

THE LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO PROPERTY MAINTENANCE CODE

CHAPTER 1

ADMINISTRATION

SECTION PM-101.0 GENERAL

PM-101.1 Title: These regulations shall be known as the Property Maintenance Code of Liberty Township, Trumbull County, Ohio hereinafter referred to as "this code."

PM-101.2 Scope: This code is to protect the public health, safety and welfare in all existing structures, residential and nonresidential, and on all existing and to be constructed premises by establishing minimum requirements and standards for premises, structures, equipment, and facilities for space, sanitation, protection from the elements, life safety, and for safe and sanitary maintenance; fixing the responsibility of owners, operators and occupants; regulating the occupancy of existing structures and premises, and providing for administration, enforcement and penalties.

PM-101.3 Intent: This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. New construction shall comply in all respects with the requirements of this code.

PM-101.4 Referenced standards: The standards referenced in this code and listed in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

PM-101.5 Existing remedies: The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

PM 101.6 Workmanship: All new construction, repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner.

PM-101.7 Application of other codes: Any repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of this code.

SECTION PM-102.0 VALIDITY

PM-102.1 Validity. 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.

PM-102.2 Saving clause: 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 violation was committed.

SECTION PM-103.0 MAINTENANCE

PM-103.1 Required: All equipment, systems, devices and safe-guards required by this code or a previous statute or code for the structure on premises when erected or altered shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

SECTION PM-104.0 APPROVAL (HEADING ONLY)

SECTION PM-105.0 DUTIES AND POWERS OF THE CODE OFFICIAL

PM-105.1 General: The code official shall enforce all of the provisions of this code.

PM-105.2 Notices and orders: The code official shall issue all necessary notices or orders to ensure compliance with the code.

PM-105.3 Right of entry: The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

PM-105.4 Access by owner or operator. Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.

PM-105.5 Identification: The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

PM-105.6 Coordination of enforcement: Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders.

PM-105.7 Rule-making authority: Subject to review and approval by the Liberty Township Board of Trustees, the code official shall have power as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for by other local or state laws or regulations.

PM-105.8 Organization: The Liberty Township Board of Trustees shall appoint the code official and such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code.

PM-105.9 Restriction of employees: An official or employee connected with the enforcement of this code, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

PM-105.10 Relief from personal responsibility: The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any lawful act required or permitted in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

PM-105.11 Official records: An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times and according to reasonable rules to maintain the integrity and security of such records.

SECTION PM-106.0 VIOLATIONS

PM-106.1 Unlawful acts: It shall be unlawful for any person to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any premises, property, structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

PM-106.2 Penalty: In accordance with Section 505.74 and 505.99 of the Ohio Revised Code any person who shall violate a provision of this code shall, upon conviction thereof, be subject to a fine in accordance with the existing fines for those persons convicted of a minor misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

PM-106.3 Prosecution: In case of any unlawful acts the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section PM-106.2. Also, the code official shall ask the jurisdiction's legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such structure;
3. To require the removal of work in violation; or
4. To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

SECTION PM-107.0 NOTICES AND ORDERS

PM-107.1 Notice to owner or to person or persons responsible: Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections PM- 107.2 and PM-107.3.

PM-107.2 Form: Such notice prescribed in Section PM-107.1 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 the notice is being issued; and
4. Include a correction order allowing a reasonable time for the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.

PM-107.3 Method of service: Such notice shall be deemed to be properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

PM-107.4 Penalties: Penalties for noncompliance with orders and notices shall be as set forth in Section PM-106.2.

SECTION PM-108.0 UNSAFE STRUCTURES AND EQUIPMENT (HEADING ONLY)

SECTION PM-109.0 EMERGENCY MEASURES (HEADING ONLY)

SECTION PM-110.0 DEMOLITION (HEADING ONLY)

SECTION PM-111.0 MEANS OF APPEAL

PM-111.1 Application for appeal: Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

PM-111.2 Membership of the board: The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for five years, one for four years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

PM-111.2.1 Qualifications: The board of appeals shall consist of the five township residents who serve as the Township Board of Zoning Appeals.

PM-111.2.2 Alternate members: (HEADING ONLY)

PM-111.2.3 Chairman: The board shall annually select one of its members to serve as chairman.

