City of Farmington Council Proceedings

A regular meeting of the City Council of the City of Farmington was held on November 5, 1962.

Meeting was called to order by Mayor Lindbert at 8:00 p.m.

ROLL CALL: Councilmen Brotherton, Forrest, Lindbert, Peterson, Thayer, present.

CITY OFFICIALS PRESENT: City Manager Dinan, Acting Clerk Dinan, Attorney Kelly, and Chief DeVriendt.

Minutes of Previous Meeting

Motion by Brotherton, supported by Peterson, to approve the minutes of the regular meeting October 15, 1962, and the special meeting October 26, 1962, as published. Motion carried, all ayes.

Proclamation National Book Week, November 11 thru November 17, 1962:

Mayor Lindbert proclaimed National Book Week, November 11 thru November 17, 1962, by reading a proclamation urging citizens to join the Farmington Friends of the Library to provide adequate service for increased demand.

Presentation of Award to Gordon Harlan, United Nations Day Chairman.

Mayor Lindbert presented award to Gordon Harlan, Chairman, United Nations Day, thanking him for his services at the tree planting ceremony. Mr. Harlan in turn thanked the Council and expressed appreciation for City participation. He stated that more people were being reached and interested in observing Unity Day.

Minutes of Other Boards

A. Economic Development Committee Proceedings, October 31, 1962. City Manager Dinan reported the proceedings of the Economic Development Committee, October 31, 1962. The committee is in accord with the recommendation of Geo Associates' Site Feasibility Study that park property should be acquired by the City and will investigate the cost of acquisition of the Rouge River Park property from the Facilities. Motion by Brotherton, supported by Thayer, to extend the term of the Economic Development Committee to January 1, 1963. Motion carried, all ayes.

Mr. Dinan will report to Council at next meeting listing members who have served on committee for extended time.

Petitions and Communications

A. Acknowledgement of Payment of $200.00 to General Citizens Youth Guidance Committee. City Manager Dinan read letter acknowledging payment of $200.00 to General Citizens Youth Guidance Committee of Greater Farmington. Mr. Dinan explained that this was a planned expenditure in the 1962-63 Budget. Letter received and placed on file.

B. Letter from Farmington Friends Of The Library re: Open House, Library, Sunday, November 11, 1962. Letter was read by City Manager from Farmington Friends of the Library, Inc., inviting City Council to join the Board of Directors at an Open House on Sunday, November 11, 1962, from 2:00 to 5:00 p.m. and also attend annual Clinton Wilbur Lecture, November 15, 1962, at 8:00 p.m. Letter received and placed on file.

A. Report from City Manager

A. Report on Bids on Lakeway Storm Sewer. City Manager Dinan reported that three sealed bids had been received on Friday, November 2, 1962, at 2:00 p.m. for the construction of the Lakeway Storm Sewer west of Lakeway and south of Shiawassee. Parino Excavating Co., Inc., was low bidder in the amount of $9,990.00, Standford Company, $10,460.00 and Superior Installers & Excavators, $14,680.00. City Manager Dinan recommended that the the contract for the Lakeway Storm Sewer be awarded to the low bidder, Parino Excavating Co., Inc., in the amount of $9,990.00. Councilman Thayer questioned the enclosure of the storm sewer and was assured that the phase of work planned to be completed at this time was to be enclosed. Motion by Peterson, supported by Thayer, to award the bid for the construction of Lakeway Storm Sewer to the low bidder, Parino Excavating Co., Inc., in the amount of $9,990.00.

ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson, Thayer.

NAYS: None.

Motion carried.

Report Sale General Fund to Water & Sewer Fund, Land Under Water Service Bldg. Site, Nine Mile Road.

It was reported by the City Manager that inasmuch as the Water & Sewer Department was utilizing land which was jointly using City-owned land on Nine Mile Road with the Department of Public Works they should be required to pay one half the market value of the land as an asset to the Water & Sewer Fund. City Manager Dinan recommended that appraised value based on similar sites in the area established a price so that the Water & Sewer Fund's share would be $9,000.00.

