

Chapter 151

MINIMUM HOUSING CODE

ARTICLE I. IN GENERAL

Section 1. Short title.

The rules and regulations prescribed by this ordinance shall be known and may be cited as “The Housing Code of the Town of Winterville,” and will be referred to hereinafter in this ordinance as “this code.”

Section 2. Findings; purpose.

(a) Pursuant to N. C. General Statutes Section 160A-441, it is hereby found and declared that there exist in the municipalities, dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and other conditions rendering such dwellings unsafe or unsanitary, dangerous and detrimental to the welfare of the residents of the municipality.

(b) In order to protect the health, safety and welfare of the residents of the municipality as authorized by Article 19, Chapter 160A of the NC General Statutes, it is the purpose of this ordinance to establish minimum standards and requirements for the initial and continued occupancy of all buildings used for human habitation as expressly authorized by N. C. General Statutes Sections 160A-441 through 160A-450, 160A-424 through 160A-432, and 160A-193. This section does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment or facilities, except as provided in this ordinance.

(c) The purpose of this ordinance is to arrest, remedy and prevent the decay and deterioration of places of habitation and to eliminate blighted neighborhoods by providing standards for places of habitation for the protection of the life, health, safety, welfare and property of the general public and owners and occupants of places of habitation.

Section 3. Scope.

The provisions of this ordinance are applicable to all dwellings or dwelling units within the jurisdiction of the municipality regardless of when such units were constructed, altered, repaired, or improved.

Section 4. Definitions.

The following definitions shall apply in the interpretation and enforcement of this ordinance:

Alteration, as applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities; or an enlargement, whether by extending on a side or by increasing in height; or the moving from one location or position to another; and the terms “alter” in its various moods and tenses and its participle, refers to the making of an alteration.

Apartment means a room or suite of rooms occupied, or which is intended or designed to be occupied as the home or residence of one (1) individual family or household for housekeeping purposes.

Approved, as applied to a material, device or mode of construction, means approved by the inspector under the provisions of this ordinance, or by other authority designated by law to give approval in the matter in question.

Area:

- (1) As applied to the dimension, shall mean the maximum horizontal projected area of the building.
- (2) As applied to the dimensions of a room, shall mean the total square footage of floor area between finished walls.

Basement means a story with fifty (50) percent or more of its cubical contents below finished grade.

Building shall mean any structure built for the support, shelter or enclosure of persons which has enclosed walls for fifty (50) percent of its perimeter. The term “building” shall be construed as if followed by the words “or part thereof.”

Cellar shall mean a portion of a building located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

Close shall mean securing the building so that unauthorized persons cannot gain entrance to the building.

Demolish shall mean the demolition and removal of the entire building leaving the property free and clear of any debris and without holes or pockets which main retain water.

Deteriorated shall mean that a dwelling is unsafe or unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards of fitness established by this ordinance at a cost not in excess of sixty-five (65) percent of its physical value, as determined by finding of the inspector.

Dilapidated shall mean that a dwelling is unsafe or unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards of fitness established by this ordinance at a cost not in excess of sixty-five (65) percent of its physical value, as determined by the inspector.

Dwelling means any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose.

Extermination shall mean 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 poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the inspector.

Garbage means the by-product of animal or vegetable foodstuffs resulting from the handling, preparation, cooking and consumption of food, or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors, or which during or after decay, may serve as breeding or feeding material for flies, insects or animals.

Governing body shall mean the Town Board of Aldermen of the Town of Winterville.

Habitable room shall mean a room occupied by one (1) or more persons for living, eating or sleeping

and includes kitchen serving apartments or individual households, but does not include bathrooms, toilet compartments, laundries, serving and storage pantries, halls, corridors, basements and other spaces that are not used frequently or during extended periods.

Infestation shall mean the presence, within or around a dwelling, of any insects, rodents or other pests in such number as to constitute a menace to the health, safety or welfare of the occupants or to the public.

Inspector shall mean the Zoning Enforcement Officer or any agent of the Officer authorized to enforce this ordinance.

Manufactured home or mobile home means a structure as defined in N.C. General Statutes Section 143-145(7).

Multiple dwelling shall mean any dwelling containing three (3) or more dwelling units.

Occupant shall mean any person over one (1) year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

Operator shall mean any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

Owner shall mean any person who alone, or jointly or severally with others:

- (1) Shall have title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or a executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall comply with the provisions of this ordinance, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

Pier shall mean a masonry support extending from the ground and footing to and supporting the building or portion thereof. Pier sizes and spacing shall conform to the specifications of the N.C. State Building Code.

Plumbing shall mean and include all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinder), waste pipes, water closets, sinks, installed dishwasher, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basin, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

Public authority shall mean any housing authority or any officer who is in charge of any department or branch of the government of the town, county, or state relating to health, fire, building regulations, or other activities concerning dwellings or buildings in the municipality.

Public Officer shall mean the Zoning Enforcement of the Town of Winterville, any agent of the Officer, or any agent of the Town authorized to enforce the provisions of this ordinance and to exercise the duties and powers prescribed herein.

Public space shall mean that space within any dwelling which is open to use by the general public.

Rooming house shall mean any dwelling containing one or more rooming units, in which space is let by the owner or operator to three (3) or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of the owner or operator.