PM-111.2.4 Disqualification of member: A member shall not hear an appeal in which that member has any personal, professional or financial interest.

PM-111.2.5 Secretary: The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

PM-111.2.6 Compensation of members: (HEADING ONLY)

PM-111.3 Notice of meeting: The board shall meet upon notice from the chairman or at stated periodic meetings.

PM-111.4 Open hearing: All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

PM-111.4.1 Procedure: The board shall adopt and make available to the public through the secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

PM-111.5 Postponed hearing: When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

PM-111.6 Board decision: The board shall modify or reverse the decision of the code official by a concurring vote of three members.

PM-111.6.1 Resolution: The decision of the board shall be by motion. Certified copies shall be furnished to the appellant and to the code official.

PM-111.6.2 Administration: The code official shall take immediate action in accordance with the decision of the board.

PM-111.7 Court review: Any person, who participates in the hearing before the Board of Appeals or who can demonstrate that they will be especially damaged by the decision of the Board of Appeals shall have the right to apply to the appropriate court in accordance with the provisions of Chapter 2506 of the Ohio Revised Code. Application for review shall be made in the manner and time required by law following the making of the decision.

CHAPTER 2

DEFINITIONS

SECTION PM-201.0 GENERAL

PM-201.1 Scope: Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

PM-201.2 Interchangeability: Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

PM-201.3 Terms defined in other codes: Where terms are not defined in this code but are defined in other codes either referenced by this code or necessary for the enforcement of this code, such terms shall have the meanings ascribed to them as in those codes.

PM-201.4 Terms not defined: Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

PM-201.5 Parts: Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house" "rooming unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof "

SECTION PM-202.0 GENERAL DEFINITIONS

Approved: Approved by the code official.

Basement: A story having part but not more than one-half (1/2) height below grade. A basement is counted as a story for purpose of height regulations.

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building Code: The Building code officially adopted by the legislative body of this jurisdiction or other such codes officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

Code official: The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

Construction documents: All the written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of the project necessary for obtaining a building permit. The construction drawings shall be drawn to an appropriate scale.

Dormitory: A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group.

Dwelling: Any building or portion thereof designed, or intended to be used exclusively for residence purposes, but not including a tent, cabin, trailer, or trailer coach.

Dwelling, single-family: A building designed or occupied exclusively by one family.

Dwelling, two-family: A building designed or occupied exclusively by two families.

Dwelling, multiple: A building or portion thereof designed for or occupied by more than two families.

Hotel or motel: A building in which lodging is provided, offered to the public for compensation and which is open to transient guests, in contradistinction to a boarding house or lodging house.

Boarding house: A building other than a hotel where, for compensation, meals or lodging and means, are provided for three (3) but not more than twenty (20) persons.

Rooming unit: Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

Exterior property: See Section PM-302.0.

Extermination: See Section PM-302.0.

Family: A person or a group of persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel, as herein defined. The term "Family " shall include household pets other than large animals which are the property of the family and which are not for the purpose of consumption or for the purpose of commerce.

Garbage: See Section PM-302.0.

Infestation: See Section PM-302.0.

Let for occupancy or let: See Section PM-302.0.

Occupancy: The purpose for which a building or portion thereof is utilized or occupied.

Occupant: See Section PM-302.0.

Operator: See Section PM-302.0.

Owner: See Section PM-302.0.

Person: See Section PM-302.0.

Premises: See Section PM-302.0.

Public nuisance: See Section PM-302.0.

Registered design professional: An architect or engineer, registered or licensed to practice professional architecture or engineering, as defined by the statutory requirements of the professional registration laws of the state in which the project is to be constructed.

Rubbish: See Section PM-302.0.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, back stops for tennis courts, and pergolas.

Tenant: See Section PM-302. 1,

Workmanlike: Executed in a skilled manner: e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the mean horizontal distance between the lot line and the main building shall be used.

CHAPTER 3

GENERAL REQUIREMENTS

SECTION PM-301.0 GENERAL

PM-301.1 Scope: The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for new construction and maintenance of existing structures, equipment and exterior property.

PM-301.2 Responsibility: The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in Sections PM-306.0 and PM-307.0. A person shall not occupy as owner-occupant or permit another person to occupy premises, which do not comply with the requirements of this chapter.