Motion by Brotherton, seconded by Forrest, to approve the sale of ½ land site Department of Public Works and Water Service Building on Nine Mile Road to the Water & Sewer Fund in the amount of $9,000.00 for the following described property:

Beginning at the South ¼ corner, Section 26, T1N, R9E, N. 33 ft.; th. N. 87° 55' 05" E. 1601.15 ft. to POB; th. N. 2° 29' 05" W. 475.9 ft.; th. S. 87° 28' 55" E. 238.52 ft.; th. S. 2° 29' 05" E. 475.9 ft.; th. S. 87° 55' 05" W. 221.68 ft. to POB. Comprising 2.25 acres more or less.

ROLL CALL:

AYES: Forrest, Lindbert, Peterson, Thayer, Brotherton.

NAYS: None.

Motion carried.

Report on Establishing Rate of Interest of Advance of $4,790.67 from General Fund to Water & Sewer Fund, 1960 Water Improvement Bond Issue.

City Manager Dinan recommended that City Council approve the establishment of an Accounts Receivable in the amount of $4,790.67 from the Water & Sewer Fund to the General Fund for the advance made by the General Fund, June 30, 1961, for 1960 Water Improvement Bond Issue payment.

Motion by Peterson seconded by Brotherton that establishment of an Accounts Receivable in the amount of $4,790.67 from the Water & Sewer Fund to the General Fund for the advance made by the General Fund, June 30, 1961, for 1960 Water Improvement Bond Issue payment be approved.

Roll Call: Ayes: Lindbert, Peterson, Thayer, Brotherton, Forrest. Nays: None. Motion carried.

Report on Sale of Township Property.

City Manager Dinan reported that the appraisal team had completed their appraisal of the Township Hall property. He stated that the property would be offered for sale by Council in C-2, General Commercial.

He recommended that the Council refer the rezoning of this property, Lot 52, Assessor's Plat No. 7, to the Planning Commission for a Public Hearing. Hearing.

Mr. W. Allen Nelson, 23708 Warner St., requested the Council to make known the appraised value of the Township Hall property. He stated people were interested in knowing point of value and the Council should be prepared to keep public documents secreted.

It was explained that publicizing the appraised value may be detrimental to the sale of the property, therefore, it is not going to be disclosed at this time.

Motion by Forrest supported by Brotherton, to refer Lot 52, Assessor's Plat No. 7, to the Planning Commission for recommendation on rezoning from R-1-P, Residential One Family Dwelling, to C-2, General Commercial.

Roll Call: Ayes: Peterson, Brotherton, Forrest, Lindbert. Nays: Thayer. Motion carried.

Motion by Brotherton supported by Forrest that the City of Farmington authorize the sale of the City's interest in the Township Hall property to be sold to the highest bidder with specifications, notice of bids developed by the Farmington Township subject to the joint approval of the three principals involved.

B. Letter from Farmington Friends Of The Library re: Open House, Library, Sunday, November 11, 1962. Letter was read by City Manager from Farmington Friends of the Library, Inc., inviting City Council to join the Board of Directors at an Open House on Sunday, November 11, 1962, from 2:00 to 5:00 p.m. and also attend annual Clinton Wilbur Lecture, November 15, 1962, at 8:00 p.m. Letter received and placed on file.

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ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson, Thayer.

NAYS: None.

Motion carried.

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ROLL CALL:

AYES: Forrest, Lindbert, Peterson, Thayer, Brotherton.

NAYS: None.

Motion carried.

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Roll Call: Ayes: Lindbert, Peterson, Thayer, Brotherton, Forrest. Nays: None. Motion carried.

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Motion by Forrest supported by Brotherton, to refer Lot 52, Assessor's Plat No. 7, to the Planning Commission for recommendation on rezoning from R-1-P, Residential One Family Dwelling, to C-2, General Commercial.