Rooming unit shall mean a room or group of rooms forming a single habitable unit used or intended for use for living and sleeping, but not for cooking or eating purposes.

Rubbish shall mean combustible and noncombustible waste materials except garbage; and the term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, the residue from the burning of wood, coal, coke and other combustible material.

Supplied shall mean paid for, furnished, provided by, or under the control of, the owner or operator.

Temporary housing shall mean any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

Tenant shall mean any person who alone or jointly or severally with others occupies a residential building under a lease or holds a legal tenancy in a building.

Unfit for human habitation shall mean that conditions exist in a dwelling which violate or do not comply with one or more of the minimum standards of fitness, or with one or more of the responsibilities of owners and occupants established by this ordinance.

Whenever the words “dwelling, dwelling unit, rooming house, rooming unit, or premises” are used in this ordinance, they shall be construed as though they were following by the words “or any part thereof.”

Section 5. Buildings unfit for human habitation declared nuisance.

All buildings or portions of buildings which are used or intended for use as dwellings and are, under the provisions of this ordinance, unfit for human habitation, are hereby declared to be a public nuisance, and shall be repaired or rehabilitated to the standards of this ordinance or demolished in accordance with the procedures set forth herein.

Section 6. Non-residential or commercial structures unfit for human occupancy declared nuisance.

All commercial or non-residential structures deemed to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary facilities, are hereby declared a nuisance, and shall be repaired or rehabilitated to the standards of this ordinance or demolished in accordance with the procedures set forth herein.

Sections 7-20. Reserved.

**ARTICLE II. ADMINISTRATION
AND ENFORCEMENT**

Section 21. Zoning Enforcement Officer

The Zoning Enforcement Officer, or his designate, is hereby designated as the officer to enforce the provisions of this ordinance and to exercise the duties and powers herein prescribed. In addition, it shall be the duty of the Zoning Enforcement Officer:

- (1) To investigate the dwelling conditions, and to inspect dwellings units located in the town in order to determine which dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this ordinance with respect to dwellings and dwelling units;
- (2) To take such action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;
- (3) To keep a record of the results of inspections made under this ordinance and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed; and
- (4) To perform such other duties as may be herein prescribed.

Section 22. Same - Powers

The Zoning Enforcement Officer, or his designate, is authorized to exercise such powers as may be reasonably necessary or convenient to carry out and effectuate the purpose and provisions of this ordinance, including the following powers in addition to others herein granted:

- (1) To investigate the dwelling conditions in the town in order to determine which dwellings therein are unfit for human habitation;
- (2) To administer oaths and affirmations, examine witnesses and receive evidence;
- (3) To enter upon premises for the purpose of making examinations and inspections; provided, such entries shall be made in such manner as to cause the least possible inconvenience to the person in possession;

- (4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of this ordinance; and
- (5) To delegate any of his functions and powers under this ordinance to other officers and other agents.

Section 23. Inspections; duty of owners and occupants.

For the purpose of making inspections, the Public Officer is hereby authorized to enter, examine and survey, at all reasonable times, all dwellings, dwelling units, rooming units and premises after sufficiently identifying himself. The owner or occupant of every dwelling, dwelling unit or rooming unit, or the person in charge thereof, shall give the Public Officer free access to such dwelling, dwelling unit or rooming unit, and its premises, at all reasonable times for the purpose of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, and its 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 ordinance or with any lawful order issued pursuant to the provisions of this ordinance.

Section 24. Administrative liability.

Except as may otherwise be provided by statute or local law or ordinance, no officer, agent or employee of the town charged with the enforcement of the housing code shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this ordinance unless he acted with actual malice.

Section 25. Owners and Occupants - Responsibilities.

(a) The relative responsibilities of the owners of dwelling units and of the occupants of the dwelling units shall be as follows:

- (1) *Public spaces.* Every owner of a building shall be responsible for maintaining in a reasonably clean and sanitary condition, the shared or public spaces of the building and premises thereof.

- (2) *Cleanliness.* Every occupant shall be responsible for maintaining in a reasonably clean and sanitary condition that part of the dwelling unit and premises which he occupies and controls.
- (3) *Infestation.* Every occupant shall be responsible for the extermination of any insects, rodents, or other pests infesting the dwelling unit; provided, however, that the owner shall be responsible for such extermination if, as a consequence of violations of the standards of fitness, the dwelling unit is not reasonably impervious to pests.
- (4) *Rubbish and garbage.* Every Occupant shall be responsible for disposing of his rubbish and garbage in a clean and sanitary manner by placing it in adequate facilities for such disposal.
- (5) *Plumbing.* Every owner shall be responsible for providing adequate operable plumbing facilities, including an adequate water heater, and for maintaining such facilities in efficient operating condition; every occupant shall be responsible for exercising reasonable care in the use of such facilities and for maintaining such facilities in a clean and sanitary condition.
- (6) *Heating.* Every owner shall be responsible for providing adequate operable facilities and appliances supplying heat throughout the dwelling unit in compliance with the standards of fitness; every occupant shall be responsible for exercising reasonable care in the use of such facilities and appliances.
- (7) *Care of premises.* No occupant shall willfully destroy, deface or otherwise impair any of the facilities or equipment of the owner on the premises which they occupy and control, or any part of the building itself. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction.