PM-301.3 Vacant structures and land: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION PM-302.0 DEFINITIONS

PM-302.1 General: The following words and terms shall, for the purposes of this chapter and as stated elsewhere in this code, have the meanings shown herein.

Exterior property: 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, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Infestation: The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Let for occupancy or let: To permit, provide or offer possession or occupancy, of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Occupant: Any person living or sleeping in a building; or having possession of a space within a building.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: Any person, agent, operator, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person: An individual, corporation, general or limited partnership, LLC or any other group of natural persons or corporations, general or limited partnerships or LLC acting individually or collectively.

Premises: A lot, plot or parcel of land including any structures thereon.

Public nuisance: Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures,
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premise designated as unsafe for human habitation;
5. Any premises that are manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or, that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include 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 cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Tenant: A person or group, whether or not the legal owner of record, occupying a building or portion thereof individually or collectively.

SECTION PM-303.0 EXTERIOR PROPERTY AREAS

PM-303.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property, which such occupant occupies or controls, in a clean and sanitary condition.

PM-303.2 Grading and drainage: (HEADING ONLY)

PM-303.3 Sidewalks and driveways: All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

PM-303.4 Weeds: On all lots within platted subdivisions or less than one acre in total area, all premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided, however, this term shall not include cultivated flowers and gardens. This shall not prohibit maintenance of wetlands or natural spaces as designated on the original subdivision plat.

PM-303.5 Rat harborage: All structures and exterior property shall be kept free from rat infestation. Where rats 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 reinfestation.

PM-303.6 Accessory structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

PM-303.7 Motor vehicles: Except as provided for in other regulations, not more than one currently unregistered or uninspected motor vehicle shall be parked, kept or stored outside on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

SECTION PM-304.0 EXTERIOR STRUCTURE

PM-304.1 General: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

PM-304.2 Exterior painting: All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

PM-304.3 Street numbers: Each structure to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in Arabic numerals at least 4 inches (76 mm) high and 1/2-inch (13 mm) stroke and of a color contrasting to the background.

PM-304.4 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.

PM-304.5 Exterior walls: All exterior walls shall be free from holes, breaks, loose or rotting materials, and maintained weatherproof and properly surface coated where required to prevent deterioration.

PM-304.6 Roofs and drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

PM-304.7 Decorative features: All cornices, 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.

PM-304.8 Overhang extensions: All canopies, marquees, signs, metal awnings, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, 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.

PM-304.9 Stair and walking surfaces: Every stair, ramp, balcony, porch, deck or other walking surface shall be maintained in good repair.

PM-304.10 Chimneys and lowers: All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained 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.

PM-304.11 Handrails and guards: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

PM-304.12 Window and door frames: Every window, door and frame shall be kept in sound condition, and in good repair.

PM-304.13 Doors: All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

PM-304.14 Basement hatchways: Every basement hatchway shall be maintained to prevent the entrance of rats, rain and surface drainage water.

PM-304.15 Guards for basement windows: Every basement window that is openable shall be supplied with rat proof shields, storm windows or other approved protection against the entry of rats.

SECTION PM-305.0 INTERIOR STRUCTURE (HEADING ONLY)

SECTION PM-306.0 RUBBISH AND GARBAGE

PM-306.1 Accumulation of rubbish or garbage: All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

PM-306.2 Disposal of rubbish: Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

PM-306.2.1 Rubbish storage facilities: The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

PM-306.3 Disposal of garbage: Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

PM-306.3.1 Garbage facilities: The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak proof, covered, outside garbage container.

PM-306.3.2 Containers: The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

SECTION PM-307.0 EXTERMINATION

PM-307.1 Infestation. All structures shall be kept free from insect and rat infestation. All structures in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

PM-307.2 Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

PM-307.3 Single occupant: The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

PM-307.4 Multiple occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. if infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupants shall be responsible for extermination.

PM-307.5 Occupant: The occupant of any structure shall be responsible for the continued rat-free condition of the structure, and if the occupant fails to maintain the rat-free condition, the cost of extermination shall be the responsibility of the occupant.

Exception: Where rat infestations are caused by defects in the structure, the owner shall be responsible for extermination.