.

D. INSPECTIONS. ALL MULTI-FAMILY RENTAL PROPERTIES SHALL BE SUBJECT TO INSPECTION UPON APPLICATION FOR AND AT LEAST ONCE PER YEAR PRIOR TO RENEWAL OF THE RENTAL LICENSE, TO DETERMINE IF THEY ARE IN CONFORMANCE WITH THE CODE. ALL SINGLE-FAMILY DWELLINGS SHALL BE INSPECTED AT LEAST ONCE EACH YEAR, BEGINNING JULY 1, 2026, AT THE TIME OF APPLICATION FOR AND AT LEAST ONCE PER YEAR PRIOR TO RENEWAL OF THE RENTAL LICENSE. PERMISSION FOR SUCH INSPECTIONS, WITHOUT THE NECESSITY FOR OBTAINING ANY FURTHER PERMISSION OR JUDICIAL WARRANT, IS A CONDITION OF ANY LICENSE OR TEMPORARY CERTIFICATE. FAILURE TO ALLOW ENTRY FOR SUCH INSPECTION OR TO REQUIRE ANY TENANT TO ALLOW ENTRY FOR SUCH INSPECTION SHALL CONSTITUTE SUFFICIENT REASONS FOR THE DENIAL OR REVOCATION OF THE RENTAL LICENSE OR TEMPORARY CERTIFICATE. IN THE EVENT A STATE OF EMERGENCY HAS BEEN DECLARED FOR THE TOWN BY THE MAYOR AND COUNCIL, OR BY THE STATE OF MARYLAND OR PRINCE GEORGE'S COUNTY, PURSUANT TO STATE OR LOCAL LAW, THE REQUIRED INSPECTION MAY BE POSTPONED AND/OR ALTERED IN SCOPE BY RESOLUTION OF THE MAYOR AND COUNCIL.

E. REVOCATION OR DENIAL OF LICENSE. A LICENSE MAY BE REVOKED OR DENIED BY THE TOWN ADMINISTRATOR IF THE OWNER, AFTER 10 DAYS' NOTICE FROM THE TOWN, FAILS TO ELIMINATE OR TO INITIATE GOOD FAITH EFFORTS TO ELIMINATE VIOLATIONS OF THE HOUSING CODE. REVOCATION OR DENIAL OF A LICENSE SHALL BE IN ADDITION TO AND NOT IN SUBSTITUTION FOR, SUCH OTHER PENALTIES AS MAY BE PROVIDED FOR SAID VIOLATIONS ELSEWHERE IN THIS CODE.

F. LICENSE RENEWAL. LICENSES ISSUED HEREUNDER SHALL EXPIRE ONE YEAR FROM THE DATE OF ISSUANCE AND SHALL BE RENEWABLE ANNUALLY AT THE FEES SET BY THE TOWN COUNCIL BY RESOLUTION. APPLICATION FOR RENEWALS SHALL BE MADE AT LEAST 60 DAYS PRIOR TO THE EXPIRATION DATE.

G. DISPLAY OF LICENSES. LICENSES AND TEMPORARY CERTIFICATES ISSUED UNDER THIS SECTION SHALL BE PRODUCED ON THE DEMAND OF A TENANT OR PROSPECTIVE TENANT AND SHALL BE AVAILABLE AT REASONABLE TIMES FOR EXAMINATION BY THE CODE ENFORCEMENT OFFICER OF THE TOWN.

H. CHANGE OF CONTACT INFORMATION. THE OWNER SHALL PROMPTLY NOTIFY THE TOWN OF ANY CHANGE OF CONTACT INFORMATION.

I. LEAD RISK. PRIOR TO ISSUANCE OR RENEWAL OF A LICENSE, THE OWNER MUST PROVIDE PROOF OF COMPLIANCE WITH SECTION 6-801 *ET SEQ.* OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND.

§49-4 OCCUPANCY REQUIREMENTS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES, INCLUDING ANY DWELLING OR ROOMING UNITS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS:

A. MINIMUM CEILING HEIGHTS. HABITABLE SPACE, INCLUDING ALL SPACE THAT WILL BE USED FOR HABITATION, SHALL HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET FOR AT LEAST 1/2 OF THE SPACE. IN ATTICS OR TOP HALF STORIES, THE CEILING HEIGHT SHALL BE NOT LESS THAN SEVEN FEET FOR AT LEAST 1/3 OF THE AREA OF SUCH SPACE WHEN USED FOR HABITATION. IN CALCULATING THE FLOOR AREA FOR ANY HABITABLE SPACE, ONLY THOSE PORTIONS OF THE FLOOR AREA OF THE ROOMS HAVING A CLEAR CEILING HEIGHT OF FIVE FEET OR MORE MAYBE INCLUDED.

B. REQUIRED SPACE IN DWELLING OR ROOMING UNITS. EVERY DWELLING OR ROOMING UNIT SHALL CONTAIN A MINIMUM GROSS FLOOR AREA OF NOT LESS THAN 150 SQUARE FEET FOR THE FIRST OCCUPANT, AND 100 SQUARE FEET FOR EACH ADDITIONAL OCCUPANT. THE FLOOR AREA SHALL BE CALCULATED ON THE BASIS OF THE TOTAL AREA OF ALL HABITABLE ROOMS.

C. REQUIRED SPACE IN SLEEPING ROOM. EVERY ROOM OCCUPIED FOR SLEEPING PURPOSES BY ONE OCCUPANT SHALL HAVE A MINIMUM GROSS FLOOR AREA OF AT LEAST 70 SQUARE FEET. EVERY ROOM OCCUPIED FOR SLEEPING PURPOSES BY MORE THAN ONE OCCUPANT SHALL CONTAIN AT LEAST 50 SQUARE FEET OF FLOOR AREA FOR EACH OCCUPANT THEREOF.

D. EACH DWELLING AND ROOMING UNIT SHALL PROVIDE CLOTHES CLOSET SPACE MEASURING AT LEAST SIX SQUARE FEET, WITH A HEIGHT OF AT LEAST FIVE FEET, FOR EACH ROOM USED FOR SLEEPING. IN ADDITION, AT LEAST ONE OTHER CLOTHES CLOSET OF LIKE SIZE SHALL BE PROVIDED ELSEWHERE IN THE DWELLING OR ROOMING UNIT.

E. LOCATION OF BATH AND SECOND SLEEPING ROOM. NO DWELLING UNIT CONTAINING TWO OR MORE SLEEPING ROOMS SHALL HAVE SUCH ROOM ARRANGEMENTS THAT ACCESS TO A BATHROOM OR WATER CLOSET COMPARTMENT INTENDED FOR USE BY OCCUPANTS OF MORE THAN ONE SLEEPING ROOM CAN BE HAD ONLY BY GOING THROUGH ANOTHER SLEEPING ROOM; NOR SHALL THE ROOM ARRANGEMENT BE SUCH THAT ACCESS TO A SLEEPING ROOM CAN BE HAD ONLY BY GOING THROUGH ANOTHER SLEEPING ROOM OR A BATHROOM OR WATER CLOSET COMPARTMENT.

F. OCCUPANCY OF DWELLING UNITS BELOW GRADE. NO DWELLING UNIT PARTIALLY BELOW GRADE SHALL BE USED FOR LIVING PURPOSES UNLESS:

(1) FLOORS AND WALLS ARE WATERTIGHT; AND

(2) TOTAL WINDOW AREA, TOTAL OPERABLE AREA AND CEILING HEIGHT ARE IN ACCORDANCE WITH THIS CODE.

§ 49-5 INSPECTION OF RENTAL DWELLINGS, DWELLING UNITS, ROOMING UNITS, AND PREMISES.

A. GENERALLY. THE CODE ENFORCEMENT OFFICER IS HEREBY AUTHORIZED TO ENFORCE THE PROVISIONS OF THIS CODE AND IS DIRECTED TO MAKE INSPECTIONS TO DETERMINE THE CONDITION OF RENTAL DWELLINGS, DWELLING UNITS, ROOMING UNITS, AND PREMISES LOCATED WITHIN THE TOWN OF BLADENSBURG, IN ORDER THAT THEY MAY PERFORM THEIR DUTY OF SAFEGUARDING THE HEALTH SAFETY AND WELFARE OF THE OCCUPANTS OF DWELLINGS AND OF THE GENERAL PUBLIC. FOR THE PURPOSE OF MAKING SUCH INSPECTIONS THE CODE ENFORCEMENT OFFICER IS HEREBY AUTHORIZED UPON PRESENTATION OF PROPER CREDENTIALS TO ENTER, EXAMINE, AND SURVEY AT ALL REASONABLE TIMES ALL RENTAL DWELLINGS AND PREMISES. THE OWNER OR OCCUPANT OF EVERY SUCH RENTAL DWELLING AND PREMISES OR THE PERSON IN CHARGE THEREOF, SHALL GIVE THE CODE ENFORCEMENT OFFICER FREE ACCESS TO SUCH RENTAL DWELLING AND PREMISES, AT ALL REASONABLE TIMES FOR THE PURPOSE OF SUCH INSPECTION, EXAMINATION AND SURVEY. EVERY OCCUPANT OF ANY SUCH RENTAL DWELLING OR PREMISES SHALL GIVE THE OWNER THEREOF, OR THEIR AGENT OR EMPLOYEE, ACCESS TO ANY PART OF SUCH DWELLING OR PREMISES, AT ALL REASONABLE TIMES FOR THE PURPOSE OF MAKING SUCH REPAIRS OR ALTERATIONS AS ARE NECESSARY TO EFFECT COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER, AND WITH ANY LAWFUL RULE OR REGULATION OR ORDER ISSUED PURSUANT TO THE PROVISIONS OF THIS CHAPTER.

B. ENTRY. IF ANY OWNER, OCCUPANT, OR OTHER PERSON IN CHARGE OF A STRUCTURE SUBJECT TO THE PROVISIONS OF THIS CODE PREVENTS REFUSES, IMPEDES, INHIBITS, INTERFERES WITH, RESTRICTS OR OBSTRUCTS ENTRY AND FREE ACCESS TO ANY PART OF THE STRUCTURE OR PREMISES WHERE INSPECTION AUTHORIZED BY THIS CODE IS SOUGHT, THE CODE ENFORCEMENT OFFICER (OR OTHER REPRESENTATIVES OF THE ADMINISTRATION) MAY SEEK, IN A COURT OF COMPETENT JURISDICTION, AN ORDER THAT THE OWNER, OCCUPANT OR OTHER PERSON IN CHARGE CEASE AND DESIST WITH SUCH INTERFERENCE AND/OR FOR AN ADMINISTRATIVE SEARCH WARRANT.

C. ALTERATIONS AND REPAIRS.

(1) THE CODE ENFORCEMENT OFFICER HAS THE AUTHORITY TO REQUIRE AND APPROVE ANY ALTERATIONS OR REPAIRS NECESSARY TO BRING A STRUCTURE OR PREMISES INTO COMPLIANCE WITH THIS CODE. THE DETERMINATION OF WHAT MAY BE NECESSARY TO BRING THE PREMISES

INTO COMPLIANCE SHALL TAKE INTO CONSIDERATION THE USE OF ALTERNATIVES AND EQUIVALENT APPROACHES AS PROVIDED FOR IN THIS CODE.