(b) Every owner shall remain ultimately responsible for violation of responsibilities imposed upon him by this ordinance or any other ordinance although a similar responsibility may also be imposed

upon the occupant and although the occupant may have agreed to bear the responsibility imposed by ordinance upon the owner.

Section 26. Same - Enforcement of responsibilities.

Upon discovering in any building a condition resulting from noncompliance with the provisions in Section 25, the Public Officer is hereby authorized to order, to take, or otherwise to cause to be taken, such remedial action as is necessary to correct such condition.

Section 27. Procedure for enforcement.

(a) *Preliminary investigation; notice; hearing.*

Whenever a petition is filed with the Public Officer by a public authority or by at least five (5) residents of the town at least eighteen (18) years of age, charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the Public Officer, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, he shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling or dwelling unit, a complaint stating the charges and containing a notice that a hearing will be held before the Public Officer at a place therein fixed, not less than ten (10) nor more than thirty (30) days after the serving of the complaint. The owner or any party in interest shall have the right to correct the violation or to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of such hearing shall also be given to a least one (1) of the persons signing a petition relating to such dwelling. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in the hearing before the Public Officer.

(b) *Procedure after hearing.* After the notice and hearing provided for in paragraph (a) of this section, the Public Officer shall state in writing his determination whether such dwelling or dwelling unit is unsafe or unfit for human habitation, and, if so, whether it is deteriorated or dilapidated.

(1) If the Public Officer determines that the dwelling or dwelling unit is deteriorated, he shall state in writing his findings of fact in support of such determination and shall issue

and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter, and improve such dwelling or dwelling unit to comply with the minimum standards of fitness established by this ordinance within a specified period of time, not to exceed ninety (90) days. Such order may also direct and require the owner to vacate and close such dwelling or dwelling unit while such repairs, alterations and improvements are being made. Upon application by the owner within the specified period of time, the Public Officer may grant extensions of up to one (1) year if the dwelling is occupied by its owner, or up to one hundred eighty (180) days if the dwelling is not occupied by its owner, for good cause shown.

- (2) If the Public Officer determines that the dwelling is dilapidated, he shall state in writing his findings of fact to support such determination and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to vacate and close the dwelling, and to remove or demolish the same within a specified period of time, not to exceed ninety (90) days, unless the owner elects to proceed under the provisions set forth below, or unless an application for an extension of up to ninety (90) days is applied for by the owner and granted by the Public Officer for good cause shown.
- (3) Within ten (10) days from the date of the order determining that the building is dilapidated, the owner may notify the Public Officer in writing of his intent to make such repairs or alterations to said dwelling so as to comply with the minimum standards of fitness. Upon receipt of an owner's written intent to repair said dwelling, within the time provided herein, the Public Officer shall issue a supplemental order directing the owner to commence and complete the repairs or alterations necessary to comply with the minimum standards of fitness. The Public Officer shall allow a reasonable period of time for the owner to make such repairs or alterations, but in no event shall the period of time allowed for such repairs or alterations be less than thirty (30) days nor more than ninety (90) days unless an extension of up to ninety (90) days is granted by the Public Officer for good cause shown. Upon

application by the owner within the specified period of time, the Public Officer may grant extensions of up to one (1) year if the dwelling is occupied by its owner, or up to one hundred eighty (180) days if the dwelling is not occupied by its owner, for good cause shown.

- (4) If the owner fails to give notice of either an intent to repair as herein provided or notice of appeal of the decision of the Public Officer to the Zoning Board of Adjustment within the time specified for such an appeal, the Public Officer shall proceed in accordance with the provisions of subparagraphs (c)(1) or (c)(2) of this section.
- (5) The Public Officer shall cause the complaint and notice issued under subsection (a) of this section and the findings of fact and order issued under this subsection (b) to be filed in the notice of lis pendens in the office of the clerk of Pitt County Superior Court. From and after the filing of either document in the notice of lis pendens, such complaint and notice or findings of fact and order shall be binding upon successors and assigns of the owner named in the notice.
- (6) Whenever a determination is made pursuant to subdivision (2) of this subsection (b) that a dwelling must be vacated and closed, or removed or demolished, under the provisions of this section, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Public Officer, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Public Officer or Town Clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Public Officer to wait forty-five (45) days before causing removal or demolition.

(c) *Failure to comply with order.*

- (1) *In personam remedy.* If the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Public Officer to repair, alter, or improve the same within the time specified therein, or if the owner of a dilapidated dwelling shall fail to comply with an order of the Public Officer to vacate and close, and remove or demolish the same within the time specified therein, the Public Officer shall submit to the Board of Aldermen, at its next regular meeting, a resolution directing the Town Attorney to petition the superior court for an order directing such owner to comply with the order of the Public Officer as authorized by N.C. General Statutes Section 160A-446(g).
- (2) Reserved.
- (3) *In rem remedy.* After failure of an owner of a deteriorated dwelling or dwelling unit, or of a dilapidated dwelling, to comply with an order of the Public Officer within the time specified therein, if injunctive relief has not been sought or has not been granted as proved in subparagraph (c)(1) of this section, the Public Officer shall submit to the Board of Aldermen an ordinance ordering the Public Officer to cause such dwelling or dwelling unit to be repaired, altered, improved or vacated and closed and removed or demolished, as provided in the original order of the Public Officer, and pending such removal or demolition, to placard such dwelling as provided by N.C. General Statutes Section 160A-443(4) and Section 29 of this ordinance.
- (4) If any occupant fails to comply with an order to vacate a dwelling, the Public Officer may file a civil action in the name of the Town to remove such occupant. Such action shall be filed and conducted in accordance with the provisions of N.C.G.S. 160A-443(7).