Roll Call: Ayes: Peterson, Brotherton, Forrest, Lindbert. Nays: Thayer. Motion carried.

Motion by Brotherton supported by Forrest that the City of Farmington authorize the sale of the City's interest in the Township Hall property to be sold to the highest bidder with specifications, notice of bids developed by the Farmington Township subject to the joint approval of the three principals involved.

Roll Call: Ayes: Brotherton, Forrest, Lindbert, Peterson. Nays: Thayer. Motion carried.

Report on Approval of Federal Grant $62,500.00 for New Municipal Building.

City Manager Dinan advised the Council that the City of Farmington had received approval on their application for Federal Grant in the amount of $62,500.00 for construction of a municipal building to provide facilities for police, fire, municipal court and administrative offices. He stated that it was necessary to appoint an architect and enter into formal agreement with the Federal Government and proceed with plans and specifications so that bids could be let within 60 to 90 days. He recommended that John Allen, Architect, be appointed as the architect because he had developed preliminary plans as part of the application that was necessary prior to approval. John Allen is a local resident who has done previous work satisfactorily and having spent extensive time on the preliminary plans would be in a position to expedite work to conform with the intent of the legislation. Mr. Allen stated that he would do this work in the amount of $6,000.00 as specified on our application to the Federal Government.

Councilman Forrest questioned the appointment of an architect with fee of more than $1,000.00 to be in conformance with the intent of the Charter and requested an opinion from the City Attorney.

It was the City Attorney's opinion that professional services are excepted, referring to Farmington City Charter, Section 12.1.

Motion by Thayer seconded by Peterson to appoint John Allen, Architect, as the architect for the proposed construction of the municipal building in the amount of $6,000.00.

Roll Call: Ayes: Forrest, Lindbert, Peterson, Thayer, Brotherton. Nays: None. Motion carried.

Mr. John Allen was in attendance and promised to work within the allotted budget. He stated that a model of the type of building would be made up before drawings were started. A meeting with the City Council, City Manager and Architect has been planned following the next regular meeting, November 19, 1962.

Miscellaneous

A. Request of Mr. Davis Wyman, 23301 Farmington Rd. to Move Existing Building to North 75 ft. of Outlot "A," Assessor's Hatton Gardens Sub.

City Manager Dinan designed location of Outlot "A", Assessor's Hatton Gardens Sub. as the east side of Cass Ave. between State St. and Alta Loma. A basement, bedroom and family room would be added as well as rebricking exterior to conform with building requirements.

Mr. David Wyman, 23301 Farmington Rd. to move existing house to north 75 feet of Outlot "A", Assessor's Hatton Gardens Subdivision, to be held at 7:30 p.m., November 19, 1962. Motion carried, all ayes.

B. Complaint on Truck Parking. Mr. Mack Francis, 22745 Hawthorne, complained about receiving violation on parking truck on his driveway. It was explained to Mr. Francis that the ordinance was adopted to protect property values in all parts of the City. The firm that Mr. Francis complained about was not located in the City. The Council is not empowered to make exceptions to an ordinance.

C. Sunday Store Hours.

Councilman Forrest stated that the new store in the community has scheduled store hours on Sunday from 10:00 a.m. to 4:00 p.m. and requested the Council to give serious consideration to regulation of stores other than drug and grocery stores being open on Sunday.

City Manager Dinan stated that it would be necessary to establish an ordinance to prohibit Sunday store hours.

Mayor Lindbert instructed the City Manager to request this store not to be open on Sunday and report to Council at next meeting.

D. Redraft of City Code Section.

Councilman Forrest suggested amending Chapter 17, Section 2.4 of Farmington City Code relative to water from a faucet being left at the curb after 7:00 a.m. on Sunday or being placed for pickup before 7:00 p.m. on Sunday.

City Attorney Kelly was instructed by Council to redraft this section of the ordinance for Council approval on November 19, 1962.

Questions referring to garbage and rubbish pickup should be answered by calling the City office.

