

# Portland, Oregon

## Housing Code – Healthy Home Provisions

### Chapter 29.05 Title, Purpose and Scope

#### 29.05.010 Title.

Title 29 of Portland City Code shall be known as the “Property Maintenance Regulations.”

#### 29.05.020 Purpose.

The purpose of this Title is to protect the health, safety and welfare of Portland citizens, to prevent deterioration of existing housing, and to contribute to vital neighborhoods by:

- A. Establishing and enforcing minimum standards for residential structures regarding basic equipment, facilities, sanitation, fire safety, and maintenance.
- B. Establishing and enforcing minimum standards of maintenance for outdoor areas and adjacent rights of way.
- C. Regulating and abating dangerous and derelict buildings.

#### 29.05.030 Scope.

The provisions of this Title shall apply to all property in the City except as otherwise excluded by law.

#### 29.05.040 Application of Titles 24, 25, 26, 27, 28, and 33.

Any alterations to buildings, or changes of their use, which may be a result of the enforcement of this Title shall be done in accordance with applicable Sections of Title 24 (Building Regulations), Title 25 (Plumbing Regulations), Title 26 (Electrical Regulations), Title 27 (Heating and Ventilating Regulations), Title 28 (Floating Structures), and Title 33 (Planning and Zoning) of the Code of the City of Portland.

### Chapter 29.10 Definitions

#### 29.10.010 General.

For the purpose of this Title, certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this Chapter. “And” indicates that all connected items or provisions apply. “Or” indicates that the connected items or provisions may apply singly or in combination. Terms, words, phrases and their derivatives used, but not specifically defined in this Title, either shall have the meanings defined in Title 24, or if not defined, shall have their commonly accepted meanings.

#### 29.10.020 Definitions.

The definitions of words with specific meaning in this Title are as follows:

- F. **Basement.** The usable portion of a building which is below the main entrance story and is partly or completely below grade.
- T. **Dwelling Classifications.** Types of dwellings covered by this Title include:
  1. **Single-Family Dwelling.** A structure containing one dwelling unit.
  2. **Two-Family Dwelling.** A structure containing two dwelling units, also known as a “duplex.”
  3. **Apartment House.** Any building or portion of a building containing three or more dwelling units, which is designed, built, rented, leased, let, or hired out to be occupied for residential living purposes.

## Portland, Oregon Housing Code – Healthy Home Provisions

4. **Hotel.** Any structure containing six or more dwelling units that are intended, designed, or used for renting or hiring out for sleeping purposes by residents on a daily, weekly, or monthly basis.
5. **Motel.** For purposes of this Title, a motel shall be defined the same as a hotel.
6. **Single-Room Occupancy Housing Unit.** A one-room dwelling unit in a hotel providing sleeping, cooking, and living facilities for one or two persons in which some or all sanitary or cooking facilities (toilet, lavatory, bathtub or shower, kitchen sink, or cooking equipment) may be shared with other dwelling units.
7. **Manufactured Dwelling.** The term “manufactured dwelling” includes the following types of single-family dwellings as noted below. Manufactured Dwelling does not include any unit identified as a recreational vehicle by the manufacturer:
  - a. **Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed before January 1, 1962.
  - b. **Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
  - c. **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations.
8. **Floating Home.** A floating structure used primarily as a dwelling unit. Application of this Title shall be modified for floating homes, when appropriate, by nautical application and tradition as defined in Portland City Code 28.01.020.
- X. **Extermination.** The elimination of insects, rodents, vermin or other pests at or about the affected building.
- EE. **Infestation.** The presence within or around a dwelling of insects, rodents, vermin or other pests to a degree that is harmful to the dwelling or its occupants.
- OO. **Maintained compost area.** A small portion of a property set aside for the purpose of encouraging the rapid decomposition of yard debris and other vegetable matter into a suitable fertilizer for the soil on the property. A maintained compost area shows clear indicators that the yard debris placed there is being actively managed to encourage its rapid decomposition. Possible signs of such active management may include evidence of regular turning, a mixture of yard debris types, any woody materials present having been chopped into small sizes, and the presence of internal heat in the composting mixture. A location where yard debris is placed primarily as a means to store it or dump it without reasonable expectation of rapid decomposition is not a maintained compost area.
- DDD. **Residential Property.** Real property and all improvements or structures on real property used or intended to be used for residential purposes including any residential structure, dwelling, or dwelling unit as defined in this chapter and any mixed-use structures which have one or more

## Portland, Oregon Housing Code – Healthy Home Provisions

dwelling units. Hotels that are used exclusively for transient occupancy, as defined in this Title, are excluded from this definition of residential property.