(2) THE CODE ENFORCEMENT OFFICER SHALL HAVE THE AUTHORITY TO APPROVE CHANGES IN ALTERATIONS OR REPAIRS IN THE FIELD WHEN CONDITIONS ARE ENCOUNTERED WHICH MAKE THE ORIGINALLY APPROVED WORK IMPRACTICAL, IF THE CHANGES IN APPROVED WORK CAN BE READILY DETERMINED TO BE IN COMPLIANCE WITH THIS CODE AND ARE REQUESTED BY THE PROPERTY OWNER OR THEIR AGENT BEFORE THE CHANGES.

(3) THE CHANGES SHALL BE SPECIFICALLY DOCUMENTED BY THE PROPERTY OWNER OR BY THEIR AGENT, DESCRIBING THE CHANGE IN WORK AND THE REASONS AND JUSTIFICATION FOR THE CHANGE, AND SHALL BE FILED WITH THE PERMIT FOR THE PROJECT.

§ 49-6 UNFIT RENTAL PREMISES.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES WHICH IS NOT FIT FOR HUMAN HABITATION OR IS OTHERWISE IN VIOLATION OF THIS SECTION.

A. DANGEROUS STRUCTURES AND EQUIPMENT. ANY RENTAL DWELLING, PREMISES OR PART THEREOF, WHICH SHALL BE FOUND TO BE UNSAFE, UNLAWFUL OR TO HAVE ANY OF THE FOLLOWING DEFECTS MAY BE CONDEMNED AS UNFIT FOR HUMAN HABITATION AND SHALL BE SO DESIGNATED AND PLACARDED BY THE CODE ENFORCEMENT OFFICER. IT SHALL NOT BE RE-OCCUPIED WITHOUT APPROVAL FROM THE CODE ENFORCEMENT OFFICER. UNSAFE EQUIPMENT MAY BE CONDEMNED, PLACARDED AND PLACED OUT OF SERVICE PURSUANT TO THIS SECTION.

(1) ONE WHICH IS SO DAMAGED, DECAYED DILAPIDATED, UNSANITARY, UNSAFE, OR VERMIN-INFESTED THAT IT CREATES A SERIOUS HAZARD TO THE HEALTH OR SAFETY OF THE OCCUPANTS OR OF THE PUBLIC.

(2) ONE WHICH LACKS SUFFICIENT ILLUMINATION, VENTILATION, OR SANITATION FACILITIES, A FIRE PROTECTION AND WARNING SYSTEM, OR OTHER ESSENTIAL EQUIPMENT REQUIRED BY THIS CODE ADEQUATE TO PROTECT THE HEALTH OR SAFETY OF THE OCCUPANTS OR OF THE PUBLIC.

(3) ONE WHICH BECAUSE OF ITS GENERAL CONDITION OR LOCATION IS UNSANITARY, OR OTHERWISE DANGEROUS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OR OF THE PUBLIC.

(4) ONE WHICH IS OCCUPIED BY MORE PERSONS THAN PERMITTED UNDER THIS CODE OR APPLICABLE LAW.

(5) ONE IN WHICH THE EQUIPMENT IS UNSAFE, INCLUDING ANY BOILER, HEATING EQUIPMENT, COOKING EQUIPMENT, ELEVATOR, MOVING STAIRWAY, ELECTRICAL WIRING, OR DEVICE, FLAMMABLE LIQUID CONTAINERS OR OTHER EQUIPMENT ON THE PREMISES OR WITHIN THE STRUCTURE WHICH IS IN SUCH DISREPAIR OR CONDITION THAT IT IS

FOUND BY THE CODE OFFICIAL TO BE A HAZARD TO THE LIFE, HEALTH, PROPERTY, OR SAFETY OF THE TENANTS OF THE PREMISES OF STRUCTURE.

(6) ONE WHICH IS NOT IN COMPLIANCE WITH TITLE 6, SUBTITLE 8 OF THE ENVIRONMENTAL ARTICLE, ANNOTATED CODE OF MARYLAND, AS AMENDED.

(7) ONE TO WHICH WATER SERVICE HAS BEEN STOPPED.

B. POSTING OF PLACARD. ANY RENTAL PREMISES OR PORTION THEREOF DECLARED AS UNFIT FOR HUMAN HABITATION HEREUNDER SHALL BE POSTED AT EACH ENTRANCE WITH A PLACARD BY THE CODE ENFORCEMENT OFFICER. IT SHALL BE UNLAWFUL FOR ANY PERSON TO ENTER SUCH RENTAL DWELLING, PREMISES OR PORTION THEREOF AFTER THE DATE SET FORTH IN THE PLACARD TO VACATE EXCEPT FOR THE REASON OF MAKING THE REQUIRED REPAIRS OR OF DEMOLISHING SAID PREMISES. THE PLACARD SHALL INCLUDE THE FOLLOWING:

(1) NAME OF TOWN;

(2) THE CHAPTER AND SECTION OF THE CODE UNDER WHICH IT IS ISSUED;

(3) AN ORDER THAT THE DWELLING OR MULTIFAMILY DWELLING SHALL BE VACATED BY A STATED DATE, AND MUST REMAIN VACANT UNTIL THE ORDER TO VACATE IS WITHDRAWN;

(4) THE DATE THAT THE PLACARD IS POSTED;

(5) A STATEMENT OF THE PENALTY FOR DEFACING REMOVAL OF THE PLACARD;

(6) A STATEMENT THAT "THIS BUILDING IS UNFIT FOR HUMAN HABITATION AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE TOWN OF BLADENSBURG" AND THE PLACARD SHALL BEAR THE SIGNATURE OF THE TOWN ADMINISTRATOR.

C. REMOVAL OF PLACARD OR NOTICE. NO PERSON SHALL DEFACE OR REMOVE THE PLACARD FROM ANY RENTAL DWELLING, PREMISES OR PORTION THEREOF WHICH HAS BEEN DECLARED OR PLACARDED AS UNFIT FOR HUMAN HABITATION EXCEPT BY AUTHORITY IN WRITING FROM THE CODE ENFORCEMENT OFFICER.

D. VACATING OF DECLARED BUILDINGS. ANY RENTAL DWELLING, PREMISES OR PORTION THEREOF DECLARED AS UNFIT FOR HUMAN HABITATION AND SO DESIGNATED AND PLACARDED SHALL BE VACATED WITHIN A REASONABLE TIME AS ORDERED BY THE CODE ENFORCEMENT OFFICER, AND IT SHALL BE UNLAWFUL FOR ANY OWNER OR OPERATOR TO LET ANY PERSON INHABIT SAID RENTAL DWELLING, PREMISES OR PORTION THEREOF WHICH HAS BEEN DECLARED AND PLACARDED BY THE CODE ENFORCEMENT OFFICER AFTER THE DATE SET FORTH IN THE PLACARD. THE CODE ENFORCEMENT OFFICER SHALL REMOVE SUCH PLACARD WHENEVER THE DEFECT OR DEFECTS UPON WHICH THE DECLARATION AND PLACARDING ACTION WERE BASED HAVE BEEN ELIMINATED.

E. NOTICE TO OWNER. WHENEVER THE CODE ENFORCEMENT OFFICER INTENDS TO CONDEMN A RENTAL DWELLING, PREMISES OR ANY PORTIONS THEREOF, AS UNFIT FOR HUMAN HABITATION, OR TO PLACE EQUIPMENT OUT OF SERVICE, THEY SHALL WHEN FEASIBLE GIVE PRIOR WRITTEN NOTICE TO THE OWNER. SUCH NOTICE TO THE OWNER SHALL:

- (1) BE IN WRITING;
- (2) INCLUDE A DESCRIPTION OF THE REAL ESTATE SUFFICIENT FOR IDENTIFICATION;
- (3) INCLUDE A STATEMENT OF THE REASONS WHY IT IS BEING ISSUED;
- (4) STATE THE DATE OCCUPANTS MUST VACATE THE DWELLING UNITS IF THE DEFECTS HAVE NOT BEEN ELIMINATED AND THE ORDER TO VACATE WITHDRAWN.

F. SERVICE OF NOTICE. NOTICE OF VIOLATION SHALL BE SERVED AS REQUIRED BY § 49-9.

G. SERVICE ON OCCUPANT. WHEN A CONDEMNATION ORDER IS SERVED ON AN OCCUPANT OTHER THAN THE OWNER OR PERSON RESPONSIBLE FOR SUCH COMPLIANCE, A REASONABLE TIME TO VACATE THE PROPERTY AFTER NONCOMPLIANCE SHALL BE STATED. OWNERS OR PERSONS RESPONSIBLE FOR COMPLIANCE MUST VACATE AT THE TIME SET FOR CORRECTION OF DEFECTS IF THERE IS FAILURE OF COMPLIANCE.

H. SEALING OF UNFIT STRUCTURE. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO REMOVE ALL UNSANITARY OR FLAMMABLE MATERIAL AND TO BOARD UP ALL WINDOWS AND DOORS AFTER A DWELLING HAS BEEN PROPERLY DETERMINED TO BE UNFIT FOR HUMAN HABITATION, IF SUCH BOARD UP IS DETERMINED BY THE CODE ENFORCEMENT OFFICER TO BE NECESSARY FOR REASONS OF HEALTH OR SAFETY. IN THE EVENT THAT THE OWNER OF THE PROPERTY FAILS TO PROPERLY SEAL THE STRUCTURE AGAINST UNLAWFUL ENTRY, THE TOWN OF BLADENSBURG SHALL TAKE ACTION TO REMOVE UNSANITARY OR FLAMMABLE WASTE MATERIAL AND TO BOARD UP ALL WINDOWS AND DOORS SO AS TO PREVENT ENTRANCE. THE COST OF SAID ACTION SHALL BE LIEN ON THE PROPERTY AND COLLECTIBLE IN THE SAME MANNER AS DELINQUENT TAXES.

I. FURTHER ACTION. IF, AFTER PROPER NOTICE HEREUNDER, THE OWNER FAILS TO CORRECT DEFECTS WHICH HAVE CAUSED THE RENTAL DWELLING, PREMISES, OR PORTION THEREOF TO BE UNFIT FOR HUMAN HABITATION, THE MAYOR AND COUNCIL MAY REQUEST ADDITIONAL ACTION FROM THE APPROPRIATE STATE AND OR COUNTY AUTHORITY.

J. COORDINATION OF ENFORCEMENT.

- (1) WHENEVER, IN THE OPINION OF THE CODE ENFORCEMENT OFFICER INITIATING AN INSPECTION UNDER THIS CODE, IT IS DEEMED NECESSARY OR DESIRABLE TO HAVE INSPECTIONS BY ANY OTHER GOVERNMENTAL OFFICIAL OR AGENCY, THE CODE ENFORCEMENT OFFICER SHALL MAKE A

REASONABLE EFFORT TO ARRANGE FOR THE COORDINATION OF THE INSPECTIONS SO AS TO MINIMIZE THE NUMBER OF VISITS BY INSPECTORS.