Resolutions & Ordinances

A. Adoption of Housing Code.

Motion by Thayer supported by Brotherton to adopt the following ordinance:

ORDINANCE NO. C-171-62

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW CHAPTER TWELVE TO BE DESIGNATED AS CHAPTER 84 OF TITLE VIII BUILDING REGULATIONS "HOUSING CODE" AN ORDINANCE TO REPEAL SECTIONS 100.6 100.7 100.71, 100.72 CHAPTER 79 TITLE VIII OF THE CODE CITY OF FARMINGTON.

An Ordinance establishing minimum standards governing the condition and maintenance of dwellings: establishing minimum standards governing supplied utilities and equipment; other physical things and conditions essential to insure that dwellings are safe, sanitary, and fit for human habitation; establishing minimum standards governing the condition of dwellings offered for rent; fixing certain responsibilities and duties of owners and occupants of dwellings; authorizing the inspection of dwellings, and the condemnation of dwellings unfit for human habitation; demolition of such dwellings; and prescribing penalties for violation.

Whereas, in the City of Farmington, there are, or may in the future be, dwelling structures which are so dilapidated, unsanitary, unsafe, unhygienic, or unsanitary as to constitute a menace to the health and safety of the people of the City of Farmington;

THE CITY OF FARMINGTON ORDAINS:

Article 1. Purpose and Application.

Section 8.101. (1) Purpose—The purpose of this ordinance is to arrest, remedy and prevent the decay and deterioration of places of habitation and to eliminate slums and blighted neighborhoods by providing minimum requirements for places of habitation for the protection of the life, health, welfare, safety and property of the general public and the owners and occupants of places of habitation.

(2) Application —The provisions of this ordinance shall apply to all dwellings; and to all persons, firms, partnerships, associations and corporations owning, occupying or having control or management of any building or premises used for dwelling purposes which are located within the City of Farmington.

Section 8.102. Definitions — For the purpose of this ordinance certain terms used herein are hereby defined. Words not inconsistent with the context, words used in the present tense include the future, the plural include the singular number. The words "shall" and "will" are mandatory and not directory.

(1) APPROVED, unless otherwise specified, shall mean accepted by the health officer.

(2) BOARD OF APPEALS shall be the Zoning Board of Appeals. The Board shall consist of five (5) members appointed by the City Council and shall serve three year terms.

(3) BASEMENT OR CELLAR shall mean a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

(4) CLOSET shall mean a built in storage space with a minimum depth of two feet and a minimum width of three feet for clear clothes hanging space of at least five feet in height. It may or may not be

Motion by Peterson supported by Thayer to establish a hearing on the request provided with a door.

(5) DWELLING shall mean any house, building, or structure, tent, shelter, trailer, mobile unit, or vehicle, or portion thereof, which is wholly or partly used or intended for living or sleeping by human occupants either permanently or transiently.

(6) DWELLING UNIT shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(7) 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, trapping, fumigating; or by any other approved processes not otherwise prohibited by the health officer.

(8) GARBAGE shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and the serving of food.

(9) HABITABLE ROOM shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, communicating corridors, closets, and storage space.

(10) HEALTH OFFICER shall mean the Director of the Oakland County Health Department or his authorized representative, or City of Farmington Building Inspector and Director of Public Safety or their authorized representatives.

(11) INFESTATION shall mean the presence, within or around a dwelling, of any insects, rodents, or other pests.

(12) MULTIPLE DWELLING shall mean any dwelling containing more than two (2) dwelling or rooming units.

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

(14) 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.

(15) ORDINARY MINIMUM WINTER CONDITIONS shall mean the temperature as defined in the Farmington Heating Code.

(16) OWNER shall mean any person who, alone or jointly or severally with others shall:

1. Shall have legal title or a purchaser's interest in a land contract to any dwelling or dwelling unit, building or premises with or without accompanying actual possession thereof; or

2. Shall have charge, care, or control of any dwelling unit, as owner agent of the owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this ordinance.

