



# Town of Windsor Locks

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## Building Department



## An Ordinance Entitled

“Minimum Housing Standards for Dwelling and Multi-Family Dwellings”

Adopted March 6, 1968

## SECTION 1.0 INTRODUCTION, GENERAL PURPOSE, SCOPE

In order to clarify Housing Code requirements for the Town of Windsor Locks, Connecticut, this separate document is created which encompasses all the necessary factors governing habitation in present society. To accomplish this end, all present ordinances pertaining to housing which are now contained in the Revised Zoning Ordinance, dated March 14, 1966, are presented as a compendium to this document and form an integral part of this document.

This ordinance shall be entitled, "Housing Code of the Town of Windsor Locks, Connecticut," and shall apply to all citizens of Windsor Locks. No person shall occupy, rent, lease, or let to another for occupancy any dwelling unit which does not comply with this ordinance, except that the owner(s) of any existing non-conforming dwelling shall have a reasonable time within which to correct the violation. Reasonable time is defined as a minimum of thirty (30) days and a maximum of ninety (90) days. The Housing Inspector shall decide as to what is deemed reasonable on an individual basis dependent upon particular circumstances.

## SECTION 2.0 DEFINITIONS

**Scope:** Unless otherwise expressly stated, the following terms shall for the purpose of this Code have the meanings indicated in this section.

- a. **Interchangeability**—Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.
- b. **Terms Defined in Building Code**—Where terms are not defined in this section and are defined in the Building Code, they shall have the meanings ascribed to them as in the Building Code.
- c. **Terms Not Defined**—Where terms are not defined under the provisions of this Code or under the provisions of the Building Code, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

## SECTION 2.1 APPLIED MEANING OF WORDS AND TERMS

1. **Approved**—Approved as applied to a material, device, or method of construction shall mean approved by the building-housing inspector under the provision of this Code or approved by other authority designed by law to give approval in the matter in question.
2. **Basement**—A portion of the building partly under ground, but having less than half its clear height below the average grade of the adjoining ground.
- 2a. **Cellar**—The portion of the building partly under ground, having half or more than half of its clear height below the average grade of the adjoining ground.
3. **Building Code**—The Basic Building Code, latest edition, and accumulative supplements issued by the State of Connecticut Public Works Department; or such earlier edition and supplement thereof officially adopted by the Board of Selectmen.
4. **Dwelling**—Dwelling shall mean any building which is used or intended to be used in whole or in part for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.
5. **Dwelling Unit**—Dwelling Unit shall mean any room or group of rooms located within a dwelling for use by one or more individuals and forming a single housekeeping unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.
6. **One-Family Dwelling**—A building containing one dwelling unit with one family (refer to Item 12 below).

7. **Two-Family Dwelling**—A building containing two (2) dwelling units with two (2) families (refer to Item 12 below).
8. **Multi-Family Apartment House**—A building containing more than two (2) dwelling units.
9. **Hotel**—A building arranged or used for sheltering, sleeping, or feeding, for compensation, of more than twenty (20) individuals.
10. **Exterior Property Areas**—The open space on the premises and on adjoining property under the control of owners or operators of such property.
11. **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 safe and approved methods of poisoning, fumigating, trapping, or other approved means of elimination.
12. **Family**—A group of persons related by blood, marriage, or adoption within and including the degree of first cousins.
13. **Fire Marshal**—The legally appointed person responsible for the enforcement of the Fire Safety Code, State of Connecticut.
14. **Garbage**—The animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food.
15. **Gross Floor Area**—The total area of all habitable space in a building or structure.
16. **Habitable Room**—A room or enclosed floor space arranged for living, eating, and sleeping purposes (not including bathrooms, water closets compartments, laundries, pantries, foyers, hallways, and other accessory floor space).
17. **Housing Inspector**—The official designated herein or otherwise charged with the responsibilities of administering this Code, or his duly authorized representative.
18. **Infestation**—The presence, within or around a dwelling, of insects, rodents, vermin, or other pests.
19. **Motel**—For purposes of this Code, a motel shall be defined the same as a hotel (refer to Item 9 above).
20. **Openable Area**—That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.
21. **Operator**—Any person who has charge, care, or control of a building, including a rooming house, or part thereof, in which dwelling units or rooming are let or offered for occupancy.
22. **Owner**—The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possessions, assignee, of rents, receiver executor, trustee, lessee, or other firm or corporation in control of a building; or their duly authorized agents.
23. **Person**—An individual, firm, corporation, association, or partnership.
24. **Plumbing or Plumbing Fixtures**—Water heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines, or other similar equipment, catch basins, drains, vents, or other similarly supplied fixtures together with all connections to water, gas, sewer, or vent lines.
25. **Premises**—A lot, plot, or parcel of land including the buildings or structures thereon.

