

TITLE III COMMUNITY PROTECTION

CHAPTER 18 RENTAL HOUSING PROVISIONS

3-18-1	Purpose	3-18-7	Upkeep
3-18-2	Definitions	3-18-8	Plumbing and Heating
3-18-3	Construction	3-18-9	Electrical
3-18-4	Doors and Windows	3-18-10	Maximum Occupancy
3-18-5	Wall and Floor Penetrations	3-18-11	Owner's Responsibilities
3-18-6	Roof Drainage		

3-18-1 PURPOSE. The purpose of this chapter is to establish minimum health and safety standards for rental housing in the City of Scranton, Iowa. These standards relate to the condition, maintenance, and occupancy of rental dwellings, and are intended to ensure that rental housing is safe, sanitary, and suitable.

This chapter applies to all rental dwelling units within the City of Scranton. An owner-occupied single-family dwelling is specifically excluded unless there are one or more roomers. Also excluded are hotels, motels, state-licensed health and custodial facilities.

3-18-2 DEFINITIONS.

For the purpose of interpreting this article, certain words, terms and expressions are herein defined. The words "dwelling," "dwelling unit," "lodging house," "rooming unit," and "premises" shall be construed as though they were followed by the words "or any part thereof."

1. "Dwelling" shall mean any house, building, or mobile home, or portion thereof intended to be occupied as the place of habitation of human beings, either permanently or transiently.

2. "Dwelling unit" shall mean one or more rooms intended to be occupied by one family for living purposes. If a common area and facilities for cooking and eating are provided in a dwelling for the use of the occupants of a rooming unit(s) therein, such common area and facilities shall constitute a part of each dwelling unit for the purpose of inspection and compliance with this chapter, notwithstanding the fact that cooking is not allowed in rooming units.

3. "Apartment" shall mean a room or group of rooms intended to be occupied for living, sleeping, cooking, and eating.

4. A "rooming unit" is defined as a room or group of rooms intended to be occupied for living and sleeping but not for cooking.

5. "Family" shall mean a person living alone, or any of the following groups living together as a single non-profit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities:

- a. Any number of people related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship;
- b. Three unrelated people;
- c. Two unrelated people and any children related to either of them;
- d. Not more than eight people who are:
 - i. Residents of a “Family Home” as defined in Section 414.22 of the Iowa code; or
 - ii. “Handicapped” as defined in the Fair Housing Act, 42 U.S.C. Section 3602 (h).
- e. Exceptions - The definition of a “Family” does not include:
 - i. Any society, club, fraternity, sorority, association, lodge, combine, federation, coterie, or like organization;
 - ii. Any group of individuals whose association is temporary or seasonal in nature; and
 - iii. Any group of individuals who are in a group living arrangement as a result of criminal offenses.

6. “Habitable space” is defined as space in a dwelling for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not habitable spaces.

7. “Occupant” means any person living, sleeping, cooking or eating in, or having actual possession of a dwelling unit.

8. “Owner” means any person who alone, jointly, or as tenant in common with others, has legal or equitable title to any dwelling unit with or without accompanying actual possession thereof. For the purposes of this chapter, "owner" includes an agent of the owner empowered by the owner to act on the conditions or under the circumstances in question.

9. “Owner-occupied single-family dwelling” is defined as any townhouse, condominium, or detached dwelling that is occupied as a dwelling by the owner or owner’s relative within the first degree of consanguinity, and may include a nanny, live-in nurse, or live-in exchange student. It is one dwelling unit even if allowed roomers occupy part of the building.

- 10. “Plumbing” is defined to include the following supplied facilities and equipment:
 - a. Gas
 - b. Water, and waste pipes;
 - c. Sumps, drains, vents;
 - d. All supplied facilities and equipment connected to the aforementioned items.

11. “Rent” means payment of money, goods, labor, service or otherwise for use of a dwelling.

12. "Refuse" means all other miscellaneous waste materials except "yard waste" not specifically defined as garbage.

3-18-3 CONSTRUCTION. Each dwelling unit shall be reasonably weather tight. All areas of the building shall be structurally sound.

A dwelling unit which is a mobile home shall be secured to the mobile home stand with tiedowns and ground anchors that conform to any of the authorized standards or methods promulgated by authorized officials of the State of Iowa in the Iowa Administrative Code for mobile home anchoring.

The frame, wheels, crawl space, storage area, and utility connections of all mobile homes shall be concealed from view by skirting which shall be of a durable all-weather construction which is consistent with the exterior of the mobile home.

All building related items that are repaired or replaced shall meet the current municipal building code standards.

3-18-4 DOORS AND WINDOWS. Each entrance door to a dwelling unit shall be supplied with a lock and have a reasonable fit. Glass doors and windows shall be unbroken. Storm doors and windows shall be supplied and installed for exterior doors and windows from fall until spring, except with respect to thermal-pane windows and insulated exterior doors. Screens shall be kept in good repair.

3-18-5 WALL AND FLOOR PENETRATIONS. Wall and floor penetrations, such as for utility lines, shall be enclosed or sealed with a fire-retardant material to reduce spread of fire or passage of vermin.

3-18-6 ROOF DRAINAGE. Roof drainage shall be provided to avoid discharge on steps, walkways, or entrances where possible.

3-18-7 UPKEEP. Dwelling units and premises shall be free of garbage and refuse except that which is placed in receptacles in accordance with the requirements of Title 6, Chapter 5 of this Code.

3-18-8 PLUMBING AND HEATING. Water supply and sanitary sewer systems shall be approved public systems. All plumbing and heating items shall be in working condition. All plumbing and heating items repaired or replaced shall follow current plumbing and mechanical codes.

3-18-9 ELECTRICAL. The electrical system of every dwelling unit shall be installed and maintained so as to be reasonably safe to the occupants and the structure.

3-18-10 MAXIMUM OCCUPANCY. Occupancy must be limited to reasonable number. (Example: A two bedroom home should not house eight people.)

3-18-11 OWNER'S RESPONSIBILITIES.

Owners of rental housing properties shall be responsible for or arrange for the following tasks:

1. Maintaining public areas of the premises in a clean and sanitary condition;
2. Exterminating rodents, insects, and other pests.
3. Removing snow and ice from walks and drives.
4. Mowing lawns, trimming shrubs and trees, and controlling weeds to maintain the premises in a neat condition, comparable to other premises in the neighborhood.
5. If a tenant of a rental property is receiving rental assistance through a federal funding agency, (i.e., U.S. Department of Housing and Urban Development (HUD), United States Department of Agriculture (USDA)), the owner of the building is responsible for ensuring the rental unit meets the requirements of this chapter as well as the minimum requirements set forth by the funding agency.