(17) PERSON shall mean and include any individual, firm, corporation, association, or partnership.

(18) PLUMBING shall mean and include all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clotheswashing machines, hot water heaters, catch basins, drains, vents, and any other similar fixtures, and the connections, other with all connections to water, sewer, or gas lines.

(19) PREMISES shall mean any lot or parcel of land including the building thereon and appurtenances thereto.

(20) ROOMING HOUSE shall mean any dwelling, or that part of any dwelling containing more than two rooming units or in which space is let by the owner or operator to three or more persons.

(21) ROOMING UNIT shall mean any room or group of rooms forming a single habitable unit used or intended for living and sleeping but not for cooking purposes.

(22) RUBBISH shall mean 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, leaves, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust, and all similar items not herein specifically excepted.

(23) SUPPLIED shall mean paid for, furnished, or provided by or under the control of, the owner or operator.

(24) MEANING OF CERTAIN WORDS. Whenever the words "dwelling," "dwelling unit," "rooming unit," "premises," are used in this ordinance, they shall be construed as though they were followed by the words "or any part thereof."

Article 2. Administration and Enforcement.

Section 8.103. Inspection Authorized. The health officer is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the City of Farmington, in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections the health officer is hereby authorized according to law to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit, and rooming unit, or the person in charge thereof, shall give the health officer, or his agent or employee, access to any part of such dwelling or dwelling unit or 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 any lawful order issued pursuant to the provisions of this ordinance.

Section 8.104. Emergency Clause. Whenever the health officer finds that an emergency exists which requires immediate action to protect the health or safety of the public he shall, without notice of hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency.

Notwithstanding the other provisions of this ordinance, such order shall be effective immediately. After receipt by whom such order is directed shall comply therewith immediately.

Section 8.105. Service of Notices and Orders. Except for Section 8.118 (21) Paragraph 2. Whenever the health officer determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance or of any amendment adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefor, as hereinafter provided. Such notice shall:

(1) Be put in writing;

(2) Include a statement of the real estate sufficient for purposes of identification;

(3) Specifically set forth the violation and when satisfaction is necessary, include the alterations or repairs necessary to comply with the requirement of the housing ordinance;

(4) Specify a reasonable time for compliance;

(5) Include a complete statement of the rights of the violator to a hearing before the health officer, and the manner in which this appeal should be accomplished;

(6) Be served upon the owner or his agent, or the occupant, as the case may require: PROVIDED, that if the notice shall be deemed to be properly served upon such occupant, if he is served personally, or if a copy thereof is sent by certified mail addressed to such occupant to his last known address, and if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of the State of Michigan.

Section 8.106. Hearing. Requests for. Except for Section 8.118 (21) Paragraph 2, any person affected by any notice which has been issued in connection with the enforcement of any provisions of this ordinance may request and shall be granted a hearing before the Board of Appeals: PROVIDED, that such person shall file in the office of the health officer a written application with $10.00 fee requesting such hearing and setting forth a brief statement of the grounds therefor within 10 days after the notice was served. Upon receipt of such application the health officer shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 30 days after the day on which the application was filed; provided that upon application of the petitioner the health officer may postpone the date of the hearing for a reasonable time beyond such 30 day period, if in his judgment the petitioner has submitted a good and sufficient reason for such postponement. If the violator does not appear for the hearing, the provisions of this ordinance shall be enforced.

Section 8.107. Hearings, Actions Taken by the Health Officer. After such hearing the Board of Appeals shall sustain, modify or withdraw the notice, depending upon their findings as to whether the provisions of this ordinance have been complied with. If the Board of Appeals sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to Section 8.105 of this ordinance shall automatically become an order if a written application for a hearing is not filed in the office of the health officer within 10 days after such notice is served. After hearing in the case of any notice suspending any permit required by this ordinance, when such notice has been sustained by the Board of Appeals, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if an application for a hearing is not filed in the office of the health officer within 10 days after such notice is served.