- EEE. Residential Rental Property.** Any property within the City on which exist one or more dwelling units which are not occupied as the principal residence of the owner.
- FFF. Residential Structure.** Any building or other improvement or structure containing one or more dwelling units as well as any accessory structure. This includes any dwelling as defined in this Title.
- LLL. Stagnant Water.** Any impoundment of water in which there is no appreciable flow of water through the impoundment and the level of water does not vary during any 48-hour period.

### Chapter 29.20 Property Nuisances

#### 29.20.010 Outdoor Maintenance Requirements.

It is the responsibility of the owner of any property, improved or unimproved, to maintain the outdoor areas of the property and adjacent rights of way in a manner that complies with the following requirements:

- A. Holes, tanks, and child traps.** Remove, or fill where filling will abate the nuisance, all holes, cisterns, open cesspools, open or unsanitary septic tanks, excavations, open foundations, refrigerators, freezers, or iceboxes with unlocked attached doors and any other similar substance, material or condition which may endanger neighboring property or the health or safety of the public or the occupants of the property.
- B. Unsecured structures.** Board over or otherwise secure, and keep boarded over or otherwise secured, all open or broken exterior doors, windows, or apertures of any structure so as to prevent access by unauthorized persons through such openings.
- C. Rat harborage.** Remove or repair, and keep removed or repaired, any condition that provides a place where rats gain shelter, feed, or breed.
- D. Emergency access routes.** Remove and keep removed all brush, vines, overgrowth and other vegetation located within 10 feet of a structure or within 10 feet of a property line which is likely to obstruct or impede the necessary passage of fire or other emergency personnel.
- E. Thickets that conceal hazards.** Cut and remove and keep cut and removed all blackberry vines and other thickets when such growth is found to be:
  - 1. Concealing trash and debris; or
  - 2. Creating rat harborage; or
  - 3. Creating harborage for people involved in criminal activity or for products used for criminal activity.
- F. Overgrown lawn areas.** Cut and remove and keep cut and removed all weeds and grass that are located in lawn areas and have a prevailing height of more than 10 inches.
- G. Trash and debris.** Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:
  - 1. All garbage, offal, dead animals, animal and human waste, and waste materials (All garbage shall be stored as specified in Section 29.30.140);
  - 2. Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, or trash;
  - 3. All dead bushes, dead trees, and stumps with the exception of such material which:
    - a. Is being maintained as part of a naturescaped property;

## Portland, Oregon Housing Code – Healthy Home Provisions

- b. Does not result in a nuisance as otherwise defined in this chapter; and
  - c. Is located on a property which is otherwise substantially in compliance with this chapter;
  - 4. All trees which are dying and are determined by the City Forester to require removal in order to safeguard people or property;
  - 5. Accumulations of dead organic matter and yard debris, with the exception of small accumulations of such material in a maintained compost area on the property and only if such material does not result in a nuisance, such as creating rat harborage, as otherwise defined in this chapter; and
  - 6. Accumulations of clothing and any other items not designed for outdoor storage.
- H. Storage of non-trash items.** Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:
- 1. Accumulations of wood pallets.
  - 2. All firewood that is not stacked and useable. “Useable” firewood has more wood than rot and is cut to lengths that will fit an approved fireplace or wood stove on the property.
  - 3. Accumulations of vehicle parts or tires.
  - 4. All construction materials, except those that are stored in a manner to protect their utility and prevent deterioration and are reasonably expected to be used at the site.
  - 5. All appliances or appliance parts except for storage of appliances that are reasonably expected to be used at the site and are stored in a manner to protect their utility and prevent deterioration.
  - 6. All indoor furniture except that which is stored in a manner to protect its utility and prevent deterioration and is reasonably expected to be used at the property.
  - 7. All recycling materials except for reasonable accumulations (amounts consistent with a policy of regular removal) that are stored in a well-maintained manner.
  - 8. All other non-trash items which:
    - a. Are of a type or quantity inconsistent with normal and usual use; or
    - b. Are likely to obstruct or impede the necessary passage of fire or other emergency personnel.