(2) THE CODE ENFORCEMENT OFFICER SHALL CONFER WITH THE OTHER GOVERNMENTAL OFFICIAL OR AGENCY FOR THE PURPOSE OF ELIMINATING CONFLICTING ORDERS BEFORE ANY ARE ISSUED.

(3) THE CODE ENFORCEMENT OFFICER MAY NOT, HOWEVER, CAUSE THE DELAY OF THE ISSUANCE OF ANY EMERGENCY ORDERS BY A GOVERNMENTAL OFFICIAL OR AGENCY WHICH THE GOVERNMENTAL OFFICIAL OR AGENCY DETERMINES MUST BE ISSUED.

§ 49-7 EMERGENCIES.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES INCLUDING ANY DWELLING, ROOMS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS.

A. EMERGENCY ACTION. WHENEVER IN THE JUDGMENT OF THE CODE ENFORCEMENT OFFICER AN EMERGENCY EXISTS WHICH REQUIRES IMMEDIATE ACTION TO PROTECT THE PUBLIC HEALTH, SAFETY OR WELFARE, AN ORDER MAY BE ISSUED, DIRECTING THE OWNER, OCCUPANT, OPERATOR OR AGENT TO TAKE SUCH ACTION AS IS APPROPRIATE TO CORRECT OR ABATE THE EMERGENCY.

B. VACATING RENTAL DWELLINGS AND PREMISES. WHEN IN THE OPINION OF THE CODE ENFORCEMENT OFFICER, THERE IS A CLEAR AND PRESENT DANGER TO THE HEALTH OR SAFETY OF THE OCCUPANTS, THE CODE ENFORCEMENT OFFICER IS AUTHORIZED AND EMPOWERED TO ORDER AND REQUIRE THE OCCUPANTS TO VACATE THE SAME FORTHWITH. THEY SHALL CAUSE TO BE POSTED AT EACH ENTRANCE TO SUCH BUILDING A NOTICE READING AS FOLLOWS: "THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE TOWN ADMINISTRATOR", AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO ENTER SUCH BUILDING STRUCTURE EXCEPT FOR THE PURPOSE OF MAKING THE REQUIRED REPAIRS OR OF DEMOLISHING THE SAME.

C. TEMPORARY SAFEGUARDS. WHEN, IN THE OPINION OF THE CODE ENFORCEMENT OFFICER, THERE EXISTS GROSSLY UNSANITARY CONDITIONS OR AN IMMEDIATE DANGER OF COLLAPSE OR FAILURE OF A RENTAL DWELLING, PREMISES OR ANY PART THEREOF WHICH WOULD ENDANGER LIFE, HE/SHE SHALL CAUSE THE NECESSARY WORK TO BE DONE TO RENDER SUCH BUILDING OR STRUCTURE OR PART THEREOF TEMPORARILY SAFE, WHETHER OR NOT THE LEGAL PROCEDURE HEREIN DESCRIBED HAS BEEN INITIATED.

D. CLOSING STREETS. WHEN NECESSARY FOR THE PUBLIC SAFETY, THE TOWN ADMINISTRATOR MAY TEMPORARILY CLOSE SIDEWALKS, STREETS, BUILDINGS, AND PROHIBIT THE SAME FROM BEING USED.

E. EMERGENCY REPAIRS. FOR THE PURPOSE OF THIS SECTION, THE TOWN ADMINISTRATOR SHALL EMPLOY THE NECESSARY LABOR AND

MATERIALS TO PERFORM THE REQUIRED WORK AS EXPEDITIOUSLY AS POSSIBLE.

F. COST OF EMERGENCY REPAIRS. IN ADDITION TO ANY OTHER REMEDY, COSTS INCURRED IN THE PERFORMANCE OF EMERGENCY WORK SHALL BE LIEN ON THE PROPERTY AND COLLECTED IN THE SAME MANNER AS DELINQUENT TAXES.

§ 49-8 TRANSFER OF OWNERSHIP.

IT SHALL BE UNLAWFUL FOR THE OWNER OF ANY RENTAL DWELLING, DWELLING UNIT OR ROOMING UNIT, STRUCTURE OR PREMISES WHO HAS RECEIVED A COMPLIANCE ORDER OR UPON WHOM A NOTICE OF VIOLATION UNDER THIS CODE HAS BEEN SERVED TO SELL, TRANSFER, MORTGAGE, LEASE TO ANOTHER OR OTHERWISE DISPOSE OF, SAID DWELLING OR ROOMING UNITS, STRUCTURE OR PREMISES TO ANOTHER UNTIL THE PROVISIONS OF THE COMPLIANCE ORDER OR NOTICE OF VIOLATION HAVE BEEN COMPLIED WITH, OR UNTIL SUCH OWNER SHALL FIRST FURNISH THE GRANTEE, TRANSFEREE, MORTGAGEE OR LESSEE A TRUE COPY OF ANY COMPLIANCE ORDER OR NOTICE OF VIOLATION ISSUED BY THE CODE ENFORCEMENT OFFICER AND SHALL FURNISH TO THE CODE ENFORCEMENT OFFICER A SIGNED AND NOTARIZED STATEMENT FROM THE GRANTEE, TRANSFEREE, MORTGAGEE OR LESSEE, ACKNOWLEDGING THE RECEIPT OF SUCH COMPLIANCE ORDER OR NOTICE OF VIOLATION AND FULLY ACCEPTING THE RESPONSIBILITY WITHOUT CONDITION FOR MAKING THE TIMELY CORRECTIONS OR REPAIRS REQUIRED BY SUCH COMPLIANCE ORDER OR NOTICE OF VIOLATION.

§ 49-9 VIOLATIONS.

A VIOLATION OF § 49-11C SHALL CONSTITUTE A PUBLIC NUISANCE, AND SHALL BE SUBJECT TO THE PROCEDURES AND REMEDIES SET OUT IN §91-11 OF THIS CODE. THE FOLLOWING PROVISIONS APPLY TO OTHER VIOLATIONS OF THIS CHAPTER.

A. NOTICE. WHENEVER THE CODE ENFORCEMENT OFFICER DETERMINES THAT THERE HAS BEEN OR IS A VIOLATION OF THE PROVISIONS OF THIS CODE, THEY SHALL GIVE NOTICE TO THE OWNER. SUCH NOTICE SHALL:

- (1) BE IN WRITING;
- (2) INCLUDE A DESCRIPTION OF THE REAL ESTATE SUFFICIENT FOR IDENTIFICATION;
- (3) INCLUDE A STATEMENT OF THE REASON OR REASONS WHY IT IS BEING ISSUED; AND
- (4) STATE THE TIME TO CORRECT THE CONDITIONS.

B. SERVICE OF NOTICE. THAT A DWELLING, PREMISES, OR EQUIPMENT IS IN VIOLATION SHALL BE AS FOLLOWS:

- (1) BY DELIVERY TO THE OWNER PERSONALLY OR TO THEIR AGENT; OR

(2) BY CERTIFIED MAIL ADDRESSED TO THE OWNER AT THE ADDRESS PROVIDED TO THE TOWN BY THE OWNER AS REQUIRED BY THIS CHAPTER WITH POSTAGE PREPAID THEREON WITH RETURN RECEIPT REQUESTED, OR IF SAID LETTER IS RETURNED WITH RECEIPT SHOWING NON-DELIVERY, THEN

(3) BY POSTING A COPY OF THE NOTICE IN A CONSPICUOUS PLACE ON THE PREMISES AFFECTED BY SUCH NOTICE.

C. PENALTY FOR VIOLATIONS. FAILURE TO COMPLY WITH A NOTICE OF VIOLATION OF THE PROVISIONS OF § 49-1 ET SEQ. OF THIS CHAPTER WITHIN THE TIME PERIOD PROVIDED SHALL CONSTITUTE A MUNICIPAL INFRACTION. EVERY PERSON, FIRM OR CORPORATION WHO SHALL BE ISSUED SUCH A MUNICIPAL INFRACTION SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$500. EVERY DAY THAT A VIOLATION CONTINUES AFTER DUE NOTICE HAS BEEN SERVED IN ACCORDANCE WITH THE TERMS AND PROVISIONS HEREOF SHALL BE DEEMED A SEPARATE OFFENSE. THE CODE ENFORCEMENT OFFICER IS AUTHORIZED TO ISSUE MUNICIPAL INFRACTION CITATIONS FOR VIOLATIONS OF THIS ARTICLE.

§ 49-10 RIGHT TO APPEAL.

ANY PERSON AFFECTED BY ANY NOTICE WHICH HAS BEEN ISSUED IN CONNECTION WITH THE ENFORCEMENT OF ANY PROVISION OF THIS ARTICLE, OR OF ANY RULE OR REGULATION ADOPTED PURSUANT THERETO, MAY REQUEST AND SHALL BE GRANTED A HEARING ON THE MATTER BEFORE THE TOWN COUNCIL OR ITS DESIGNATED COMMITTEE.

§ 49-11 MAINTENANCE OF EXTERIOR PROPERTY AREAS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES INCLUDING ANY DWELLING OR ROOM OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS:

A. ALL EXTERIOR PROPERTY AREAS SHALL BE MAINTAINED IN A CLEAN, SAFE AND SANITARY CONDITION FREE FROM ANY ACCUMULATION OF RUBBISH, WASTE OR GARBAGE, OR OTHER OFFENSIVE OR DIRTY MATERIAL.

B. ALL PREMISES SHALL BE GRADED AND MAINTAINED SO AS TO PREVENT THE ACCUMULATION OF STAGNANT WATER THEREON, OR WITHIN ANY BUILDING OR STRUCTURE LOCATED THEREON.

C. ALL EXTERIOR PROPERTY AREAS SHALL BE PROPERLY MAINTAINED AND NO WEEDS, BRIARS, BRUSH AND GRASS MORE THAN ~~ONE FOOT TALL~~ **NINE INCHES TALL** (OTHER THAN GARDEN AND YARD PLANTING PROPERLY MAINTAINED BY THE OWNER OR OCCUPANT) SHALL BE ALLOWED TO ACCUMULATE OR GROW ON ANY PRIVATE PROPERTY ADJOINING ANY OF THE STREETS, ALLEYS OR LANES AND WITHIN 200 FEET THEREOF IN THE TOWN OF BLADENSBURG.

D. THE STORAGE OF WOOD AND OTHER MATERIALS NOT PROSCRIBED BY THIS ARTICLE SHALL BE ACCOMPLISHED IN A MANNER DESIGNED TO AVOID RODENTS, TERMITES AND OTHER INSECT INFESTATION. WOOD SHALL BE STORED AT LEAST 18 INCHES ABOVE THE GROUND.

E. ALL EXTERIOR PROPERTY AREAS SHALL BE KEPT FREE FROM INFESTATION BY RODENTS, VERMIN, INSECTS AND OTHER PESTS WHERE RODENTS, VERMIN, INSECTS AND OTHER PESTS ARE FOUND, THE SHALL BE PROMPTLY EXTERMINATED BY THE OWNER BY ACCEPTABLE PROCESSES WHICH WILL NOT BE INJURIOUS TO THE HEALTH OF HUMANS OR OTHER ANIMALS. AFTER EXTERMINATION, PROPER PRECAUTIONS SHALL BE TAKEN BY THE OWNER AND OCCUPANT TO PREVENT REINFESTATION.