Section 8.108. Hearing, Records and Court Appeal. The proceedings at such hearing, including the findings and decision of the Board of Appeals, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the health officer. Such record shall also include a copy of every order issued in connection with the matter. Any person aggrieved by the decision of the Board of Appeals may seek relief therefrom in any court of competent jurisdiction, as provided by the law, of this state.

Section 8.109. Denial of Permits and License. Any person who shall have the same rights as a violator and shall be entitled to a hearing before the Board of Appeals in the manner as prescribed under Section 8.106 of this ordinance.

Section 8.110. Amendments. The health officer may make recommendations for changes or additions to the ordinance to the City Manager for his approval and then to the City Clerk of the City of Farmington, who shall present the proposed changes to the Farmington City Council for appropriate action.

Section 8.111. Condemnation. Any dwelling, dwelling unit, or rooming unit shall be condemned and posted as unfit for human habitation by the health officer if the owner or his agent fails to comply with the violation notice prescribed under Section 8.105 of this ordinance and having any of the following defects:

(1) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City of Farmington.

(2) Those which have become or are so dilapidated, decayed, unsafe, unsanitary, so as to work injury to the health, safety or general welfare of those living therein.

(3) Those having light, air or sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

(4) Those having inadequate means of egress as required by Section 8.118 (7) of this ordinance.

(5) Those which have parts thereof which are so attached that they may fall and cause bodily injury.

Section 8.112. Placarding. Whenever a dwelling, dwelling unit or rooming unit has been condemned in accordance with Section 8.111 of this ordinance, the health officer shall post on the premises a placard, or placards bearing the following words: "CONDEMNED AS UNFIT FOR HUMAN HABITATION."

Section 8.113. Vacating. Whenever it shall be found by the health officer that a dwelling, dwelling unit or rooming unit is "unfit for human habitation," he shall order such dwelling, dwelling unit or rooming unit vacated. A copy of such order shall be posted on the front of the dwelling at least 10 days before it shall be effective, unless the situation is of a character requiring immediate action, in which case the effective time of the order in the judgment of the health officer is reasonable and proper. A copy of such order shall be sent to the owner of the property, if his name and address, or diligent search can be ascertained. The dwelling, dwelling unit or rooming unit so ordered to be vacated shall not again be occupied until a written statement shall have been secured from the health officer, showing that the dwelling, dwelling unit or rooming unit has been made to comply with this or any other existing law.

Section 8.114. Vacating—Non Compliance. In the event any owner or agent fails to comply with Section 8.113 of this ordinance, the health officer may cause the order to be enforced at the expense of the City of Farmington and recovered in an appropriate proceeding in either the Farmington Municipal Court or Circuit Court and after judgment, collection may be had as provided in Section 8.117 of this ordinance.

Section 8.115. Placard Removal. Any person removing a condemnation or vacate notice without authorization from the health officer shall be in violation of this ordinance.

Section 8.116. Order to Demolish. Any dwelling which is not repaired or rehabilitated within six (6) months of the date on which it was "condemned as unfit for human habitation" may be ordered demolished and removed. If the owner or agent fails to comply with the order to demolish, the health officer shall notify the City Manager, who shall then take such action as may be necessary to effectuate the purpose of this ordinance.

Section 8.117. Liens. Every cost incurred by the City of Farmington in vacating, demolishing or removing a dwelling pursuant (Sections 8.114, 8.116) to this ordinance, and approved by the Court upon the owner of a dwelling or of a structure on the same lot with a dwelling, or of a lot, shall be a lien upon the real property in relation to which the judgment is imposed from the time of filing of a certified copy of the cost or judgment in the office of the Register of Deed of the county in which the dwelling is situated, subject only to taxes, assessments and water rates and to such mortgage and mechanical liens as may exist thereon prior to the filing. The incumbent official upon the entry of the judgment, forthwith shall file a copy of the judgment, which shall be indexed by the Register of Deeds in the index of mechanics' liens.