- 26. Residence Building**—A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided; except when classified as an institution under the Building Code.
- 27. Rooming House**—Any residence, building, or any part thereof containing three (3) or more rooming units in which space is let by the owner or operator to persons who are not members of the family.
- 28. Rooming Unit**—Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
- 29. Rubbish**—Combustible and non-combustible waste materials, except garbage; and 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, dust, and other similar material.
- 30. Supplied**—Installed, furnished, or provided by the owner or operator.
- 31. Ventilation**—The process of supplying and removing air by natural or mechanical means to or from any space.
- 32. Mechanical**—Ventilation by power-driven devices.
- 33. Natural**—Ventilation by opening to outer air through windows, skylights, doors, louvres, or stacks without wind driven devices.
- 34. Workmanlike**—Whenever the words “workmanlike, state of maintenance, and repair” are used in this Code, they shall mean that such maintenance and repair shall be made in a reasonably skillful and safe manner.
- 35. Yard**—An open unoccupied space on the same lot with a building extending along the entire length of a street, or rear, or interior lot line.
- 36. Sewer System**—An approved sanitary sewer in compliance with the Sanitary Ordinance of the Town of Windsor Locks.

### **SECTION 3.0 RESPONSIBILITIES OF OWNERS AND OCCUPANTS**

**3.1** No owner or other person shall occupy or let to another person any vacant dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Connecticut and the Town of Windsor Locks.

**3.2** Every owner of a dwelling containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof and shall supply facilities or containers for the sanitary and safe storage and/or disposal of rubbish and garbage. Garbage containers used for storage pending collection shall be rodent proof, insect proof, and watertight.

**3.3** Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, and premises thereof that he occupies and controls and shall dispose of or store pending collection all his rubbish and garbage in a clean, sanitary, and safe manner. Garbage containers used for storage pending collection shall be rodent proof, insect proof, and watertight.

### **SECTION 4.0 FACILITIES AND EQUIPMENT, MINIMUM STANDARDS**

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating therein, which does not comply with the following requirements:

**4.1** Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which shall be equipped with the following:

**4.1.1** Kitchen sink in good working condition and properly connected to an approved water supply providing at all times an adequate amount of heated and unheated running water under pressure and properly connected to a sewer or approved septic tank.

**4.1.2** Cabinets and/or shelves for the storage of kitchen utensils and dry goods and food that does not under ordinary maximum summer conditions require refrigeration for safe keeping.

**4.1.3** A stove for cooking food and a refrigerator for the safe storage of food at temperatures between 30 degrees Fahrenheit and 50 degrees Fahrenheit, which are properly installed with all necessary connections for safe, sanitary, and efficient operation, provided that such stove and refrigerator need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same upon occupancy, and that sufficient spare for the safe and efficient installation and operation of said stove and refrigerator is provided.

**4.2** Every dwelling unit shall have adequate bathroom facilities consisting of a water closet, lavatory basin, and tub or shower, all properly connected to a water system that at all times provides an adequate amount of running water under pressure, heated and unheated as applicable, and all properly connected to a sewer system or approved septic tank. These facilities may be combined in one room or in more than one room so long as privacy is afforded to the person within the room.

**4.3** Every dwelling unit shall have one or more approved means of egress leading to safe and open space at ground level as required by the State of Connecticut and by the Town of Windsor Locks.

## **SECTION 5.0 LIGHT AND VENTILATION, MINIMUM STANDARDS**

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

**5.1** Every habitable room shall have at least one window or skylight facing directly outdoors and the minimum total window area shall be ten percent of the floor area. At least one half of the minimum window areas shall be capable of being easily opened to allow adequate ventilation of the room unless other approved means of adequate ventilation are provided. Ventilating portions of windows and exterior doors or doors opening directly from a dwelling unit to outside space shall have inset screen and screen doors installed during the warm months of the year.