F. EXTERIOR PROPERTY AREAS SHALL NOT BE UTILIZED FOR ANY PERIOD OF TIME FOR THE OPEN STORAGE OF BUILDING RUBBISH OR REFUSE, CONSTRUCTION MATERIALS OR EQUIPMENT, BATHROOM OR KITCHEN FIXTURES, GLASS, FURNITURE, APPLIANCES, AUTOMOTIVE PARTS, OR SIMILAR ITEMS OR MATERIALS, IRRESPECTIVE OF AGE OR CONDITION.

G. EXTERIOR STEPS AND WALKWAYS SHALL BE MAINTAINED FREE OF UNSAFE OBSTRUCTIONS OR HAZARDOUS CONDITIONS.

H. EVERY OCCUPANT OF A STRUCTURE OR PART THEREOF SHALL STORE AND DISPOSE OF ALL RUBBISH IN A CLEAN AND SANITARY MANNER BY PLACING IT IN APPROPRIATE RUBBISH CONTAINERS.

I. EVERY OCCUPANT OF A STRUCTURE OR PART THEREOF SHALL STORE AND DISPOSE OF GARBAGE OR OTHER ORGANIC WASTE IN A CLEAN AND SANITARY MANNER BY PLACING IT IN APPROPRIATE GARBAGE DISPOSAL FACILITIES OR GARBAGE STORAGE CONTAINERS.

J. IT SHALL BE THE RESPONSIBILITY OF ANY PROPERTY OWNER, RENTER, LESSEE, OR OTHER OCCUPANT, WHO SHALL POSSESS ANIMALS ON THE SAME PREMISES TO KEEP SAID ANIMALS IN A REASONABLY SANITARY CONDITION.

K. CONTINUING OR REPEATED INCIDENTS OF RODENT INFESTATION AS DETERMINED BY THE HOUSING CODE OFFICER SHALL REQUIRE THE INSTALLATION OF RODENT- AND VERMIN-PROOF WALLS. THE RODENT- AND VERMIN-PROOF WALLS SHALL BE INSTALLED IN ACCORDANCE WITH THE BUILDING CODE.

L. ALL TREES AND SHRUBBERY LOCATED ON EXTERIOR PROPERTY AREAS SHALL BE MAINTAINED IN SUCH A WAY SO AS NOT TO POSE A DANGER TO ADJOINING PROPERTY.

§ 49-12 MAINTENANCE OF EXTERIOR STRUCTURE.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES INCLUDING ANY DWELLING OR ROOMS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS.

A. THE EXTERIOR OF A STRUCTURE SHALL BE MAINTAINED IN GOOD REPAIR, STRUCTURALLY SOUND AND SANITARY SO AS NOT TO POSE A THREAT TO THE HEALTH, SAFETY OR WELFARE OF THE OCCUPANTS AND SO AS TO PROTECT THE OCCUPANTS FROM THE ADVERSE EFFECTS OF THE ENVIRONMENT.

B. ALL SUPPORTING STRUCTURAL MEMBERS OF ALL STRUCTURES SHALL BE KEPT STRUCTURALLY SOUND, FREE OF DETERIORATION AND MAINTAINED CAPABLE OF SAFELY BEARING THE DEAD AND LIVE LOADS IMPOSED UPON THEM.

C. EVERY FOUNDATION, EXTERIOR WALL, ROOF, AND ALL OTHER EXTERIOR SURFACES SHALL BE MAINTAINED IN A WORKMANLIKE STATE OF MAINTENANCE AND REPAIR AND SHALL BE KEPT IN SUCH CONDITION AS TO EXCLUDE RODENTS.

D. ALL FOUNDATION WALLS SHALL BE MAINTAINED SO AS TO CARRY THE SAFE DESIGN AND OPERATING DEAD AND LIVE LOADS AND SHALL BE MAINTAINED FREE FROM OPEN CRACKS AND BREAKS, SO AS NOT TO BE DETRIMENTAL TO PUBLIC SAFETY AND WELFARE.

E. EVERY EXTERIOR WALL SHALL BE FREE OF HOLES, BREAKS, LOOSE OR ROTTING BOARDS OR TIMBERS, AND ANY OTHER CONDITIONS WHICH MIGHT ADMIT RAIN OR DAMPNESS TO THE INTERIOR PORTIONS OF THE WALLS OR TO THE OCCUPIED SPACES OF THE BUILDING. ALL EXTERIOR SURFACE MATERIALS, INCLUDING WOOD, COMPOSITION, OR METAL SIDING, SHALL BE MAINTAINED WEATHERPROOF AND SHALL BE PROPERLY SURFACE COATED WHEN REQUIRED TO PREVENT DETERIORATION.

F. THE ROOF SHALL BE STRUCTURALLY SOUND, TIGHT, AND NOT HAVE DEFECTS WHICH MIGHT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT RAIN WATER FROM CAUSING DAMPNESS OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE BUILDING. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A NUISANCE TO OWNERS OR OCCUPANTS OF ADJACENT PREMISES, OR THAT CREATES A PUBLIC NUISANCE.

G. ALL CORNICES, ENTABLATURE, BELT COURSES, CORBELS, TERRA COTTA TRIM, WALL FACINGS, AND SIMILAR DECORATIVE FEATURES SHALL BE MAINTAINED IN GOOD REPAIR WITH PROPER ANCHORAGE AND IN A SAFE CONDITION.

H. ALL CANOPIES, MARQUEES, SIGNS, METAL AWNINGS, STAIRWAYS, FIRE ESCAPES, STANDPIPE, EXHAUST DUCTS AND SIMILAR OVERHANG EXTENSIONS SHALL BE MAINTAINED IN GOOD REPAIR AND BE PROPERLY ANCHORED SO AS TO BE KEPT IN A SAFE AND SOUND CONDITION. THEY SHALL BE PROTECTED FROM THE ELEMENTS AND AGAINST DECAY AND RUST BY THE PERIODIC APPLICATION OF A WEATHER-COATING MATERIAL SUCH AS PAINT OR OTHER PROTECTIVE TREATMENT.

I. ALL CHIMNEYS, COOLING TOWERS, SMOKE STACKS, AND SIMILAR APPURTENANCES SHALL BE MAINTAINED STRUCTURALLY SAFE, SOUND, AND IN GOOD REPAIR. ALL EXPOSED SURFACES OF METAL OR WOOD SHALL BE PROTECTED FROM THE ELEMENTS AND AGAINST DECAY OR RUST BY PERIODIC APPLICATION OF WEATHER-COATING MATERIALS SUCH AS PAINT OR SIMILAR SURFACE TREATMENT.

J. EVERY STAIR, PORCH, FIRE ESCAPE, BALCONY, AND ALL APPURTENANCES ATTACHED THERETO SHALL BE SO CONSTRUCTED AS TO BE SAFE TO USE AND CAPABLE OF SUPPORTING THE ANTICIPATED LOADS AND SHALL BE MAINTAINED IN SOUND CONDITION AND GOOD REPAIR. EVERY STAIR, PORCH AND FIRE ESCAPE SHALL BE MAINTAINED FREE OF HAZARDOUS CONDITIONS SUCH AS SNOW, ICE, MUD AND OTHER DEBRIS. EVERY FLIGHT OF STAIRS WHICH IS MORE THAN FOUR RISERS HIGH SHALL HAVE A HANDRAIL ON AT LEAST ONE SIDE OF THE STAIR, AND EVERY OPEN PORTION OF A STAIR, FIRE ESCAPE, PORCH, LANDING OR BALCONY WHICH IS MORE THAN 30 INCHES ABOVE THE GRADE BELOW SHALL HAVE GUARD RAILS. EVERY HANDRAIL AND GUARD RAIL SHALL BE FIRMLY FASTENED AND CAPABLE OF BEARING NORMALLY IMPOSED LOADS AND SHALL BE MAINTAINED IN GOOD CONDITION.

K. EVERY WINDOW, DOOR AND FRAME SHALL BE CONSTRUCTED AND MAINTAINED IN SUCH RELATION TO THE ADJACENT WALL CONSTRUCTION SO AS TO EXCLUDE RAIN AND RODENTS AS COMPLETELY AS POSSIBLE, AND TO SUBSTANTIALLY EXCLUDE WIND FROM ENTERING THE DWELLING OR STRUCTURE.

L. EVERY WINDOW AND EXTERIOR DOOR SHALL BE FITTED REASONABLY IN ITS FRAME AND BE WEATHER TIGHT. WEATHER-STRIPPING SHALL BE USED TO EXCLUDE WIND OR RAIN FROM ENTERING THE DWELLING OR STRUCTURE AND SHALL BE KEPT IN SOUND CONDITION AND GOOD REPAIR.

M. EVERY REQUIRED WINDOW SASH SHALL BE FULLY SUPPLIED WITH APPROVED GLAZING MATERIALS WHICH ARE WITHOUT OPEN CRACKS AND HOLES.

N. EVERY WINDOW, OTHER THAN A FIXED WINDOW, SHALL BE CAPABLE OF BEING EASILY OPENED AND SHALL BE HELD IN POSITION BY WINDOW HARDWARE.

O. DURING THE PERIOD FROM APRIL 1 TO DECEMBER 1, EVERY DOOR AND WINDOW OR OTHER OUTSIDE OPENING USED FOR VENTILATION PURPOSES SHALL BE SUPPLIED WITH APPROVED TIGHT FITTING SCREENS OF NOT LESS THAN 16 MESH PER INCH MATERIAL, IN GOOD WORKING CONDITION. EVERY HINGED SCREEN DOOR SHALL HAVE A SELF-CLOSING DEVICE IN GOOD WORKING ORDER. SCREEN DOORS SHALL NOT BE REQUIRED FOR OUT SWINGING DOORS OR OTHER TYPES OF OPENINGS WHICH MAKE SCREENING IMPRACTICAL, PROVIDED OTHER APPROVED MEANS ARE EMPLOYED, AND FOR UNITS ABOVE THE 4TH FLOOR.

P. EVERY EXTERIOR DOOR AND ITS HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION. DOOR LOCKS TO PROVIDE SECURITY AGAINST UNAUTHORIZED ENTRY SHALL BE REQUIRED ON ALL DOORS ENTERING DWELLING UNITS AND SHALL BE IN GOOD REPAIR AND CAPABLE OF TIGHTLY SECURING THE DOOR. ALL LOCKS MUST BE EASILY OPENED AND CLOSED WITHOUT THE USE OF A KEY FROM THE INTERIOR.

§ 49-13 INTERNAL STRUCTURE.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY NON-OWNER OCCUPIED PREMISES, OR ANY PREMISES WHICH IS OCCUPIED BY THE OWNER AND RENTED TO MORE THAN ONE OTHER PERSON, INCLUDING ANY DWELLING AND ROOMING UNITS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS.