(d) *Appeals from order of Public Officer.* An appeal from any decision of the Public Officer may be taken by any person aggrieved thereby. An appeal from the Public Officer shall be taken within ten (10) days from the service of the order on the parties in interest. An aggrieved party may give notice of appeal by mailing or hand-delivering a written statement to the Public Officer which states some grounds for appeal. Upon receipt of the notice of

appeal, the Public Officer shall immediately send copies of the notice to all other known interested parties. Any other interested parties may give notice of a cross appeal within ten (10) days of receipt of notice of appeal, and any such cross appeal may be made in the same manner as appeals. The Public Officer shall transmit to the Board of Adjustment and parties all documents constituting the record upon which the Public Officer's decision was made along with the notices of appeal and cross appeal. When an appeal is from a decision of the Public Officer refusing to allow the person aggrieved thereby to do any act, the Public Officer's decision shall remain in force until modified or reversed. When an appeal is from a decision of the Public Officer requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing of the board unless the Public Officer certifies to the board, after the notice of appeal is made, that, by reason of the fact stated in the certificate (a copy of which shall be furnished to the appellant and other parties in interest), a suspension of his requirement would cause imminent peril to life or property. When the Public Officer issues a certificate, the requirement shall not be suspended except by a restraining order which may be granted for due cause shown upon not less than one (1) day's written notice to the Public Officer by the board or by a court of record upon petition made pursuant to N.C. General Statutes Section 160A-446(c) and paragraph (e) of this section. The board shall fix a reasonable time for the hearing of all appeals and cross appeals, shall give due notices to all parties of interest and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney and present evidence. The board may reverse, affirm, wholly or partly, or modify the decision or order appealed from and may make such decision and order as in its opinion out to be made in the matter. All board meetings shall have a quorum present of at least four (4) members, and the vote of at least four (4) members shall be required for a decision on an appeal or cross appeal. The board shall have the power in passing upon appeals and cross appeals where there are practical difficulties or hardships to adopt the application of this ordinance to the necessities of the individual case to the end that the general purposes of the law and justice shall be done. Every decision of the board shall be subject to review by proceedings in the nature of certiorari instituted within fifteen (15) days of the service of the decision of the board on all interested parties.

(e) *Petition to superior court by owner.* Any person aggrieved by an order issued by the Public Officer or decision rendered by the board shall have

the right, within thirty (30) days after issuance of the order or rendering of the decision, to petition the superior court for a temporary injunction restraining the Public Officer pending a final disposition of the cause, as provided by N.C. General Statute Section 160A-446(f).

Section 28. Methods of service of complaints and orders.

Complaints or orders issued by the Public Officer shall be served upon persons either personally or by registered or certified mail. If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Public Officer in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the Public Officer makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time at which personal service would be required under the provisions of this ordinance. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

Section 29. In rem action by Public Officer; placarding.

(a) After the failure of an owner of a dwelling or dwelling unit to comply with an order of the Public Officer issued pursuant to the provisions of this ordinance and upon adoption by the Board of Aldermen of an ordinance authorizing and directing him to do so, as provided by N.C. General Statutes Section 160A-443(5) and section 27 (c) of this ordinance, the Public Officer shall proceed to cause such dwelling or dwelling unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this ordinance, or to be vacated and closed and removed or demolished, as directed by the ordinance of the Board of Aldermen, and shall cause to be posted on the main entrance of such dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(b) Each such ordinance shall be recorded in the office of the register of deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index as provided by N.C. General Statutes Section 160A-443(5).

Section 30. Costs a lien on premises.

(a) As provided by N.C. General Statutes Section 160A-443(6), the amount of cost of any repairs, alterations, or improvements, or vacating and closing, or removal or demolition, caused to be made or done by the Public Officer pursuant to section 29 or 35 of this ordinance shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as provided by Article 10 of Chapter 160A of the N.C. General Statutes.

(b) If a dwelling or other structure is removed or demolished by the Public Officer, he shall sell the materials of the dwelling or other structure and any personal property, fixtures, or appurtenances found in or attached to the dwelling or other structure and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court by the Public Officer, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Section 31. Alternative remedies.

Neither this ordinance nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action or otherwise. Enforcement by any remedy provided herein shall not prevent enforcement by any other remedy or remedies provided herein or in other ordinances or laws.

Section 32. Zoning Board of Adjustment to hear appeals.

All appeals which may be taken from decisions or orders of the Public Officer pursuant to section 27(d) of this ordinance shall be heard and determined by the Zoning Board of Adjustment. As appeals body, the Board shall have the power to fix the times and places of its meetings, to adopt necessary rules of procedure and any other rules and regulations which may be necessary for the discharge of its duties. The Board shall perform the duties prescribed by section 27(d) of this ordinance and shall keep an accurate journal of its proceedings.

Section 33. Conflict with other provisions.