**5.2** Every bathroom and water closet shall comply with the light and ventilation requirement for habitable rooms contained in Paragraph 5.1 except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with an approved ventilation system.

**5.3** Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area with at least one wall type electric convenience outlet for each room other than the kitchen which must have at least two outlets.

**5.4** Every water closet compartment, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall type electric light fixture.

**5.5** Every public hall and stairway in every multiple dwelling shall be adequately lighted at all times so as to provide at least six (6) foot candles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two (2) dwelling units shall be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on when needed instead of full time lighting.

**5.6** Every public hallway which exceeds 15 feet in length shall be equipped with an approved emergency (zoned) lighting system.

## **SECTION 6.0 HEATING, MINIMUM THERMAL STANDARDS**

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

**6.1** Every dwelling shall have heating facilities which are properly installed and are maintained in a safe working condition and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 68 degrees Fahrenheit at a distance of three (3) feet above floor level when the outside temperature is 0 degrees Fahrenheit. Unvented flame space heaters are prohibited. Underwriters Laboratory approved portable electric heaters are acceptable, provided they are adequately protected by fusing.

## **SECTION 7.0 MAINTENANCE, SAFE AND SANITARY OF PARTS OF DWELLING AND DWELLING UNITS**

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

**7.1** Every foundation, floor, roof, ceiling, exterior and interior wall shall be reasonably weathertight, watertight, and damp-free; shall be kept in sound condition and good repair; and shall provide reasonable privacy for the occupants. Rain water shall drain from roofs so as not to cause dampness in walls, ceilings, or floors of any habitable room, bathroom, or water closet compartment.

**7.2** Every window, exterior door, ventilator, skylight, basement hatchway, or similar devices shall be kept rodent proof and reasonably watertight and weathertight and shall be maintained in sound working condition and good repair.

**7.3** Every dwelling, other building, or accessory structure shall be rodent proof and maintained so as to prevent rodent harborage.

**7.4** Every foundation, roof, floor, exterior and interior walls, ceilings, inside and outside stairs, every porch, and every appurtenance thereto shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon and shall be maintained in sound condition and good repair.

**7.5** All required utilities, facilities, and equipment including plumbing fixtures, chimneys, flues, piping, heating, and lighting systems and equipment shall be so installed and maintained as to function in a safe, sanitary and effective manner, and they shall not be removed or shut off or disconnected except temporarily for repairs or alterations or upon the approval of the Housing Inspector.

**7.6** All construction and materials and ways and means of egress and installation and use of equipment shall conform to applicable state and local laws dealing with fire protection.

## **SECTION 8.0 MINIMUM SPACE, USE, AND LOCATION REQUIREMENTS**

No person shall occupy or let to be occupied any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

**8.1** Every dwelling unit shall contain at least 150 square feet of floor space for the first occupancy thereof and at least 100 square feet of floor space for every additional occupancy thereof, the floor space to be calculated on the basis of total habitable room area.

**8.2** Every room occupied for sleeping purposes shall contain at least 60 square feet of floor area for the first adult occupant and at least 40 square feet of floor area for each additional adult occupant thereof.

**8.2.1** Every room occupied for sleeping purposes shall contain at least 35 square feet of floor area for each child.

**8.3** At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet and the floor area of that part of any room when the ceiling height is less than four feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

**8.4** No portion of a building, the floor area of which is partially or totally below grade shall be used as sleeping room or dwelling unit unless, in addition to the other provisions of this Code, the floor and walls are of waterproof and dampproof construction, and the minimum aggregate glass area of windows as required is located entirely above the grade of the ground adjoining in such window area.

## **SECTION 9.0 ROOMING HOUSE**

No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house except in compliance with the provisions of every section of this ordinance other than the provisions of Section 3 and Section 4. No owner or other person shall occupy or let to another person any vacant rooming unit unless it is clean, sanitary, and fit for human occupancy, and complies with all applicable requirements of this ordinance and of any rules and regulations adopted pursuant thereto.