Article 3. Minimum Standards.

Section 8.118. Dwellings: health and sanitation regulations. 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:

(1) Kitchen Sink — Every dwelling unit shall contain a kitchen sink which is connected to a water and sewer system approved by the health officer.

(2) Water Closet, Lavatory, Bath — Every dwelling shall shall contain a room which affords privacy to a person within said room and which is equipped with a flush water closet, a lavatory basin and a bathtub or shower connected to a water and sewer system approved by the health officer.

(3) Kitchen Facilities — Every kitchen sink, lavatory basin, and facilities shall be connected with both hot and cold water lines. An adequate amount of water of at least 150 degrees F shall be available at all times at every required kitchen sink, lavatory basin, bathtub or shower and at supplied laundry facilities and supplied location for laundry facilities.

(4) Garbage Storage Facilities.—Every dwelling unit shall be supplied with adequate garbage storage facilities, the type and location of which are approved by the health officer. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling containing two (2) or more dwelling units. In all other cases it shall be the responsibility of the occupant to furnish such facilities or containers.

(5) Rubbish Storage Facilities. — Every dwelling shall be supplied with adequate rubbish storage facilities, the type and location of which are approved by the health officer. It shall be the responsibility of the owner to supply such facilities or containers for rooming houses and dwellings containing two (2) or more dwelling units. In all other cases it shall be the responsibility of the occupant to furnish such facilities or containers.

(6) Means of Egress.—Every dwelling unit shall have two (2) means of egress remote from each other. Every dwelling unit and rooming unit shall have safe and unobstructed means of egress leading to an open space that leads to a public street or alley as required by the laws of the state and the City of Farmington.

(7) Window Light. — Every habitable room shall have at least one window or skylight opening directly to the outside. The minimum total window area, measured between stops, for every habitable room shall be equal to 10 per cent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstructing structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to be open directly to the outdoors and shall not be included in computing the required minimum total window area. Whenever the only window in the room is a skylight type window at the top of such room, the total window area of such skylight shall equal, at the ceiling opening, at least 15 per cent of the floor area of the total floor area of such room.

(8) Ventilation. — Every habitable room shall have at least one window or skylight which can be easily opened to provide adequate ventilation, except where there is some other device or method affording adequate ventilation approved by the health officer.

(9) Bathroom Light and Ventilation. — Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms, except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with an exhaust system approved by the electrical inspector.

(10) Heating Facilities. — Every dwelling shall have heating facilities which are properly installed, are maintained in a safe and good working condition, and 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 seventy (70) degrees Fahrenheit, at a distance three (3) feet above the floor level, under ordinary minimum winter conditions.

(11) Electrical Service. — Every room shall contain at least one ceiling or wall type lighting fixture or a switch controlled electrical outlet, and in addition thereto, be provided with electrical outlets in ratio to electrical service and appliances located therein, without using unapproved wiring methods. Every outlet, switch and fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to an adequate source of power. Cords to appliances and devices shall not run through doorways, door casings, holes in partitions or floors, under rugs or be fastened to wall bases. Cords to appliances and devices shall be installed or located in accordance with the requirements of the electrical code for the City of Farmington. All electrical installations and repairs shall be made in a manner approved by the electrical inspector.

(12) Public Halls and Steirways—Lighting.—Every public hall and stairway in every multiple dwelling containing four (4) or more dwelling or rooming units shall be adequately lighted at all times. Every public hall and stairway in structures used exclusively as dwellings and containing not more than three (3) units, and rooming units shall be supplied with conveniently located light switches, controlling an adequate lighting system which shall be maintained in good condition when needed.

(13) Screens. — During that portion of the year when the health officer deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling, dwelling unit, rooming unit or a public area to a building shall be supplied with screens and a self closing device; and every window or other devices which opens directly to outside space, used or intended to be used for ventilation, shall be supplied with screens.