A. THE INTERIOR OF A STRUCTURE AND ITS EQUIPMENT SHALL BE MAINTAINED IN GOOD REPAIR, STRUCTURALLY SOUND AND IN A SANITARY CONDITION SO AS NOT TO POSE A THREAT TO THE HEALTH, SAFETY OR WELFARE OF THE OCCUPANTS OR VISITORS, AND TO PROTECT THE OCCUPANTS FROM THE ENVIRONMENT.

B. THE SUPPORTING STRUCTURAL MEMBERS OF EVERY BUILDING SHALL BE MAINTAINED STRUCTURALLY SOUND, NOT SHOWING ANY EVIDENCE OF DETERIORATION WHICH WOULD RENDER THEM INCAPABLE OF CARRYING THE IMPOSED LOADS.

C. FLOORS, WALLS (INCLUDING WINDOWS AND DOORS), CEILINGS, AND OTHER INTERIOR SURFACES SHALL BE MAINTAINED IN GOOD, CLEAN, SANITARY AND STRUCTURALLY SOUND CONDITION, FREE OF HOLES, CRACKS, LOOSE PLASTER OR WALL PAPER, AND FLAKING OR SCALING PAINT, AND SHALL BE SUBSTANTIALLY INSECT AND RODENT PROOF. PAINT APPLIED TO THE INTERIOR SURFACES SHALL BE LEAD FREE.

D. EVERY TOILET, BATHROOM AND KITCHEN FLOOR SURFACE SHALL BE CONSTRUCTED AND MAINTAINED SO AS TO BE SUBSTANTIALLY IMPERVIOUS TO WATER AND SO AS TO PERMIT SUCH FLOOR TO BE EASILY KEPT IN A CLEAN AND SANITARY CONDITION.

E. IN EVERY BUILDING, BASEMENTS AND CRAWL SPACES SHALL BE MAINTAINED REASONABLY FREE FROM DAMPNESS TO PREVENT CONDITIONS CONDUCTIVE TO DECAY OR DETERIORATION OF THE STRUCTURE.

F. THE INTERIOR OF EVERY STRUCTURE SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION FREE FROM ANY ACCUMULATION OF RUBBISH, REFUSE OR GARBAGE. RUBBISH, GARBAGE, AND OTHER REFUSE SHALL BE PROPERLY KEPT INSIDE TEMPORARY STORAGE FACILITIES AS REQUIRED BY THIS CHAPTER.

G. GARBAGE OR REFUSE SHALL NOT BE ALLOWED TO ACCUMULATE OR BE STORED IN PUBLIC HALLS OR STAIRWAYS.

H. INSECT AND RODENT HARBORAGE. ALL STRUCTURES SHALL BE KEPT FREE FROM INSECT AND RODENT INFESTATION, AND WHERE INSECTS OR RODENTS ARE FOUND, THEY SHALL BE PROMPTLY EXTERMINATED BY APPROVED PROCESSES WHICH WILL NOT BE INJURIOUS TO HUMAN HEALTH. AFTER EXTERMINATION, PROPER PRECAUTIONS SHALL BE TAKEN TO PREVENT RE-INFESTATION.

I. EVERY DOOR AVAILABLE AS AN EXIT SHALL BE CAPABLE OF BEING OPENED EASILY FROM THE INSIDE WITHOUT THE USE OF A KEY.

J. ALL INTERIOR STAIRS AND RAILINGS AND OTHER EXIT FACILITIES OF EVERY STRUCTURE SHALL BE MAINTAINED IN SOUND CONDITION AND GOOD REPAIR. EVERY INSIDE STAIR SHALL BE SO CONSTRUCTED AND MAINTAINED AS TO BE SAFE TO USE AND CAPABLE OF SUPPORTING THE ANTICIPATED LOADS.

K. EVERY FLIGHT OF STAIRS WHICH IS MORE THAN FOUR RISERS HIGH SHALL HAVE A HANDRAIL ON AT LEAST ONE SIDE OF THE STAIR, AND EVERY OPEN PORTION OF A STAIR, LANDING OR BALCONY WHICH IS MORE THAN 30 INCHES ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARD RAILS. EVERY HANDRAIL AND GUARD RAIL SHALL BE FIRMLY FASTENED AND CAPABLE OF BEARING NORMALLY IMPOSED LOADS AND SHALL BE MAINTAINED IN GOOD CONDITION.

§ 49-14 RESPONSIBILITIES OF OWNERS AND OCCUPIERS OF NON-OWNER-OCCUPIED RENTAL PROPERTY AND OWNER OCCUPIED RENTAL PROPERTY RENTED TO MORE THAN ONE OTHER PERSON.

ONLY THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE PROVISIONS OF THE CODE EXCEPT AS PROVIDED HEREIN.

A. EVERY OCCUPANT OF A STRUCTURE OR PART THEREOF SHALL KEEP THAT PART OF THE STRUCTURE OR PREMISES THEREOF, WHICH THAT OCCUPANT OCCUPIES, CONTROLS, OR USES IN A CLEAN AND SANITARY CONDITION. EVERY OWNER OF A DWELLING CONTAINING TWO OR MORE DWELLING OR ROOMING UNITS SHALL MAINTAIN, IN A CLEAN AND SANITARY CONDITION, THE SHARED OR PUBLIC AREAS OF THE DWELLING AND PREMISES THEREOF.

B. THE OCCUPANT OF A STRUCTURE OR PART THEREOF SHALL KEEP THE OWNER-SUPPLIED EQUIPMENT AND FIXTURES THEREIN CLEAN AND SANITARY, AND SHALL BE RESPONSIBLE FOR THE EXERCISE OF REASONABLE CARE IN THEIR PROPER USE AND OPERATION. THE OWNER SHALL MAINTAIN THE EQUIPMENT AND FIXTURES IN GOOD AND PROPER OPERATING CONDITION.

C. THE EQUIPMENT AND FIXTURES FURNISHED BY THE OCCUPANT OF A STRUCTURE SHALL BE PROPERLY INSTALLED, AND SHALL BE MAINTAINED IN GOOD WORKING CONDITIONS, KEPT CLEAN AND SANITARY, AND FREE OF DEFECTS, LEAKS OR OBSTRUCTIONS.

D. THE OWNER OF ANY PREMISES SHALL BE RESPONSIBLE FOR EXTERMINATION WITHIN THE STRUCTURE PRIOR TO RENTING, LEASING OR SELLING THE STRUCTURE.

E. THE TENANT-OCCUPANT OF ANY PREMISES SHALL BE RESPONSIBLE FOR THE CONTINUED RODENT-PROOF CONDITION OF THE STRUCTURE, AND IF THE TENANT-OCCUPANT FAILS TO MAINTAIN THE RODENT-PROOF CONDITION, THE COST OF EXTERMINATION SHALL BE THE RESPONSIBILITY OF THE TENANT-OCCUPANT.

F. THE OCCUPANT OF ANY PREMISES CONTAINING A SINGLE DWELLING UNIT SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS, RODENTS OR OTHER PESTS IN THE STRUCTURE OR ON THE PREMISES.

G. EVERY OWNER, AGENT OR OPERATOR OF TWO OR MORE DWELLING UNITS OR ROOMING UNITS SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS, RODENTS OR OTHER PESTS IN THE PUBLIC OR SHARED AREAS OF THE STRUCTURE AND PREMISES. WHEN INFESTATION IS CAUSED BY FAILURE OF AN OCCUPANT OF A UNIT OF THE TWO OR MORE DWELLING UNITS OR ROOMING UNITS TO PREVENT SUCH INFESTATION IN THE AREA OCCUPIED, THE OCCUPANT SHALL BE RESPONSIBLE FOR SUCH EXTERMINATION.

H. FOR ANY DWELLING CONTAINING TWO OR MORE DWELLING AND/OR ROOMING UNITS, IT SHALL BE THE RESPONSIBILITY OF THE OWNER TO SUPPLY ADEQUATE RUBBISH CONTAINERS AND GARBAGE DISPOSAL FACILITIES AND STORAGE CONTAINERS. IN ALL OTHER CASES, IT SHALL BE THE RESPONSIBILITY OF THE OCCUPANT TO FURNISH SUCH FACILITIES OR CONTAINERS.

I. EVERY OWNER OF A DWELLING OR DWELLING UNIT SHALL BE RESPONSIBLE FOR HANGING ALL SCREENS AND DOUBLE OR STORM DOORS AND WINDOWS WHENEVER THE SAME ARE REQUIRED UNDER THE PROVISIONS OF THIS ORDINANCE OR OF ANY RULE OR REGULATION ADOPTED PURSUANT THERETO, EXCEPT WHERE THE TENANT HAS AGREED TO SUPPLY SUCH SERVICES.

J. THE TENANT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF EQUIPMENT AND FIXTURES FURNISHED BY THE TENANT. THE EQUIPMENT AND FIXTURES SHALL BE PROPERLY INSTALLED AND SHALL BE MAINTAINED IN GOOD WORKING CONDITIONS, KEPT CLEAN AND SANITARY, AND FREE OF DEFECTS, LEAKS OR OBSTRUCTIONS.

§ 49-14 RESERVED.

§ 49-15 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES INCLUDING ANY DWELLING OR ROOMS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS.

A. PLUMBING FACILITIES. THE OWNER OF THE STRUCTURE SHALL PROVIDE AND MAINTAIN SUCH PLUMBING FACILITIES AND FIXTURES IN COMPLIANCE WITH THIS SECTION.

(1) EVERY DWELLING AND/OR ROOMING UNIT SHALL INCLUDE ITS OWN PLUMBING FACILITIES WHICH ARE IN PROPER OPERATING CONDITION, CAN BE USED IN PRIVACY, AND ARE ADEQUATE FOR PERSONAL CLEANLINESS AND THE DISPOSAL OF HUMAN WASTE.

(2) EVERY DWELLING UNIT SHALL CONTAIN WITHIN ITS WALLS, AND EVERY ROOM UNIT SHALL HAVE DIRECT ACCESS TO A ROOM SEPARATE FROM HABITABLE SPACES, WHICH AFFORDS PRIVACY AND A WATER CLOSET SUPPLIED WITH COLD RUNNING WATER. A LAVATORY SHALL BE PLACED IN THE SAME ROOM AS THE WATER CLOSET OR LOCATED IN ANOTHER ROOM, IN CLOSE PROXIMITY TO THE DOOR LEADING DIRECTLY INTO THE ROOM IN WHICH SAID WATER CLOSET IS LOCATED. THE LAVATORY SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

(3) EVERY DWELLING UNIT SHALL CONTAIN AND EVERY ROOM UNIT SHALL BE SUPPLIED WITH A ROOM WHICH AFFORDS PRIVACY TO A PERSON IN SAID ROOM AND WHICH IS EQUIPPED WITH A BATHTUB OR SHOWER SUPPLIED WITH HOT AND COLD RUNNING WATER.

(4) EVERY DWELLING UNIT SHALL CONTAIN AND EVERY ROOMING UNIT SHALL HAVE DIRECT ACCESS TO A KITCHEN SINK APART FROM THE LAVATORY REQUIRED UNDER SUBSECTION A(2), AND SUCH SINK SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

(5) ALTERNATIVE PLUMBING FACILITIES AND FIXTURES FOR USE IN DWELLING OR ROOMING UNITS OF RENTAL HOUSING MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY THE TOWN COUNCIL.

