

**TITLE XV: LAND USAGE**

Chapter

**150. BUILDING CODES**

**151. ZONING**



## CHAPTER 150: BUILDING CODES

### Section

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#### **PROPERTY MAINTENANCE STANDARDS FOR RESIDENTIAL STRUCTURES**

##### **§ 150.01 FINDINGS AND AUTHORITY.**

Pursuant to G.S. § 160A-425, it is hereby declared that there exist in the planning jurisdiction of the Town of Princeton dwellings which are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents and other

calamities; lack of ventilation, light and sanitary facilities; and other conditions rendering the dwellings unsafe or unsanitary, dangerous and detrimental to health, safety and otherwise inimical to the welfare of the residents of the planning jurisdiction.  
(Ord. passed 3-4-2002)

##### **§ 150.02 JURISDICTION.**

This subchapter shall be effective throughout the town's planning jurisdiction.  
(Ord. passed 3-4-2002)

##### **§ 150.03 PURPOSE.**

In order to protect the health, safety and general welfare of the residents of the planning jurisdiction as authorized by G.S. Ch. 160A, it is the purpose of this subchapter to establish minimum standards of habitation and property maintenance.  
(Ord. passed 3-4-2002)

##### **§ 150.04 BONA FIDE FARMS NOT AFFECTED.**

Nothing in this subchapter shall be construed to affect bona fide farm structure including permitted migrant labor housing facilities.  
(Ord. passed 3-4-2002)

### § 150.05 EXISTING OWNER-OCCUPIED DWELLINGS.

(A) Any dwelling unit occupied by the owner of the property at the time of the adopted date of this subchapter shall not be subject to these regulations, except elderly or disabled owner-occupants who have been declared mentally incompetent to handle their business affairs or who have voluntarily given a Power of Attorney to someone to represent them in matters. For those dwelling units, the town would only inspect and enforce this subchapter if they were contacted to inspect for the safety and protection of the elderly or disabled owner-occupant or to enable them to receive financial assistance in rehabilitating their home.

(B) When ownership of a dwelling or property is transferred after the adopted date of this subchapter, that dwelling is then subject to the provisions herein. (Ord. passed 3-4-2002)

### § 150.06 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BASEMENT.** A portion of a dwelling which is located partly underground, having direct access to light and air from windows or doors located above the level of the adjoining ground.

**CELLAR.** A portion of a dwelling which is located partly or wholly underground having an inadequate access to light and air from windows or doors located partly or wholly below the level of adjoining ground.

**DETERIORATE.** When a dwelling is unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards established by this subchapter except at a cost of 50% of its tax value.

**DILAPIDATED.** When a dwelling is unfit for human habitation and cannot be repaired, altered or improved to comply with all the minimum standards established by this subchapter except at a cost of 50% of its tax value.

**DWELLING.** Any building, structure or part thereof which is wholly or partly used or intended to be used for living, sleeping or habitation by human occupants, except those structures legally permitted for temporary or short term use. For the purpose of this subchapter, the definition of dwelling shall include any room or group of rooms located within a structure forming a single habitable unit; usually referred to as a **DWELLING UNIT**.

**EXTERMINATION.** The control and elimination of insects, rodents or other pests by removing or making inaccessible materials that may serve as their food by poisoning, spraying, fumigating or trapping; or by any other recognized and legal pest elimination methods approved by the Inspector.

**HABITABLE ROOM.** A room or enclosed floor space used or intended to be used for living, including, but not limited to cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyer or communicating corridors, closets or storage spaces.

**INFESTATION.** The presence within or around a dwelling of any insects, rodents or other pests in a manner as to constitute a menace to the health, safety or general welfare of the occupants or the public.

**INSPECTOR.** The Johnston County Building Inspector or designated code official.

**MULTIPLE DWELLING.** Any dwelling containing more than 2 dwelling units.

**OCCUPANT.** Any person living or sleeping in a dwelling or dwelling unit.

**OPERATOR.** Any person who has charge, care or control of a building, or part thereof, in which dwelling units are let.

**OWNER.** Any person or persons who is listed in the Johnston County tax records, or who shall have title to any dwelling or dwelling unit shall be presumed to be the owner of a subject property.

**UNFIT FOR HUMAN HABITATION.** That condition or conditions which exist in a dwelling which violate or do not comply with 1 or more of the minimum standards for fitness or 1 or more of the requirements established by this subchapter. (Ord. passed 3-4-2002)

**§ 150.07 MINIMUM STANDARDS FOR DWELLINGS.**

(A) Every dwelling used for human habitation, or held out for use as a human habitation, shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of §§ 150.08 through 150.13 of this subchapter.

(B) No person shall occupy as owner-occupant, or let to another for occupancy, or use as a human habitation, any dwelling which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of §§ 150.08 through 150.13 of this subchapter. (Ord. passed 3-4-2002)

**§ 150.08 MINIMUM STANDARDS FOR STRUCTURAL CONSTRUCTION.**

The following standards shall constitute the minimum standards for structural condition of a dwelling.

(A) Walls, partitions or supporting members, stills, joists, rafters or other structural members shall not list, lean or buckle and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which admit rodents.

(B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

(D) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in the condition that they will not fail or collapse.

(E) Adequate facilities for egress in case of fire or panic shall be provided.

(F) There shall be no chimneys or parts thereof which are so defective or deteriorated as to present a danger by falling, as a fire hazard or unsafe to use.

(G) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable materials which will, by use of reasonable household methods promote sanitation and cleanliness, and shall be maintained in a manner so as to enable the occupants to maintain a reasonable privacy between spaces.