In the event any provision, standard or requirement of this ordinance is found to be in conflict with any provision of any other ordinance or code of the town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the town shall prevail.

Section 34. Violations; penalty.

(a) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close and remove or demolish the same, upon order of the Public Officer duly made and served as herein provided, within the time specified in such order, and each day that any such failure, neglect or refusal to comply with such order continues shall constitute a separate and distinct offense. It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to section 27(b) of this ordinance, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, and removal or demolition, and each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

(b) Any owner of a dwelling except an owner who occupies the dwelling as his principal place of residence, who fails to comply with an order of the Public Officer to repair, alter or improve the dwelling, or to vacate and close and remove or demolish the dwelling, within the time specified in the order, shall be subject to a civil penalty in the amount of one hundred dollars (\$100.00) for the first day of noncompliance and ten dollars (\$10.00) for each day thereafter until the dwelling is brought into compliance with the order. This penalty may be recovered by the town in a civil action in the nature of debt if the owner does not pay the same within thirty (30) days after the initial day of noncompliance.

(c) The Public Officer in his discretion may agree in writing only to release, in whole or in part, an owner from liability for the civil penalty imposed pursuant to subsection (b) of this section if the owner voluntarily agrees as consideration for the release to convey to the town, or to some other person or organization, the property from which the civil penalty arose upon such terms and conditions as the owner and the Public Officer might agree.

(d) Occupation of a building posted as required in section 29 (a) of this ordinance and N.C. General Statutes Section 160A-443(4) shall constitute a Class 1 misdemeanor.

Section 35. Abandoned structures.

(a) Any abandoned structure that is a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities, shall be repaired, closed or demolished. It shall be unlawful for the owner of an abandoned structure to allow the same to become or to remain a health or safety hazard as defined in this subsection.

(b) The Public Officer shall have the authority to attempt to accomplish the repair, closing, or demolition of unsafe abandoned structures through the procedures set out in section 27, except that if the estimated cost to repair the structure is sixty-five (65) percent or more of its value, the structure shall be considered dilapidated, and the Public Officer shall order that it be demolished and removed. Upon the failure of the owner of any unsafe abandoned structure to comply with an order of the Public Officer to repair, close, or demolish such structure, the Public Officer shall present the matter to the Board of Aldermen. If the Board of Aldermen finds that the abandoned structure is unsafe pursuant to subsection (a) of this section, it may adopt an ordinance ordering the Public Officer to cause such abandoned structure to be repaired, closed, or demolished. Each such ordinance shall be recorded as provided in section 29, and the cost of any repair, closing, or demolition caused to be made by the Public Officer shall be a lien on the premises as provided in section 30.

(c) For purposes of subsections (a) and (b), "abandoned structure" shall mean any structure that has not been occupied or used, by its owner or by some person acting under the authority of its owner, for a continuous period of one (1) year or longer.

(d) If the Board of Aldermen shall have adopted an ordinance, or the Public Officer shall have issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in section 27(b)(1), and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or order, then if the governing body shall find that the owner has abandoned the intent and purpose to

repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals, and welfare of the town in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this state, then in such circumstances, the Board of Aldermen may, after the expiration of such one-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

- (1) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding sixty-five (65) percent of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within ninety (90) days; or
- (2) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding sixty-five (65) percent of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within ninety (90) days.

Section 36. Unsafe dwellings.

(a) When it appears to the Public Officer, upon inspection, that a dwelling or dwelling unit is especially dangerous to life, the Public Officer may exercise the powers granted by North Carolina General Statutes, Sections 160A-426 through 160A-429 or any superseding statute or statutes.

(b) An order issued by the Public Officer under the authority of this section shall be certified by the Town Clerk and filed in the record of lis pendens.

(c) Upon the failure by the owner of the affected dwelling or dwelling unit to comply with an order issued under the authority of this section, further enforcement of the order shall be pursuant to the procedures provided in subsections (c) through (e) of section 27 and sections 29 and 30.

Sections 37 - 50. Reserved.

ARTICLE III. MINIMUM STANDARDS OF FITNESS FOR DWELLINGS AND DWELLING UNITS

Section 51. Compliance with article prerequisite to occupancy.

Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with all of the minimum standards of fitness and all of the requirements of this article. No person shall occupy as owner-occupant, or let to another for occupancy or use as a human habitation, any dwelling or dwelling units which do not comply with all of the minimum standards of fitness for human habitation and all of the requirements of this article. All work shall be done in a workmanlike manner.

Section 52. Space and use.

(a) At least one (1) room in the dwelling shall contain not less than one hundred fifty (150) square feet.

(b) A kitchen-dining room combination, if any, shall not be less than one hundred (100) square feet.

(c) A first bedroom, if any, shall not be less than one hundred (100) square feet.

(d) A second bedroom, if any, shall be not less than seventy (70) square feet.

(e) There shall be at least seventy (70) square feet in each habitable room.

(f) There shall be at least one hundred fifty (150) square feet of floor space in habitable rooms for the first occupant in each dwelling unit; at least one hundred (100) square feet for each of the next three (3) occupants; and at least fifty (50) square feet for each addition occupant over the number of four (4). (Children one (1) year of age and under shall not be counted).