**9.1** No person shall operate a rooming house unless approved by the Fire Marshal and he holds a valid rooming house permit issued by the Board of Selectmen upon recommendation of the Housing Inspector in the name of the operator and for the specific dwelling or dwelling unit. This permit shall not be transferable and shall be displayed in a conspicuous place within the rooming house at all times. Every person holding such a permit shall give notice in writing to the Housing Inspector within 24 hours after having sold, transferred, given away, or otherwise disposed of ownership of, interest in, or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming house. Every rooming house permit shall expire at the end of one year following its date of issuance unless sooner suspended or revoked as hereinafter provided.

**9.1.1** Prior to the issuance of original permit and renewal thereof, the Housing Inspector shall inspect said rooming house to assure compliance with this Code.

**9.2** At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system or an approved septic tank and in good working condition shall be supplied for each six persons within a rooming house including members of the operator's family wherever they share the use of the said facilities provided:

**9.2.1** That in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half the required number of water closets.

**9.2.2** That all such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

**9.2.3** That every lavatory and bathtub or shower shall be supplied with hot water at all times.

**9.2.4** That no such facilities shall be located in a basement.

**9.2.5** That cooking in a rooming unit shall be prohibited. That communal cooking and dining facilities in a rooming house shall be prohibited.

**9.2.6** That rooming unit doors shall have operating locks to insure privacy.

**9.3** The operator of every rooming house shall change supplied bed linen and towels therein at least once each week and prior to letting any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

**9.4** Every room occupied for sleeping purposes by one person shall contain at least 100 square feet of floor area and every room occupied for sleeping purposes by more than one person shall contain at least 70 square feet of floor space for each occupant thereof.

**9.5** Every rooming unit shall have one or more safe, unobstructed means of egress leading to safe and open space at ground level as required by the State of Connecticut and the Town of Windsor Locks.

**9.6** Every provision of this ordinance which applies to rooming house shall also apply to hotels and motels except to the extent that any such provision may be found in conflict with the laws of the State of Connecticut or the Town of Windsor Locks.

## **SECTION 10.0 INSPECTION OF DWELLINGS, DWELLING UNITS, ROOMING UNITS, AND PREMISES**

**10.1** The Housing Inspector or his duly assigned representative and/or representatives is hereby authorized to make periodic inspections between the hours of 8:00 am to 5:00 pm or at such time as mutually agreed upon with the owner or occupant to determine the condition of dwellings, dwelling units, rooming units, and premises within the Town of Windsor Locks, for the purpose of determining compliance with the provision of this ordinance.

**10.2** The owner or occupant or the person in charge thereof of each dwelling, dwelling unit, rooming unit, or premises within the Town of Windsor Locks shall give the Housing Inspector or his duly assigned representative(s) free access for the purpose of such inspection, examination, and survey. Refusal to permit entry of and free access during the inspection shall constitute a misdemeanor and upon conviction of same, the fine shall not exceed twenty-five (25) dollars for each such offense.

## **SECTION 11.0 ENFORCEMENT**

**11.1** Whenever the Housing Inspector determines that a violation or violations to this ordinance exists, he shall give notice of the alleged violation or violations to the person or persons responsible therefor, requiring that the violation or violations be corrected. This notice shall:

- a. Be in writing.
- b. Describe the alleged violation or violations and state the address.
- c. Allow reasonable time, not to exceed ninety (90) days for the correction of the alleged violation or violations. After the passage of the period of time allowed for the correction of any alleged violation, the Housing Inspector shall reinspect the property to determine whether there has been compliance with the notice of violation. The consent of the owner, operator, or person in charge thereof shall be requested before the reinspection is made and no such reinspection shall be undertaken without such consent.

**11.2** In the event that such consent is refused, the Housing Inspector upon procurement of a duly issued search warrant is hereby authorized to enter, inspect, examine, and survey the property for the purpose of determining whether there has been compliance with the notice of violation.