### 29.20.020 Other Endangering Conditions.

It is the responsibility of the owner of any property, improved or unimproved, to remove or repair:

- A. Any damage to or failure of an on-site sewage disposal system, private sewer line, or rain drain system, and
- B. Any other substance, material or condition which is determined by the Director to endanger neighboring property, the health or safety of the public, or the occupants of the property.

### 29.20.030 Nuisance Defined, Summary Abatement Authorized.

All conditions in violation of Sections 29.20.010 and 29.20.020 of this Title shall constitute a nuisance. Any person whose duty it is to correct such conditions and who fails to do so shall be subject to charges according to the Fee Schedule approved by the City Council. In cases where the Director determines that it is necessary to take immediate action in order to meet the purposes of this Title, summary abatement of such nuisances is authorized.

# Portland, Oregon

## Housing Code – Healthy Home Provisions

### Chapter 29.30 Housing Maintenance Requirements

[29.30.005 General.](#)

[29.30.010 Display of Address Number.](#)

[29.30.020 Accessory Structures.](#)

[29.30.030 Roofs.](#)

[29.30.040 Chimneys.](#)

[29.30.050 Foundations and Structural Members.](#)

[29.30.060 Exterior Walls and Exposed Surfaces.](#)

[29.30.070 Stairs and Porches.](#)

[29.30.080 Handrails and Guardrails.](#)

[29.30.090 Windows.](#)

[29.30.100 Doors.](#)

[29.30.110 Interior Walls, Floors, and Ceilings.](#)

[29.30.120 Interior Dampness.](#)

[29.30.130 Insect and Rodent Harborage.](#)

[29.30.140 Cleanliness and Sanitation.](#)

[29.30.150 Bathroom Facilities.](#)

[29.30.160 Kitchen Facilities.](#)

[29.30.170 Plumbing Facilities.](#)

[29.30.180 Heating Equipment and Facilities.](#)

[29.30.190 Electrical System, Outlets, and Lighting.](#)

[29.30.200 Ceiling Heights.](#)

[29.30.210 Sleeping Room Requirements.](#)

[29.30.220 Overcrowding.](#)

[29.30.230 Emergency Exits.](#)

[29.30.240 Smoke Detectors.](#)

[29.30.250 Fire Safety Conditions for Apartment Houses and Hotels of More than Two Stories.](#)

[29.30.260 Hazardous Materials.](#)

[29.30.270 Maintenance of Facilities and Equipment.](#)

[29.30.280 Swimming Pool Enclosures.](#)

[29.30.290 Special Standards for Single-Room Occupancy Housing Units.](#)

#### **29.30.005 General.**

No owner shall maintain or permit to be maintained any residential property which does not comply with the requirements of this Chapter. All residential property shall be maintained to the building, mechanical, plumbing and electrical code requirements in effect at the time of construction, alteration, or repair and shall meet the minimum requirements described in this chapter.

#### **29.30.020 Accessory Structures.**

All accessory structures on residential property shall be maintained structurally safe and sound and in good repair. Exterior steps and walkways shall be maintained free of unsafe obstructions or hazardous conditions.

## **Portland, Oregon**

### **Housing Code – Healthy Home Provisions**

#### **29.30.030 Roofs.**

The roof shall be structurally sound, tight, and have no defects which might admit rain. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building and shall channel rainwater in an approved manner to an approved point of disposal.