Every basement or cellar window used or intended to be used for ventilation, and every door opening to a basement which might provide entry for rodents shall be supplied with a screen or such other devices as effectively preclude such entry.

All screens required under the provisions of this ordinance shall be supplied by the owner.

(14) Interior Walls and Ceiling. — Every floor, wall and ceiling shall be weathertight, watertight and rodent proof, shall be capable of affording privacy, and every room shall be constructed of a building material approved for the purpose used; and shall be kept in good repair.

(15) Building Exterior — Every foundation, roof and exterior wall shall be weathertight, watertight and rodent proof; shall be constructed of a building material approved for the purpose used; and shall be kept in good repair.

(16) Exterior Openings. — Every window, exterior door and basement hatchway shall be watertight, weathertight and rodent proof and shall be kept in sound working condition and good repair.

(17) Stairs and Porches. Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be capable of supporting the loads that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair. Rails and banisters shall be firmly fastened to all porches and stairs when the safety of the user would require such protection; and shall be kept in sound condition and good repair.

(18) Plumbing. — All plumbing shall be properly installed and maintained in a safe and good sanitary working condition, free from defects, leaks and obstructions. All installations and repairs shall be made in a manner approved by the plumbing inspector.

(19) Bathroom and Kitchen Floors. — Every water closet compartment, bathroom and kitchen floor surface shall be constructed and maintained so as to be impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(20) Supplied Facilities. — Every supplied facility, piece of equipment or utility which is required under this ordinance shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.

No owner, operator or occupant shall cause any service, facility, equipment or utility required under this ordinance to be removed from or shut off from or discontinued in any occupied dwelling or dwelling unit; PROVIDED, that except for such temporary interruptions as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the health officer.

(21) Sanitation Prerequisite. — No owner shall occupy or let to any other occupant any vacant dwelling, dwelling unit, rooming unit or premises, unless it is clean, sanitary and fit for human habitation as required by this ordinance.

(22) Living Space. — Every dwelling and every dwelling unit shall contain at least 150 sq. ft. of floor space for the first occupant thereof, and at least 100 additional sq. ft. of floor space for each additional occupant thereof, the floor space to be calculated on the basis of total habitable room area. In no case shall any private dwelling be occupied which does not contain at least 650 sq. ft. of habitable room area.

(23) Sleeping Space. — In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 90 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 150 square feet of floor space for each occupant thereof.

(24) Traffic. — No dwelling or dwelling unit containing two (2) or more sleeping rooms shall be so arranged that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room, nor shall rooms be so arranged that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room, nor shall rooms be so arranged that access to a sleeping room can be had only by going through another sleeping room or a bathroom or a water closet compartment.

(25) Closet, Storage Space.— (A) Each Sleeping room shall have at least one closet. (B) Each dwelling unit in bedroom dwellings shall have storage and bedroom closets, shall have interior storage space of at least fifty (50) cubic feet for the first bedroom and forty (40) cubic feet for each additional bedroom. Such interior storage space shall be easily accessible and of such dimensions as to be useable. Shelf storage space in bedroom closets and built-in storage space located in the basement or utility room may be counted in the determination of this requirement.

(26) Cooking, Sleeping in Same Room. — Where more than two (2) persons occupy any dwelling unit, food shall not be prepared or cooked in any room used for sleeping purposes.

(27) Kitchen, Shared Use Prohibited. — No kitchen or cooking accommodations shall be permitted or maintained in any room or space of any dwelling for the common or joint use of the individual occupants of a rooming house, two (2) family or multiple family dwelling.

(28) Ceiling Height. — Not less than one half of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet; and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the total habitable floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

Section 8.119. Basement. No basement space shall be used as a habitable room or dwelling unit unless:

(1) The floors and walls are impervious to leakage of underground and surface water and are installed against dampness;

(2) The total window area in each room is equal to at least the minimum window area as required in Section 8.118 (8) of this ordinance;

(3) The required minimum window area is located entirely above the grade of the