## **SECTION 12.0 HOUSING CODE APPEALS BOARD HEARINGS AND APPEALS**

**12.1** There is hereby created a Housing Code Appeals Board to consist of five regular members and two alternates. Said members and alternates are to be appointed by the Board of Selectmen. Those first appointed shall be designated to serve for one, two, three, four, and five years respectively, and thereafter members shall be appointed annually to serve for five years. Each member shall serve until his successor is appointed and has qualified, and any vacancy shall be filled in like manner for the unexpired term. Three members of said board shall be chosen from the following persons:

- (1) A Fire Chief or Fire Marshal from the Town's Fire Department;
- (2) A licensed architect or a licensed civil engineer;
- (3) A building, plumbing, or electrical contractor;
- (4) A licensed physician or a registered nurse;
- (5) A professional social worker;
- (6) A Planning and Zoning Commissioner;
- (7) A Zoning Appeals Board Commissioner.

**12.2** Any person aggrieved by notice of the Housing Inspector issued in connection with any inspection, examination, or survey pursuant to this ordinance may request in writing a hearing on the matter before the Housing Code Appeals Board. This written request shall be submitted within twenty (20) days after the notice of the Housing Inspector is served upon such person. Within ten (10) days of the receipt of such written request, the Housing Code Appeals Board shall set a time and place for such hearing and shall notify the petitioner in writing thereof, by registered or certified mail, return receipt requested.

**12.3** A majority vote of the Housing Code Appeals Board after full hearing is had, shall sustain, modify, or withdraw the notice.

**12.4** Any person aggrieved by an order of the Housing Inspector relative to the enforcement of the Code as upheld by the Housing Code Appeals Board may within fifteen (15) days of denial appeal to the Court of Common Pleas, County of Hartford.

### **SECTION 13.0 SUSPENSION OF PERMITS OF ROOMING HOUSES**

**13.1** The Housing Inspector is hereby authorized to enter, inspect, examine, and survey all rooming houses between the hours of 8:00 am and 5:00 pm, for the purpose of determining compliance with the provisions of this ordinance or any applicable rule or regulation adopted pursuant thereto. Where violations exist, the Housing Inspector shall give notice in writing to the operator of such rooming house that unless such violations are corrected within thirty (30) days, the operator's permit shall be suspended. At the end of thirty (30) days, the Housing Inspector shall reinspect such rooming house; and if he determines that the violations have not been corrected, he shall issue an order suspending the operator's permit.

**13.2** Any person whose permit to operate a rooming house has been suspended by order of the Housing Inspector may petition for and be granted a hearing on the matter in accordance with the procedure set forth in Section 12. This petition shall be submitted within ten (10) days following the day on which the permit was suspended; otherwise, the permit shall be deemed revoked.

### **SECTION 14.0 PENALTIES**

**14.1** Any person who shall willfully refuse or fail to obey an order of the Housing Code Board of Appeals to meet the minimum standards of this ordinance or of any rule or regulation adopted pursuant thereto shall, upon conviction, be fined not less than Ten (10) Dollars nor more than One Hundred (100) Dollars. Each day's failure to comply shall constitute a separate violation.

### **SECTION 15.0 VALIDITY**

The validity of this Code is established by the State of Connecticut Housing Code.

### **SECTION 16.0 DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE OF CONDEMNATION**

**16.1** Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Health Officer and shall be vacated within thirty (30) days.

**16.1.1** One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates a serious hazard to the health and safety of the occupants or of the public.

**16.1.2** One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

**16.1.3** 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.

**16.2** No dwelling, dwelling unit, or rooming unit that has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Housing Inspector after the defect or defects have been eliminated.

**16.3** Any person who willfully defaces or removes the placard from any condemned dwelling, dwelling unit, or rooming unit shall upon conviction be subject to a fine of not less than Twenty-Five (25) Dollars nor more than Fifty (50) Dollars.

**16.4** Any person aggrieved by any order involving the placarding of a dwelling, dwelling unit, or rooming unit may request and be granted a hearing under the conditions specified in Section 12 aforementioned.

#### **SECTION 17.0 CONFLICT OF ORDINANCES**

**17.1** In any case where a provision of this ordinance is found to be in conflict with any existing code, ordinance, or regulation of the Town of Windsor Locks existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

#### **SECTION 18.0 PERSONAL LIABILITY**

**18.1** The Housing Inspector and his representative and/or representatives shall be free from personal liability while in the performance of official duties.