#### **29.30.040 Chimneys.**

Every masonry, metal, or other chimney shall remain adequately supported and free from obstructions and shall be maintained in a condition which ensures there will be no leakage or backup of noxious gases. Every chimney shall be reasonably plumb. Loose bricks or blocks shall be rebonded. Loose or missing mortar shall be replaced. Unused openings into the interior of the structure must be permanently sealed using approved materials.

#### **29.30.050 Foundations and Structural Members.**

- A. Foundation elements shall adequately support the building and shall be free of rot, crumbling elements, or similar deterioration.
- B. The supporting structural members in every dwelling shall be maintained structurally sound, showing no evidence of deterioration or decay which would substantially impair their ability to carry imposed loads.

#### **29.30.060 Exterior Walls and Exposed Surfaces.**

- A. Every exterior wall and weather-exposed exterior surface or attachment shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building.
- B. All exterior wood surfaces shall be made substantially impervious to the adverse effects of weather by periodic application of an approved protective coating of weather-resistant preservative, and be maintained in good condition. Wood used in construction of permanent structures and located nearer than six inches to earth shall be treated wood or wood having a natural resistance to decay.
- C. Exterior metal surfaces shall be protected from rust and corrosion.
- D. Every section of exterior brick, stone, masonry, or other veneer shall be maintained structurally sound and be adequately supported and tied back to its supporting structure.

#### **29.30.070 Stairs and Porches.**

Every stair, porch, and attachment to stairs or porches shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear and are broken, warped, or loose.

#### **29.30.080 Handrails and Guardrails.**

Every handrail and guardrail shall be firmly fastened, and shall be maintained in good condition, capable of supporting the loads to which it is subjected, and meet the following requirements:

- A. Handrails and guardrails required by building codes at the time of construction shall be maintained or, if removed, shall be replaced.
- B. Where not otherwise required by original building codes, exterior stairs of more than three risers which are designed and intended to be used as part of the regular access to the dwelling unit shall



## Portland, Oregon Housing Code – Healthy Home Provisions

have handrails. Interior stairs of more than three risers shall have handrails. When required handrails are installed they shall be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.

- C. Where not otherwise required by original building codes, porches, balconies or raised floor surfaces located more than 30 inches above the floor or grade below shall have guardrails. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guardrails. When required guardrails are installed, they shall be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.

### 29.30.090 Windows.

- A. Every habitable room shall have at least one window facing directly to an exterior yard or court. The minimum total glass area for each habitable room shall be 6.8 percent of the room's floor area, except for basement rooms where the minimum shall be 5 percent. This exception to the current code shall not apply where any occupancy has been changed or increased contrary to the provisions of this Title.
- B. Every habitable room shall have at least one window that can be easily opened or another approved device to adequately ventilate the room. Except where another approved ventilation device is provided, the total openable window area in every habitable room shall be equal to at least one-fortieth of the area of the room. Windows required for secondary escape purposes in sleeping rooms must also meet the requirements outlined in Subsection 29.30.090 D.
- C. Every bathroom and toilet compartment shall comply with the light and ventilation requirements for habitable rooms as required by Subsections 29.30.090 A and B, except that no window shall be required in bathrooms or toilet compartments equipped with an approved ventilation system.
- D. Windows in sleeping rooms that are provided to meet emergency escape or rescue requirements described in Section 29.30.230 A shall have a sill height of no more than 44 inches above the floor or above an approved, permanently installed step. The step must not exceed 12 inches in height and must extend the full width of the window. The top surface of the step must be a minimum of six feet from the ceiling above the step.
- E. Windows in sleeping rooms that are provided to meet emergency escape or rescue requirements described in Section 29.30.230 A shall have a minimum net clear opening at least 20 inches wide, at least 22 inches high, and, if constructed after July 1, 1974, at least five square feet in area.
- F. Every window required for ventilation or emergency escape shall be capable of being easily opened and held open by window hardware. Any installed storm windows on windows required for emergency escape must be easily openable from the inside without the use of a key or special knowledge or effort.
- G. All windows within 10 feet of the exterior grade that open must be able to be securely latched from the inside as well as be openable from the inside without the use of a key or any special knowledge or effort. This same requirement shall apply to all openable windows that face other locations that are easily accessible from the outside, such as balconies or fire escapes, regardless of height from the exterior grade.
- H. Every window shall be substantially weather-tight, shall be kept in sound condition and repair for its intended use, and shall comply with the following:
1. Every window sash shall be fully supplied with glass windowpanes or an approved substitute without open cracks and holes.