(6) TOILET ROOMS AND BATHROOMS SHALL BE DESIGNED AND ARRANGED TO PROVIDE PRIVACY.

(7) TOILET ROOMS AND BATHROOMS SHALL NOT BE USED AS A PASSAGEWAY TO A HALL OR OTHER SPACE. A TOILET ROOM OR BATHROOM IN A DWELLING UNIT SHALL BE ACCESSIBLE FROM ANY SLEEPING ROOM WITHOUT PASSING THROUGH ANOTHER SLEEPING ROOM.

B. PLUMBING FIXTURES.

(1) ALL PLUMBING FIXTURES SHALL BE MAINTAINED IN A SAFE AND USABLE CONDITION. ALL PLUMBING FIXTURES SHALL BE OF APPROVED NONABSORBENT MATERIAL.

(2) WATER SUPPLY LINES, PLUMBING FIXTURES, VENTS AND DRAINS SHALL BE PROPERLY INSTALLED, CONNECTED AND MAINTAINED IN WORKING ORDER AND SHALL BE KEPT FREE FROM OBSTRUCTIONS, LEAKS AND DEFECTS AND CAPABLE OF PERFORMING THE FUNCTION FOR WHICH THEY ARE DESIGNED. ALL REPAIRS AND INSTALLATIONS SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LAW.

(3) ALL PLUMBING FACILITIES SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION BY THE OCCUPANT SO AS NOT TO BREED INSECTS AND RODENTS OR PRODUCE DANGEROUS OR OFFENSIVE GASES OR ODORS.

(4) PLUMBING FIXTURES SHALL BE INSTALLED TO PERMIT EASY ACCESS FOR CLEANING BOTH THE FIXTURE AND THE AREA ABOUT IT.

C. WATER SYSTEM.

(1) EVERY SINK, LAVATORY, BATHTUB OR SHOWER, DRINKING FOUNTAIN, WATER CLOSET OR OTHER FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER SYSTEM OR TO AN APPROVED PRIVATE WATER SYSTEM. ALL SINKS, LAVATORIES, BATHTUBS AND SHOWERS SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

(2) THE WATER SUPPLY SHALL BE MAINTAINED FREE FROM CONTAMINATION AND ALL WATER INLETS FOR PLUMBING FIXTURES SHALL BE LOCATED ABOVE THE OVERFLOW RIM OF THE FIXTURE. SHAMPOO BASIN FAUCETS, JANITOR SINK FAUCETS, AND OTHER HOSE BIBS OR FAUCETS TO AN APPROVED ATMOSPHERIC TYPE VACUUM BREAKER OR AN APPROVED PERMANENTLY ATTACHED HOSE CONNECTION VACUUM BREAKER.

(3) THE WATER SUPPLY SYSTEM SHALL BE INSTALLED AND MAINTAINED TO PROVIDE AT ALL TIMES A SUPPLY OF WATER TO PLUMBING FIXTURES, DEVICES, AND APPURTENANCES IN SUFFICIENT VOLUME AND AT PRESSURES ADEQUATE TO ENABLE THEM TO FUNCTION SATISFACTORILY.

(4) WHERE HOT WATER IS PROVIDED, WATER HEATING FACILITIES SHALL BE INSTALLED IN AN APPROVED MANNER, PROPERLY MAINTAINED, AND PROPERLY CONNECTED WITH HOT WATER LINES TO THE FIXTURES REQUIRED TO BE SUPPLIED WITH THE HOT WATER. WATER HEATING FACILITIES SHALL BE CAPABLE OF HEATING WATER TO SUCH A TEMPERATURE AS TO PERMIT AN ADEQUATE AMOUNT OF WATER TO BE DRAWN AT EVERY REQUIRED KITCHEN SINK, LAVATORY BASIN, BATHTUB, SHOWER, AND LAUNDRY FACILITY OR OTHER SIMILAR UNITS, AT A TEMPERATURE OF NOT LESS THAN 110° F.

(5) ALTERNATIVE SYSTEMS MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY THE TOWN COUNCIL.

D. SEWAGE SYSTEM.

(1) EVERY SINK, LAVATORY, BATHTUB OR SHOWER, DRINKING FOUNTAIN, WATER CLOSET OR OTHER FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC SEWER SYSTEM OR TO AN APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM.

(2) EVERY PLUMBING STACK, WASTE AND SEWER LINE SHALL BE SO INSTALLED AND MAINTAINED AS TO FUNCTION PROPERLY AND SHALL BE KEPT FREE FROM OBSTRUCTIONS, LEAKS AND DEFECTS TO PREVENT STRUCTURAL DETERIORATION OR HEALTH HAZARDS. ALL REPAIRS AND

INSTALLATIONS SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LOCAL BUILDING CODE OR LOCAL PLUMBING CODE.

§ 13-217 FIRE SAFETY REQUIREMENTS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY PREMISES INCLUDING ANY DWELLING OR ROOM OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS. EXCEPT AS OTHERWISE PROVIDED, THE OWNER OF THE PREMISES SHALL PROVIDE AND MAINTAIN SUCH FIRE SAFETY FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE REQUIREMENTS AND DIVISION 4 OF SUBTITLE 11 OF THE FIRE SAFETY LAW OF PRINCE GEORGE'S COUNTY, MARYLAND, AS AMENDED FROM TIME TO TIME, WITH THE EXCEPTION OF SECTION 11-293, WHICH IS INCORPORATED HEREIN AND ADOPTED BY REFERENCE. THIS SECTION ALSO INCORPORATES BY REFERENCE CHAPTER 24 OF THE NFPA 101 LIFE SAFETY CODE AND IS APPLICABLE TO ONE- AND TWO-FAMILY DWELLINGS AS DEFINED THEREIN. REFERENCES IN THE FIRE PREVENTION CODE OF PRINCE GEORGE'S COUNTY TO THE FIRE CHIEF OR AUTHORIZED REPRESENTATIVE SHALL BE CONSTRUED TO INCLUDE THE TOWN'S CODE ENFORCEMENT OFFICER. INSPECTIONS SHALL BE PERFORMED BY THE TOWN'S CODE ENFORCEMENT OFFICER, AND VIOLATIONS SHALL BE ENFORCED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE. NOTHING HEREIN SHALL BE CONSTRUED AS PREVENTING COUNTY PERSONNEL FROM PERFORMING INSPECTIONS AND ENFORCING THE COUNTY'S FIRE SAFETY LAWS.

A. MEANS OF EGRESS.

(1) A SAFE, CONTINUOUS AND UNOBSTRUCTED MEANS OF EGRESS SHALL BE PROVIDED FOR EACH DWELLING UNIT AND ROOMING UNIT FROM THE INTERIOR OF THE PREMISES TO THE EXTERIOR AT A STREET, OR TO A YARD, COURT, OR PASSAGEWAY LEADING TO A PUBLIC OPEN AREA AT GRADE.

(2) EVERY DWELLING UNIT AND/OR ROOMING UNIT SHALL HAVE ACCESS DIRECTLY TO THE OUTSIDE OR TO AN EXIT ACCESS CORRIDOR THAT LEADS DIRECTLY TO THE OUTSIDE.

(3) ALL DOORS IN THE REQUIRED MEANS OF EGRESS SHALL BE READILY OPENABLE FROM THE INNER SIDE. EXITS FROM DWELLING UNITS SHALL NOT LEAD THROUGH OTHER SUCH UNITS, OR THROUGH TOILET ROOMS OR BATHROOMS.

(4) ALL REQUIRED AND ALL EXISTING FIRE ESCAPES SHALL BE MAINTAINED IN WORKING CONDITION AND STRUCTURALLY SOUND.

(5) ANY EXIT SIGNS SHALL BE MAINTAINED ILLUMINATED AND VISIBLE.

(6) EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPENABLE WINDOW OR EXTERIOR DOOR APPROVED FOR SECONDARY EMERGENCY EGRESS OR RESCUE. A SINGLE MEANS OF EGRESS MAY BE APPROVED BY

THE TOWN IN CASES OF FIREPROOF CONSTRUCTION AND OTHER APPROVED CIRCUMSTANCES.

B. ACCUMULATIONS AND STORAGE.

(1) WASTE, REFUSE, OR OTHER MATERIALS SHALL NOT BE ALLOWED TO ACCUMULATE IN STAIRWAYS, OR PASSAGEWAYS, DOORS, WINDOWS, FIRE ESCAPES, OR OTHER MEANS OF EGRESS.

(2) HIGHLY FLAMMABLE OR EXPLOSIVE MATTER, SUCH AS PAINTS, VOLATILE OILS AND CLEANING FLUIDS, OR COMBUSTIBLE REFUSE, SUCH AS WASTEPAPER, BOXES AND BAGS, SHALL NOT BE ACCUMULATED OR STORED ON RESIDENTIAL PREMISES EXCEPT IN REASONABLE QUANTITIES CONSISTENT WITH NORMAL USAGE.

(3) A DWELLING UNIT AND/OR ROOMING UNIT SHALL NOT BE LOCATED WITHIN A STRUCTURE CONTAINING AN ESTABLISHMENT HANDLING, DISPENSING OR STORING FLAMMABLE LIQUIDS WITH A FLASH POINT OF 100° F. OR LOWER, EXCEPT AS PROVIDED FOR IN THE APPLICABLE LAW.

C. FIRE RESISTANCE RATINGS.

(1) FLOORS, WALLS, CEILINGS, AND OTHER ELEMENTS AND COMPONENTS REQUIRED TO DEVELOP A FIRE RESISTANCE RATING SHALL BE MAINTAINED SO THAT THE RESPECTIVE FIRE RESISTANCE RATING OF THE ENCLOSURE, SEPARATION, OR CONSTRUCTION IS PRESERVED.

D. FIRE PROTECTION SYSTEMS.

(1) ALL FIRE PROTECTION SYSTEMS AND EQUIPMENT SHALL BE MAINTAINED IN PROPER OPERATING CONDITION AT ALL TIMES.

(2) FIRE ALARMS AND DETECTING SYSTEMS SHALL BE INSTALLED AND MAINTAINED AND BE SUITABLE FOR THEIR RESPECTIVE PURPOSES IN ALL RENTAL PREMISES.

(3) ALL RENTAL RESIDENCES SHALL BE PROVIDED WITH A MINIMUM OF ONE APPROVED SINGLE STATION SMOKE DETECTOR FOR EACH FLOOR OF THE PREMISES. IF THERE IS A SLEEPING AREA LOCATED ON ANY SUCH FLOOR, THE DETECTOR SHALL BE PLACED THEREIN. THE DETECTORS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS. WHEN ACTUATED, THE SMOKE DETECTOR SHALL PROVIDE AN ALARM SUITABLE TO WARN THE OCCUPANTS WITHIN EACH DWELLING AND/OR ROOMING UNIT.

(4) IT IS THE OCCUPANT'S RESPONSIBILITY TO MAINTAIN SMOKE DETECTORS IN GOOD WORKING ORDER, SUCH AS REPLACING BATTERIES.