(g) There shall be at least eighty (80) square feet of bedroom floor space for the first occupant; at least twenty (20) square feet for the second occupant; and at least thirty (30) square feet for each occupant over the number of two (2). (Children one (1) year of age and under shall not be counted).

(h) Those habitable rooms which must be included to meet the foregoing minimum space

requirements shall be at least seven (7) feet wide in any part with at least one-(1/2) of the floor area having a ceiling height of at least seven (7) feet. That portion of any room where the ceiling height is less than five (5) feet shall not be considered as part of the required floor area.

(i) No basement shall be used as a habitable room or housing unit unless:

- (1) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness and condensation.
- (2) The total window area in each room is equal to at least the window area sizes prescribed herein for habitable rooms. (See section 52 of this article, light and ventilation requirements).
- (3) Such required window area is located entirely above the grade of the ground adjoining such window area unless provided with adequate window wells.
- (4) The total of openable window area in each room is equal to at least the area prescribed herein for habitable rooms (see section 53 of this article, light and ventilation requirements), except where there is supplied some other device affording adequate ventilation and approved by the Public Officer.

(j) Toilet and bathing facilities shall be enclosed.

(k) There shall be no holes or excessive cracks in walls, ceilings, outside doors or outside windows.

(l) Access shall be provided to all rooms within a dwelling unit without passing through a public space.

(m) Doors shall be provided at all doorways leading to bedrooms, toilet rooms, and bathrooms and all rooms adjoining a public space.

(n) All doors providing access to any living unit shall have operable locks, and the owner shall provide a change of locks or keys for new tenants.

(o) All doors opening to the outside shall be reasonably weathertight.

(p) There shall be installed in every dwelling unit

an operable smoke detector or alarm.

Section 53. Light and ventilation.

(a) The window-glazed area in each habitable room shall not be less than eight (8) percent of the floor area or eight (8) square feet, whichever is greater.

(b) The openable window area in each habitable room shall be equal to at least one-half (1/2) of the minimum allowance window area and facing directly to the outside for ventilation unless the room is served by an approved ventilating system.

(c) All windows and doors opening to the outside shall be adequately screened unless the room is served by an approved ventilating system. Screens shall fit openings snugly, and the screen mesh shall not be torn or otherwise defective.

(d) Screens shall not be permanently fixed to the window frame or sash.

(e) In bathrooms containing more than one (1) water closet, the window area shall be at least three (3) square feet of glazed area. Where adequate windows cannot be provided, metal ducts with at least seventy-two (72) square inches in open area and extending from the ceiling through the roof, or mechanical ventilation to the outside, shall be provided.

(f) Every public hall and inside stairway in every multifamily dwelling shall be adequately lighted at all times with an illumination of at least three (3) footcandles per square foot in the darkest portion of the normally traveled stairs and passageways.

(g) All windows opening to the outside shall be reasonably weathertight and shall have operable locks.

Section 54 Exit requirements.

(a) There shall be two (2) main exits, each at least thirty (30) inches wide and six (6) feet, eight (8) inches high easily accessible to the occupants of each building. All exit doors must be easily operable and remotely located. (See the state building code for exemptions).

(b) Platforms, steps, and/or handrails provided to serve exits shall be maintained in safe condition.

(c) There shall be a safe, continuous and unob-

structed exit from the interior of the building to the exterior at street or grade level.

Section 55. Plumbing facilities.

(a) All plumbing to be installed shall be installed in accordance with the N.C. State Plumbing Code.

(b) All plumbing shall be connected to the town sanitary sewer system where available or to another approved system.

(c) All fixtures shall be operable.

(d) There shall be no broken water closet bowls.

(e) Water closets shall not be loose or leaking.

(f) No leaks shall be in shower stall floor and/or wall.

(g) There shall be adequate facilities for furnishing hot water to each tub or shower, lavatory, and kitchen sink.

(h) There shall be installed a potable water supply inside the building for each dwelling unit.

(i) There shall be installed a water closet, tub or shower, lavatory and sink for each dwelling unit. The kitchen sink shall be at least twelve (12) inches by sixteen (16) inches by six (6) inches.

(j) There shall be separate toilet facilities for each dwelling unit.

(k) Toilet and bathing facilities shall be protected from the weather.

(l) All water piping shall be protected from freezing by proper installation in protected space.

(m) Soil and water pipes shall be supported with no broken or leaking pipes.

(n) Every water closet compartment floor surface and bathroom floor surface shall be so constructed and maintained as to be reasonably impervious to water and so as to permit such floor to be readily kept in a clean and sanitary condition.

Section 56. Heating facilities.

(a) Every building and every dwelling unit shall be weatherproof and capable of being adequately heated, and the heating equipment in every dwelling

or dwelling unit shall be maintained in good order and repair.

(b) Every dwelling and dwelling unit shall have facilities for providing heat in accordance with either subparagraph (1) or (2) of this paragraph (b):

(1) *Central and electric heating systems.* Every central or electric heating system shall be of sufficient capacity so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected to a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor with an outside temperature of twenty (20) degrees Fahrenheit.

(2) *Other heating facilities.* Where a central or electric heating system is not provided, or is inadequate, each dwelling and dwelling unit shall be provided with sufficient chimneys, flues, or gas vents, with heating appliances connected, so as to heat all habitable rooms to a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor with an outside temperature of twenty (20) degrees Fahrenheit.