## **Portland, Oregon**

### **Housing Code – Healthy Home Provisions**

2. Every window sash shall be in good condition and fit weather-tight within its frames.
3. Every window frame shall be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as completely as possible and to substantially exclude wind from entering the dwelling.

#### **29.30.100 Doors.**

- A. Every dwelling or dwelling unit shall have at least one door leading to an exterior yard or court, or in the case of a two-family dwelling or apartment, to an exterior yard or court or to an approved exit. All such doors shall be openable from the inside without the use of a key or any special knowledge or effort. All screen doors and storm doors must be easily openable from the inside without the use of a key or special knowledge or effort.
- B. In hotels and apartment houses, exit doors in common corridors or other common passageways shall be openable from the inside with one hand in a single motion, such as pressing a bar or turning a knob, without the use of a key or any special knowledge or effort.
- C. Every door to the exterior of a dwelling unit shall be equipped with a lock designed to discourage unwanted entry and to permit opening from the inside without the use of a key or any special knowledge or effort.
- D. Every exterior door shall comply with the following:
  1. Every exterior door, door hinge, door lock, and strike plate shall be maintained in good condition.
  2. Every exterior door, when closed, shall fit reasonably well within its frame and be weather-tight.
  3. Every doorframe shall be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling.
- E. Every interior door and doorframe shall be maintained in a sound condition for its intended purpose with the door fitting within the doorframe.

#### **29.30.110 Interior Walls, Floors, and Ceilings.**

- A. Every interior wall, floor, ceiling, and cabinet shall be maintained in a clean, sanitary, safe, and structurally sound condition, free of large holes and serious cracks, loose plaster or wallpaper, flaking or scaling paint.
- B. Every toilet compartment, bathroom, and kitchen floor surface shall be constructed and maintained to be substantially impervious to water and to permit the floor to be kept in a clean and sanitary condition.

#### **29.30.120 Interior Dampness.**

Every dwelling, including basements, and crawl spaces shall be maintained reasonably free from dampness to prevent conditions conducive to decay, mold growth, or deterioration of the structure.

#### **29.30.130 Insect and Rodent Harborage.**

Every dwelling shall be kept free from insect and rodent infestation, and where insects and rodents are found, they shall be promptly exterminated. After extermination, proper precautions shall be taken to prevent reinfestation.



## Portland, Oregon Housing Code – Healthy Home Provisions

### 29.30.140 Cleanliness and Sanitation.

- A. All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. All household garbage shall be stored in receptacles which are free from holes and covered with tight fitting lids.
- B. The interior of every dwelling shall be maintained in a clean and sanitary condition and free from any accumulation of rubbish or garbage so as not to breed insects and rodents, produce dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or create a fire hazard.
- C. The owner of any residential rental property shall provide in a location accessible to all dwelling units at least one 30 gallon receptacle for each dwelling unit, or receptacles with a capacity sufficient to prevent the overflow of garbage and rubbish from occurring, into which garbage and rubbish from the dwelling units may be emptied for storage between days of collection. Receptacles and lids shall be watertight and provided with handles. All receptacles shall be maintained free from holes and covered with tight-fitting lids at all times. The owner of the units shall subscribe to and pay for weekly garbage removal service for the receptacles required by this subsection, by a refuse collection permittee or franchisee as defined in Chapter 17.102 of the Code of the City of Portland.

### 29.30.150 Bathroom Facilities.

Except as otherwise noted in this Section, every dwelling unit shall contain within its walls in safe and sanitary working condition:

- A. A toilet located in a room that is separate from the habitable rooms and that allows privacy;
- B. A lavatory basin; and
- C. A bathtub or shower located in a room that allows privacy.