(5) FIRE SUPPRESSION SYSTEMS IN UNITS SO EQUIPPED SHALL BE MAINTAINED IN GOOD CONDITION, FREE FROM MECHANICAL INJURY. SPRINKLER HEADS SHALL BE MAINTAINED CLEAN, FREE OF CORROSION AND PAINT, AND NOT BENT OR DAMAGED.

(6) HOSE STATIONS IN UNITS SO EQUIPPED SHALL BE IDENTIFIED AND ACCESSIBLE. THE HOSE SHALL BE IN PROPER POSITION, READY FOR OPERATION, DRY, AND FREE OF DETERIORATION.

(7) ALL PORTABLE FIRE EXTINGUISHER'S IN UNITS SO EQUIPPED SHALL BE VISIBLE AND ACCESSIBLE, AND MAINTAINED IN AN EFFICIENT AND SAFE OPERATING CONDITION.

E. FIRE DOORS.

(1) ALL REQUIRED FIRE RESISTANCE RATED DOORS OR SMOKE BARRIERS SHALL BE MAINTAINED IN GOOD WORKING ORDER INCLUDING ALL HARDWARE NECESSARY FOR THE PROPER OPERATION THEREOF. THE USE OF DOOR STOPS, WEDGES AND OTHER UNAPPROVED HOLD-OPEN DEVICES IS PROHIBITED.

§ 49-18 LIGHT AND VENTILATION REQUIREMENTS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY NON-OWNER OCCUPIED PREMISES, OR ANY PREMISES WHICH IS OCCUPIED BY THE OWNER AND RENTED TO MORE THAN ONE OTHER PERSON, INCLUDING ANY DWELLING AND ROOMING UNITS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS. THE OWNER OF THE STRUCTURE SHALL PROVIDE AND MAINTAIN SUCH LIGHT AND VENTILATION CONDITIONS IN COMPLIANCE WITH THESE REQUIREMENTS.

A. LIGHT.

(1) ALL SPACES OR ROOMS SHALL BE PROVIDED SUFFICIENT LIGHT SO AS NOT TO ENDANGER HEALTH AND SAFETY. EVERY HABITABLE SPACE SHALL HAVE AT LEAST ONE WINDOW FACING DIRECTLY TO THE OUTDOORS OR TO A COURT EXCEPT IN A KITCHEN WHEN ARTIFICIAL LIGHT MAY BE PROVIDED IN ACCORDANCE WITH APPLICABLE LAW. A WINDOW SHALL BE DEEMED NOT TO FACE DIRECTLY OUTDOORS OR ONTO A COURT WHENEVER IT IS OBSTRUCTED BY A STRUCTURE THAT EXTENDS TO THE CEILING LEVEL AND IS LESS THAN THREE FEET FROM THE WINDOW. THE MINIMUM TOTAL WINDOW AREA MEASURED BETWEEN STOPS, SHALL BE 10% OF THE FLOOR AREA OF SUCH ROOM.

(2) EVERY COMMON HALL AND STAIRWAY IN EVERY BUILDING, OTHER THAN ONE AND TWO-FAMILY DWELLINGS, SHALL BE ADEQUATELY LIGHTED AT ALL TIMES WITH AN ILLUMINATION OF AT LEAST A 60-WATT STANDARD INCANDESCENT LIGHT BULB OR EQUIVALENT FOR EACH 200 SQUARE FEET OF FLOOR AREA, PROVIDED THAT THE SPACING BETWEEN SIGHTS SHALL NOT BE GREATER THAN 30 FEET. EVERY EXTERIOR STAIRWAY SHALL BE ILLUMINATED WITH A MINIMUM OF ONE-FOOTCANDLE AT FLOORS, LANDINGS AND TREADS.

(3) ALL OTHER SPACES SHALL BE PROVIDED WITH NATURAL OR ARTIFICIAL LIGHT OF SUFFICIENT INTENSITY AND SO DISTRIBUTED AS TO PERMIT THE MAINTENANCE OF SANITARY CONDITIONS, AND THE SAFE USE OF THE SPACE AND THE APPLIANCES, EQUIPMENT AND FIXTURES.

B. VENTILATION.

(1) ALL SPACES OR ROOMS SHALL BE PROVIDED SUFFICIENT NATURAL OR MECHANICAL VENTILATION SO AS NOT TO ENDANGER HEALTH AND SAFETY. WHERE MECHANICAL VENTILATION IS PROVIDED IN LIEU OF THE NATURAL VENTILATION, SUCH MECHANICAL VENTILATING SYSTEM SHALL BE MAINTAINED IN OPERATION DURING THE OCCUPANCY OF ANY STRUCTURE OR PORTION THEREOF. WHEN PART OF THE AIR PROVIDED BY A MECHANICAL VENTILATION SYSTEMS IS RETICULATED, THE PORTION OR VOLUME OF AIR RETICULATED SHALL NOT BE RETICULATED TO A DIFFERENT RESIDENTIAL SPACE OR OCCUPANCY OF DISSIMILAR USE FROM WHICH IT IS WITHDRAWN. ALL HABITABLE SPACES SHALL HAVE AT LEAST ONE EASILY OPENABLE WINDOW.

(2) EVERY BATHROOM AND WATER CLOSET COMPARTMENT SHALL COMPLY WITH THE LIGHT AND VENTILATION REQUIREMENTS FOR HABITABLE SPACES, EXCEPT THAT A WINDOW SHALL NOT BE REQUIRED IN BATHROOMS OR WATER CLOSET COMPARTMENTS EQUIPPED WITH AND APPROVED MECHANICAL VENTILATION SYSTEM. AIR EXHAUSTED BY A MECHANICAL VENTILATION SYSTEM FROM A BATHROOM OR WATER CLOSET COMPARTMENT MUST BE EXHAUSTED TO THE EXTERIOR AND MAY NOT BE RETICULATED TO ANY SPACE, INCLUDING THE SPACE FROM WHICH IT IS WITHDRAWN.

C. ALTERNATIVE DEVICES. IN PLACE OF THE MEANS FOR NATURAL LIGHT AND VENTILATION HEREIN PRESCRIBE, ALTERNATIVE ARRANGEMENT OF WINDOWS, LOUVERS, OR OTHER METHODS AND DEVICES THAT WILL PROVIDE THE EQUIVALENT MINIMUM PERFORMANCE REQUIREMENTS SHALL BE PERMITTED WITH COMPLYING WITH THE APPLICABLE LAW.

§ 49-19 MECHANICAL AND ELECTRICAL REQUIREMENTS.

NO PERSON SHALL RENT OR LEASE TO ANOTHER FOR OCCUPANCY ANY NON-OWNER OCCUPIED PREMISES, OR ANY PREMISES WHICH IS OCCUPIED BY THE OWNER AND RENTED TO MORE THAN ONE OTHER PERSON, INCLUDING ANY DWELLING AND ROOMING UNITS OR PORTIONS THEREOF, WHICH DOES NOT COMPLY WITH THE FOLLOWING REQUIREMENTS. THE OWNER OF EACH PREMISES SHALL PROVIDE AND MAINTAIN SUCH MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE REQUIREMENTS.

A. HEATING AND REFRIGERATION FACILITIES.

(1) EVERY OWNER OF ANY STRUCTURE WHO RENTS, LEASES, OR LETS ONE OR MORE DWELLING UNITS OR ROOMING UNITS ON TERMS, EITHER EXPRESS OR IMPLIED, TO FURNISH HEAT TO THE OCCUPANTS THEREOF SHALL SUPPLY SUFFICIENT HEAT DURING THE PERIOD FROM OCTOBER 1 TO MAY 15 TO MAINTAIN A ROOM TEMPERATURE OF NOT LESS THAN 65° F. IN ALL HABITABLE SPACES, BATHROOMS, AND TOILET ROOMS DURING THE HOURS BETWEEN 6:30 A.M. AND 10:30 P.M. OF EACH DAY AND MAINTAIN A TEMPERATURE OF NOT LESS THAN 60° F. DURING OTHER

HOURS. WHEN, HOWEVER, THE EXTERIOR TEMPERATURE FALLS BELOW 0° F. AND THE HEATING SYSTEM IS OPERATING AT ITS FULL CAPACITY, A MINIMUM ROOM TEMPERATURE OF 60° F. SHALL BE MAINTAINED AT ALL TIMES. THE TEMPERATURE SHALL BE MEASURED AT A POINT THREE FEET ABOVE THE FLOOR AND THREE FEET FROM EXTERIOR WALLS.

(2) EVERY RESIDENTIAL PREMISES SHALL CONTAIN AT LEAST ONE COOKING AND BAKING FACILITY FOR THE PURPOSE OF PREPARING FOOD AND AT LEAST ONE REFRIGERATION UNIT ADEQUATE FOR THE TEMPORARY PRESERVATION OF PERISHABLE FOODS. SUCH REFRIGERATION UNIT SHALL BE CAPABLE OF MAINTAINING AN AVERAGE TEMPERATURE OF BELOW 45° F. HOT PLATES, TOASTER OVENS, MICROWAVE OVENS AND OTHER PORTABLE HEATING DEVICES DO NOT CONSTITUTE A COOKING AND BAKING FACILITY FOR PURPOSES OF THIS SECTION.

(3) ALL COOKING AND HEATING EQUIPMENT, COMPONENTS, AND ACCESSORIES IN EVERY HEATING, COOKING, AND WATER HEATING DEVICE SHALL BE MAINTAINED FREE FROM LEAKS AND OBSTRUCTIONS, AND KEPT FUNCTIONING PROPERLY SO AS TO BE FREE FROM FIRE, HEALTH AND ACCIDENT HAZARDS. ALL INSTALLATIONS AND REPAIRS SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL APPLICABLE BUILDING CODE, OR OTHER LAWS OR ORDINANCES APPLICABLE THERETO. PORTABLE COOKING EQUIPMENT EMPLOYING FLAME IS PROHIBITED, EXCEPT FOR APPROVED RESIDENTIAL TYPE FOOD TRAYS OR SALVERS WHICH ARE HEATED BY A CANDLE OR ALCOHOL LAMP.

(4) ALL MECHANICAL EQUIPMENT SHALL BE PROPERLY INSTALLED AND SAFELY MAINTAINED IN GOOD WORKING CONDITION, AND BE CAPABLE OF PERFORMING THE FUNCTION FOR WHICH IT WAS DESIGNED AND INTENDED.

(5) ALL FUEL-BURNING EQUIPMENT SHALL BE CONNECTED TO AN APPROVED CHIMNEY, FLUE OR VENT PER MANUFACTURER'S INSTRUCTIONS.

(6) ALL REQUIRED CLEARANCES TO COMBUSTIBLE MATERIALS SHALL BE MAINTAINED.

(7) ALL SAFETY CONTROLS FOR FUEL-BURNING EQUIPMENT SHALL BE MAINTAINED IN EFFECTIVE OPERATION.

(8) A SUPPLY OF AIR FOR COMPLETE COMBUSTION OF THE FUEL AND FOR VENTILATION OF THE SPACE SHALL BE PROVIDED THE FUEL-BURNING EQUIPMENT.