(c) All electric, gas and oil heating equipment installed on the premises shall be listed by Underwriters' Laboratories or American Gas Association and installed in accordance with the provisions of the N.C. State Heating, Ventilation, and Air Conditioning code.

(d) There shall be no loose bricks in chimneys.

(e) There shall be no holes in flues except as required for proper operation.

(f) There shall be no hanging masonry chimneys.

(g) Thimbles shall be grouted in tightly.

(h) Thimbles shall not be broken or cracked.

(i) Thimbles shall be high enough for stovepipe to rise one-quarter (1/4) inch per foot minimum.

(j) The hearth shall be at least sixteen (16) inches deep and eight (8) inches beyond each side of the fireplace opening.

(k) No combustible materials shall be within seven (7) inches of the top and seven (7) inches of either side of the fireplace opening.

(l) Fireplaces shall be closed with masonry when the chimney is used as a flue for a stove.

(m) A stove shall be within six (6) feet of a thimble serving it.

(n) No combustible material shall be within twelve (12) inches of a stovepipe.

(o) No stovepipe shall protrude through combustible walls.

(p) In multiple dwellings and rooming houses with central heat, the furnace room shall be enclosed with material having at least a one-hour fire protection rating.

(q) Fireplaces may be used for supplementary heating only and not for basic heat.

Section 57. Electrical Facilities.

(a) No receptacles, ceiling fixtures, or other fixtures shall be hanging loose.

(b) All switches and receptacles shall be safely operable.

(c) Every habitable room shall contain not less than two (2) wall-type electrical convenience receptacles.

(d) There shall be installed in every habitable room, bathroom, laundry room, hallway, stairway and furnace room at least one supplied ceiling or wall type electrical light fixture; provided, further, that the ceiling light fixture may be omitted in living room and bedrooms, provided three (3) convenience receptacles are installed, one (1) of which is controlled from a wall switch.

(e) There shall be no unsafe wiring.

(f) There shall be no drop or extension cords in excess of six (6) feet in length.

(g) No circuits shall be overloaded.

(h) Fuses shall be sized correctly and not bridged out.

(i) All wiring to be installed shall be in

accordance with the National Electrical Code.

Section 58. Structural standards.

(a) *Foundation.* Foundations shall conform to the following:

(1) Beneath the building there shall be firm ground, which is reasonably dry, properly drained and no water running under the building.

(2) There shall be sound footings, adequate bearing.

(3) There shall be sound piers with no loose mortar or masonry.

(4) There shall be no piers in which the plumb line from the top center falls outside the middle one-third (1/3) of the pier base.

(5) There shall be no isolated solid masonry piers exceeding in height ten (10) times the least dimension of the pier.

(6) There shall be no wood stiff-knee piers.

(7) There shall be masonry under pinning on all dwelling units with ventilation as required by the N.C. State Building Code.

(b) *Floors.* Floors shall conform to the following:

(1) There shall be no decayed, termite-damaged, fire-damaged, broken, overloaded or sagging sills.

(2) Sills shall be properly supported and reasonable level.

(3) Joists shall not be overloaded, sagging or broken, and shall be structurally sound and not likely to cause structural weakness in the future.

(4) Maximum spans for floor joist and sills, providing they show signs of being weak or overloaded, shall comply with the requirements of the N.C. State Building Code.

(5) Flooring shall be weathertight without holes or excessive cracks which permit air to penetrate rooms.

- (6) Flooring shall be reasonably smooth and not decayed, fire-damaged or worn through.
 - (7) There shall be no loose flooring.
 - (8) Floors shall be reasonably level.
 - (9) The flooring in each room shall consist of the same or similar material; and where covering or finishing is provided, such covering or finishing shall be reasonably smooth and not worn through.
- (c) *Walls, exterior.* Exterior walls shall conform to the following:
- (1) There shall be no wall in which the plumb line from the top center of studs falls outside the base plate at any point along the wall.
 - (2) Maximum spacing for studding, providing they show signs of being weak or overloaded, shall comply with the requirements of the N.C. State Building Code.
 - (3) Studs shall be structurally sound and not likely to cause structural weakness in the future.
 - (4) There shall be no broken or cracked structural members.
 - (5) All siding shall be weathertight, with no holes or excessive cracks or decayed boards which permit air to penetrate rooms.
 - (6) There shall be no loose siding.
 - (7) There shall be no deterioration because of lack of preventive maintenance consisting of painting, waterproofing, and repair.
- (d) *Walls, interior.* Interior walls shall conform to the following:
- (1) Interior finish shall be free of holes and excessive cracks which permit air to penetrate rooms, and if painted or papered, shall be free of chips or excessive peeling.
 - (2) There shall be no walls in which the plumb line from the top center of studs falls outside the base plate at any point along the wall.
 - (3) There shall be no loose plaster, loose boards, or other loose wall materials.
- (4) There shall be no cardboard, newspaper or highly combustible or improper wall finish; and all wall materials shall be of the same or similar quality and material.
 - (5) Maximum spacing for studding, providing they show signs of being weak or overloaded, shall comply with the requirements of the N.C. State Building Code.
 - (6) Studs shall be structurally sound and not likely to cause structural weakness in the future.
 - (7) There shall be no broken or cracked studs or other structural members.
- (e) *Ceilings.* Ceilings shall conform to the following:
- (1) There shall be no joists which are decayed, broken, sagging or improperly supported at the ends.
 - (2) Maximum spacing for ceiling joists, provided they show signs of sagging and being weak, shall comply with the requirements of the N.C. State Building Code.
 - (3) Maximum spans for ceiling joists, provided they show signs of being weak or overloaded, shall comply with the requirements of the N.C. State Building Code.
 - (4) There shall be no holes or excessive cracks which permit air and dust to penetrate rooms.
 - (5) There shall be no loose plaster, boards, gypsum wall board, or other ceiling finish.
 - (6) There shall be no cardboard, newspaper, highly combustible or improper ceiling finish; and all ceiling materials shall be of the same or similar quality and material.
 - (7) Ceiling joists shall be structurally sound and not likely to cause structural weakness in the future.
- (f) *Roofs.* Roofs shall conform to the following:
- (1) There shall be no rafters which are decayed, broken, or improperly supported at the ends.
 - (2) There shall be no rafters that have been seriously damaged by fire.