(H) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to weather shall be constructed and maintained so as to be weather and water tight. (Ord. passed 3-4-2002)

**§ 150.09 MINIMUM STANDARDS FOR BASIC PLUMBING, HEATING, AND ELECTRICAL EQUIPMENT AND FACILITIES.**

The following standards shall constitute the minimum standards for basic plumbing, heating and electrical equipment of a dwelling.

(A) *Plumbing system.*

(1) Each dwelling shall be connected to a potable water supply and to an approved sewage disposal system.

(2) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet and adequate supply of both cold and hot water.

(3) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.

(4) All plumbing fixtures shall meet the standards of the state's Plumbing Code and shall be maintained in a state of good repair and in good working order.

(5) All required plumbing shall be located within the dwelling unit and be accessible to the occupants of the same.

(6) The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(B) *Heating system.* Every dwelling shall have facilities for providing heat in accordance with the following:

(1) Every central or electric heating system shall be of sufficient capacity to heat all habitable rooms per state's Building Code.

(2) Where a central or electric heating system is not provided, the dwelling shall be provided with sufficient fireplaces, chimneys, flues, gas vents or other facilities to which heating appliances may be connected to heat all habitable rooms per state's Building Code.

(C) *Electrical system.*

(1) Every dwelling shall be wired for electrical lights and at least 2 floor or wall type convenient receptacles.

(2) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used and installed in accordance with the state's Electrical Code.  
(Ord. passed 3-4-2002)

#### § 150.10 MINIMUM STANDARDS FOR VENTILATION.

The following standards shall constitute the minimum standards for ventilation of a dwelling.

(A) *General.* Every habitable room shall have at least 1 window or skylight facing directly to the outdoors.

(B) *Habitable rooms.* Every habitable room shall have at least 1 window, skylight or door which can be easily opened, or other device as will adequately ventilate the room.

(C) *Bathroom and/or water closet rooms.* Every bathroom and water closet compartment shall comply with the above light and ventilation requirements except that no window or skylight shall be required in adequately ventilated bathrooms or water closet compartment equipped with an approved ventilation system of 50 cfm's.

(Ord. passed 3-4-2002)

#### § 150.11 MINIMUM STANDARDS FOR SAFE AND SANITARY MAINTENANCE.

The following standards shall constitute the minimum standards for safe and sanitary maintenance of a dwelling.

(A) *Exterior foundation, walls and roofs.* Every foundation wall, exterior wall and exterior roof shall be:

(1) Substantially weather tight and rodent proof;

(2) Kept in sound condition and good repair;

(3) Capable of according privacy; and

(4) Safe to use and capable of supporting the load which normal use would cause to be placed thereon.

(B) *Interior floors, walls and ceilings.* Every floor, interior wall and ceiling shall be:

- (1) Substantially rodent proof;
- (2) Kept in sound condition and good repair;
- (3) Safe to use and capable of supporting the load which normal use would cause to be placed thereon; and
- (4) At least 1/2 of the floor area of every habitable room shall have a ceiling height of not less than 7 feet.

(C) *Windows and doors.* Every window, exterior door, basement or cellar door and hatchway shall be substantially weather tight and rodent proof and be kept in sound condition and good repair.

(D) *Stairs, porches and appurtenances.* Every outside stairs, porches and appurtenances shall be kept in sound condition and good repair and be safe to use and capable of supporting the load which normal use would cause to be placed thereon.

(E) *Bathroom floors.* Every bathroom floor surface and water closet compartment shall be constructed and maintained so that it will be reasonably impervious to water and will permit the floor to be easily kept in a clean and sanitary condition.

(F) *Egress.* Every dwelling shall be provided with adequate means of egress as required by the state's Residential Building Code.

(G) *Exterior grounds.* All property shall be in compliance with the provisions of the Johnston County Solid Waste Chapter.  
(Ord. passed 3-4-2002)

**§ 150.12 MINIMUM STANDARDS FOR CONTROL OF INSECTS, RODENTS AND INFESTATIONS.**

The following standards shall constitute the minimum standards for control of insects, rodents and infestations of a dwelling.

(A) *Rodent control.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be equipped with screens or other approved devices, kept in a condition as to effectively prevent entrance by rodents.

(B) *Infestation.* Every occupant of a dwelling, or an individual dwelling unit, shall be responsible for the extermination of any insects, rodents or other pest therein or on the premises.

(C) *Owner responsibility.* Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonable insect proof condition, extermination shall be the ultimate responsibility of the owner.  
(Ord. passed 3-4-2002)

**§ 150.13 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.**

The following shall constitute the minimum standards of responsibility of owners and occupants.

(A) *Public or common areas.* Every owner of a building containing 2 or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the common, or shared, areas of the dwelling and premises thereof.

(B) *Cleanliness.* Every occupant of a dwelling shall keep in a clean and sanitary condition that part of the dwelling and premises thereof which they occupy and control.  
(Ord. passed 3-4-2002)

**§ 150.14 ADMINISTRATION.**

(A) *Division of Property Maintenance Inspection.* The Division of Property Maintenance Inspection is hereby created and the executive official in charge thereof shall be known as the Code Official.

(B) *Duties and powers of the Code Official.* The Code Official shall enforce the provisions of this subchapter.

(Ord. passed 3-4-2002)



## CHAPTER 151: ZONING

### Section

151.01 Regulations adopted by reference

#### **§ 151.01 REGULATIONS ADOPTED BY REFERENCE.**

The town's zoning regulations are hereby adopted by reference and incorporated herein as if set out in full.