(9) DEVICES PURPORTING TO REDUCE GAS CONSUMPTION BY ATTACHMENT TO A GAS APPLIANCE, TO THE GAS SUPPLY LINE THERETO, OR THE VENT OUTLET OR VENT PIPING THEREFROM SHALL NOT BE USED UNLESS LABELED FOR SUCH USE AND THE INSTALLATION IS SPECIFICALLY APPROVED.

(10) FIREPLACES, AND OTHER CONSTRUCTION AND DEVICES INTENDED FOR USE SIMILAR TO A FIREPLACE, SHALL BE STABLE AND STRUCTURALLY SAFE AND CONNECTED TO APPROVED CHIMNEYS.

(11) WHEN FACILITIES FOR INTERIOR CLIMATE CONTROL (HEATING, COOLING, AND/OR HUMIDITY) ARE INTEGRAL FUNCTIONS OF STRUCTURES USED AS DWELLING UNITS OR ROOMING UNITS SUCH FACILITIES SHALL BE MAINTAINED AND OPERATED IN A CONTINUOUS MANNER IN ACCORDANCE WITH THE DESIGNED CAPACITY.

B. ELECTRICAL FACILITIES.

(1) PROVIDED THAT THERE IS ELECTRIC SERVICE AVAILABLE, EVERY PREMISES OR PART THEREOF USED FOR HUMAN OCCUPANCY SHALL BE ADEQUATELY AND SAFELY PROVIDED WITH AN ELECTRICAL SYSTEM IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION. THE PROVISIONS OF THIS SECTION SHALL BE CONSIDERED ABSOLUTE MINIMUM REQUIREMENTS. THE SIZE OF UNIT AND THE USAGE OF APPLIANCES AND EQUIPMENT SHALL BE USED AS A BASIS FOR DETERMINING THE NEED FOR ADDITIONAL FACILITIES IN ACCORDANCE WITH THE ELECTRICAL CODE ADOPTED BY THE LOCAL JURISDICTION.

(2) EVERY HABITABLE SPACE IN A DWELLING UNIT SHALL CONTAIN AT LEAST TWO SEPARATE AND REMOTE RECEPTACLE OUTLETS, ONE OF WHICH MAY BE A CEILING OR WALL TYPE ELECTRIC LIGHT FIXTURE. EVERY LAUNDRY AREA AND BATHROOM SHALL CONTAIN AT LEAST ONE GROUNDED TYPE RECEPTACLE. EVERY BATHROOM SHALL CONTAIN AT LEAST TWO RECEPTACLES AND EVERY KITCHEN SHALL HAVE THREE SEPARATE AND REMOTE OUTLETS, ONE OF WHICH MAY BE A CEILING OR WALL TYPE ELECTRIC LIGHT FIXTURE.

(3) EVERY PUBLIC HALL, INTERIOR STAIRWAY, WATER CLOSET COMPARTMENT, BATHROOM, LAUNDRY ROOM AND FURNACE ROOM SHALL CONTAIN AT LEAST ONE ELECTRIC LIGHTING FIXTURE.

(4) WHEN THE ELECTRICAL SYSTEM REQUIRES MODIFICATION TO CORRECT INADEQUATE SERVICE, THE SERVICE SHALL BE CORRECTED TO A MINIMUM OF 100 AMPERE, THREE WIRE SERVICE.

(5) ALL ELECTRICAL EQUIPMENT, WIRING AND APPLIANCES SHALL BE INSTALLED AND MAINTAINED IN A SAFE MANNER AND IN ACCORDANCE WITH ALL APPLICABLE LAWS. ALL ELECTRICAL EQUIPMENT SHALL BE OF AN APPROVED TYPE.

(6) WHERE IT IS FOUND, IN THE OPINION OF THE CODE ENFORCEMENT , THAT THE ELECTRICAL SYSTEM IN A STRUCTURE CONSTITUTES A HAZARD TO THE OCCUPANTS OR THE STRUCTURE BY REASON OF INADEQUATE SERVICE, IMPROPER FUSING, INSUFFICIENT OUTLETS, IMPROPER WIRING OR INSTALLATION, DETERIORATION OR DAMAGE, OR FOR SIMILAR REASONS, THE CODE OFFICIAL SHALL REQUIRE THE DEFECTS TO BE CORRECTED TO ELIMINATE THE HAZARD.

§ 49-20 ENFORCEMENT AUTHORITY.

A. IT SHALL BE THE DUTY AND RESPONSIBILITY OF THE TOWN TO ENFORCE THE PROVISIONS OF THIS CODE AS HEREIN PROVIDED.

B. THE MAYOR AND COUNCIL MAY WAIVE APPLICABILITY OF PROVISIONS OF THIS CHAPTER TO A UNIT OF RENTAL PROPERTY ON APPLICATION OF THE PROPERTY OWNER IF:

(1) ADEQUATE NOTICE IN A FORM AND MANNER SPECIFIED IN THIS CHAPTER IS AFFORDED ANY TENANT OF THE UNIT;

(2) THE TENANT IS AFFORDED IN OPPORTUNITY TO COMMENT ON THE APPLICATION EITHER IN WRITING OR IN PERSON; AND

(3) THE WAIVER WOULD NOT THREATEN THE HEALTH OR SAFETY OF ANY TENANT.

C. ANY CODE ENFORCEMENT OFFICER, OFFICIAL OR EMPLOYEE WHO ACTS IN GOOD FAITH AND WITHOUT MALICE IN THE DISCHARGE OF DUTIES OF ENFORCEMENT OF THIS CODE IS RELIEVED OF ALL PERSONAL LIABILITY FOR ANY DAMAGE THAT MAY OCCUR TO PERSONS OR PROPERTY AS A RESULT OF SUCH ACTS OR ALLEGED FAILURE TO ACT. FURTHER, THE CODE OFFICIAL SHALL NOT BE HELD LIABLE FOR ANY COSTS IN ANY ACTION, SUIT OR PROCEEDING THAT MAY BE INSTITUTED BY THE CODE OFFICIAL IN THE ENFORCEMENT OF THIS CODE. IN ANY OF THESE ACTIONS, THE OFFICIAL OR EMPLOYEE SHALL BE DEFENDED OR REPRESENTED BY THE JURISDICTION'S ATTORNEY AT LAW UNTIL THE FINAL TERMINATION OF THE PROCEEDINGS.

E. A PERSON MAY NOT BE DISPLACED BY ENFORCEMENT OF THIS CODE UNLESS ALTERNATE HOUSING IS PROVIDED.

§ 49-21 EXISTING STRUCTURES.

ALTERATIONS OR REPAIRS, OTHER THAN INCREASING THE HEIGHT OR AREA OF A STRUCTURE, MAY BE MADE TO ANY STRUCTURE WITHOUT REQUIRING THE EXISTING STRUCTURE TO COMPLY WITH ALL THE REQUIREMENTS OF A CODE FOR NEW CONSTRUCTION PROVIDED SUCH WORK CONFORMS TO THAT REQUIRED BY THIS CODE. ALTERATIONS OR REPAIRS SHALL NOT CAUSE AN EXISTING STRUCTURE TO BECOME UNSAFE OR ADVERSELY AFFECT THE PERFORMANCE OF THE BUILDING.

ALTERATIONS OR REPAIRS TO AN EXISTING STRUCTURE WHICH ARE NONSTRUCTURAL, AND DO NOT ADVERSELY AFFECT ANY STRUCTURAL MEMBER OR ANY PART OF THE STRUCTURE HAVING A REQUIRED FIRE RESISTANCE RATING, MAY BE MADE WITH THE SAME MATERIALS OF WHICH THE STRUCTURE IS CONSTRUCTED.

§ 49-22 INTERPRETATION AND WAIVER.

A. THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT SHALL DECIDE QUESTIONS OF INTERPRETATION OF THIS CODE, INCLUDING QUESTIONS RELATING TO UNIFORM, ENFORCEMENT BY

POLITICAL SUBDIVISIONS AND MAY AUTHORIZE ANY WAIVER OR EXEMPTION REQUESTED BY A LOCAL POLITICAL SUBDIVISION.

B. UPON WRITTEN REQUEST OF A LOCAL POLITICAL SUBDIVISION, THE DEPARTMENT MAY WAIVE OR VARY PARTICULAR PROVISIONS OF THIS CODE TO THE EXTENT THAT THE WAIVER IS NOT INCONSISTENT WITH ARTICLE 41 SECTION 257(C), ANNOTATED CODE OF MARYLAND IF:

(1) GEOGRAPHIC DIFFERENCES OR UNIQUE LOCAL CONDITIONS JUSTIFY THE WAIVER;

(2) THE WAIVER WOULD NOT THREATEN THE HEALTH OR SAFETY OF A TENANT; AND

(3) THE APPLICATION OF THE PARTICULAR PROVISION TO THE LOCAL POLITICAL SUBDIVISION WOULD BE INEQUITABLE OR CONTRARY TO THE PURPOSES OF THE ACT.

§ 13-223 LIMITATION UPON NUMBER OF OCCUPANTS.

NOT WITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO PERSON SHALL RENT OR LEASE ANY PREMISES OR DWELLING UNIT TO MORE THAN FIVE UNRELATED PERSONS, INCLUDING ANY OWNER-OCCUPIER, AND NO SUCH RENTED PREMISES SHALL BE OCCUPIED BY MORE THAN FIVE UNRELATED PERSONS, INCLUDING ANY OWNER-OCCUPIER.

§ 49-23 VALIDITY.

A. IF ANY SECTION, SUBSECTION, PARAGRAPH, SENTENCE, CLAUSE OR PHRASE OF THIS CODE SHALL BE DECLARED INVALID FOR ANY REASON WHATSOEVER, SUCH DECISION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS CODE WHICH SHALL CONTINUE IN FULL FORCE AND EFFECT, AND TO THIS END THE PROVISIONS OF THIS CODE ARE HEREBY DECLARED TO BE SEVERABLE.

B. THIS CODE SHALL NOT AFFECT VIOLATIONS OF ANY OTHER ORDINANCE, CODE OR REGULATION EXISTING PRIOR TO THE EFFECTIVE DATE HEREOF, AND ANY SUCH VIOLATION SHALL BE GOVERNED AND SHALL CONTINUE TO BE PUNISHABLE TO THE FULL EXTENT OF THE LAW UNDER THE PROVISIONS OF THOSE ORDINANCES, CODES OR REGULATIONS IN EFFECT AT THE TIME THE VIOLATIONS WAS COMMITTED.

§ 13-225 RULES AND REGULATIONS.

THE COUNCIL SHALL PASS SUCH RULES AND REGULATIONS AS ARE CONSISTENT WITH THE PURPOSE INTENT AND ENFORCEMENT OF THIS ARTICLE.

Section 4. AND BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days from the date of its adoption.

Section 5. **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

INTRODUCED by the Mayor and Town Council of the Town Bladensburg, at a regular meeting on **April 14, 2025** and thereafter this Ordinance was prominently posted in the Town Hall and available for inspection by the public.

ADOPTED by the Mayor and Town Council of the Town of Bladensburg, Maryland, at a regular meeting on _____, 2025.

WITNESS

TOWN OF BLADENSBURG

Regine Watson, Clerk

Takisha D. James, Mayor

First Reading: April 14, 2025

Second Reading: May 12, 2025