- (3) Rafters shall be properly braced and tied four (4) feet on center maximum.
- (4) The attic shall be ventilated as required by the N.C. State Building Code.
- (5) Sheathing shall not be loose and shall be structurally sound and not likely to cause structural weakness in the future.
- (6) There shall be no loose roof covering, no holes, and no leaks causing damage to the structure or rooms.
- (7) There shall be a minimum of Class "C" roof covering.
- (8) There shall be proper flashing at walls or chimneys.

(g) *Porches.* Porches shall conform to the following:

- (1) The floor, ceiling, and roof shall be equal to requirements set forth above, except sills, joists, and floors need not be level if providing drainage of floors; floors need not be weathertight; the ceiling height may be seven (7) feet; and the attic need not be vented.
- (2) Every porch, terrace or entrance platform forty-eight (48) inches or more above adjacent finished grade shall be equipped with railings or guards not less than thirty (30) inches high, unless other effective barriers provide adequate safety.
- (3) If post and railings are provided, they shall be structurally sound and not likely to cause structural weakness in the future.

(h) *Stairs and steps.* Stairs and steps shall conform to the following:

- (1) Stairs and steps shall be free of holes, grooves, and cracks large enough to constitute accident hazards.
- (2) Stairwells and flights of stairs more than four (4) risers high shall have rails not less than two (2) feet six (6) inches measured vertically from the nose of the treads to the top of the rail.

- (3) Every rail shall be firmly fastened and maintained in good condition.
- (4) No flight of stairs shall be settled more than one inch out of its intended position or pulled away from supporting or adjacent structures.
- (5) Supports shall not sag and shall be structurally sound and not likely to cause structural weakness in the future.
- (6) Every stair riser shall be reasonably uniform in height, and treads shall be sound and securely fastened in position and strong enough to bear a concentrated load of at least three hundred (300) pounds without danger of breaking through.

Section 59. Property maintenance.

(a) *Building structure.* The building structure shall be maintained as follows:

- (1) Exterior wood surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative with sufficient frequency to prevent deterioration.
- (2) Floors, walls, ceilings, and fixtures shall be maintained in a clean and sanitary condition.

(b) *Open areas.* Open areas shall be maintained as follows:

- (1) Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent development of stagnant ponds.
- (2) Fences and other accessory buildings shall be maintained in safe and substantial condition or demolished.
- (3) Yards and courts shall be kept clean and free of physical hazards, rubbish, trash, garbage, junked vehicles, vehicle parts and other similar materials.
- (4) There shall be no heavy undergrowth or accumulation of plant growth which is noxious or detrimental to health.

(c) *Infestation.* Grounds buildings and structures

shall be maintained free of infestation by rodents, insects and other pests.

(d) *Garbage and rubbish.* There shall be adequate sanitary facilities and methods used for the storage, handling, and disposal of garbage and rubbish.

Section 60. Insulation.

Every dwelling, including multiple dwellings, of three (3) stories or less in height, shall have installed in the ceiling or, in the case of a dwelling of more than one (1) story, in the ceiling of the top story, insulation to a minimum-resistance value of R-9. Except as specified in this section, the insulation shall be installed in accordance with the requirements of the N.C. State Building Code.

Sections 61 - 75. Reserved.

**ARTICLE IV. MINIMUM
STANDARDS APPLICABLE TO
ROOMING HOUSES**

Section 76. Generally.

All of the provisions of this chapter and all of the minimum standards and requirements of this ordinance shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in a rooming house, except as provided in the following sections of this article.

Section 77. Water closet, hand lavatory and bath facilities.

At least one (1) water closet, lavatory basin, and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four (4) rooming units within a rooming house wherever such facilities are shared. All such facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.

Section 78. Minimum floor area for sleeping purposes.

Every room in a rooming house occupied by one (1) occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each additional occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each additional occupant under twelve (12) years of age.

Section 79. Sanitary conditions.

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

Section 80. Sanitary facilities.

Every water closet, flush urinal, lavatory basin, and bathtub or shower required by section 77 of this article shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

Section 81. Smoke and fire detectors.

Smoke and fire detectors shall be installed in accordance with the N.C. State Building Code.