In hotels and apartment houses where private toilets, lavatories, or baths are not provided, there shall be on each floor at least one toilet, one lavatory, and one bathtub or shower each provided at the rate of one for every twelve residents or fraction of twelve residents. Required toilets, bathtubs, and showers shall be in a room, or rooms, that allow privacy.

### 29.30.160 Kitchen Facilities.

- A. Every dwelling unit shall contain a kitchen sink apart from the lavatory basin required under Section 29.30.150, with the exception of single-room occupancy housing units which shall comply with Subsection 29.30.290 B.
- B. Except as otherwise provided for in Subsections 29.30.290 B and C, every dwelling unit shall have approved service connections for refrigeration and cooking appliances.

### 29.30.170 Plumbing Facilities.

- A. Every plumbing fixture or device shall be properly connected to a public or an approved private water system and to a public or an approved private sewer system.
- B. All required sinks, lavatory basins, bathtubs and showers shall be supplied with both hot and cold running water and have a water pressure of at least 15 psi. Every dwelling unit shall be supplied with water heating facilities which are installed in an approved manner, properly maintained, and properly connected with hot water lines to all required sinks, lavatory basins, bathtubs and showers. Water heating facilities shall be capable of heating water enough to permit an adequate

## Portland, Oregon Housing Code – Healthy Home Provisions

amount of water to be drawn at every required facility at a temperature of at least 120 degrees at any time needed.

- C. In every dwelling all plumbing or plumbing fixtures shall be:
  - 1. Properly installed, connected, and maintained in good working order;
  - 2. Kept free from obstructions, leaks, and defects;
  - 3. Capable of performing the function for which they are designed; and
  - 4. Installed and maintained so as to prevent structural deterioration or health hazards.
- D. All plumbing repairs and installations shall be made in accordance with the provisions of Title 25 (Plumbing Regulations).

### 29.30.180 Heating Equipment and Facilities.

- A. All heating equipment, including that used for cooking, water heating, dwelling heat, and clothes drying shall be:
  - 1. Properly installed, connected, and maintained in safe condition and good working order;
  - 2. Free from leaks and obstructions and kept functioning properly so as to be free from fire, health, and accident hazards; and
  - 3. Capable of performing the function for which they are designed.
- B. Every dwelling shall have a heating facility capable of maintaining a room temperature of 68 degrees Fahrenheit at a point 3 feet from the floor in all habitable rooms.
  - 1. Portable heating devices may not be used to meet the dwelling heat requirements of this Title.
  - 2. No inverted or open flame fuel-burning heater shall be permitted. All heating devices or appliances shall be of an approved type.
- C. All mechanical repairs and installations shall be made in accordance with the provisions of Title 27 (Heating and Ventilating Requirements.)

### 29.30.190 Electrical System, Outlets, and Lighting.

All buildings used for residential purposes shall be connected to an approved source of electric power. Every electric outlet and fixture shall be maintained and safely connected to an approved electrical system. The electrical system shall not constitute a hazard to the occupants of the building by reason of inadequate service, improper fusing, improper wiring or installation, deterioration or damage, lack of access to a dwelling unit's breaker or disconnect switch or similar reasons.

In addition to other electrical system components that may be used to meet cooking, refrigeration, and heating requirements listed elsewhere in this Title, the following outlets and lighting fixtures are required:

- A. Every habitable room shall contain at least two operable electric outlets or one outlet and one operable electric light fixture.
- B. Every toilet compartment or bathroom shall contain at least one supplied and operable electric light fixture and one outlet. Every laundry, furnace room, and all similar non-habitable spaces located in a dwelling shall have one supplied electric light fixture available at all times.
- C. Every public hallway, corridor, and stairway in apartment houses and hotels shall be adequately lighted at all times with an average intensity of illumination of at least one foot candle at principal points such as angles and intersections of corridors and passageways, stairways, landings of

## Portland, Oregon Housing Code – Healthy Home Provisions

stairways, landings of stairs and exit doorways, and at least ½-foot candle at other points. Measurement of illumination shall be taken at points not more than 4 feet above the floor.

- D.** All electrical repairs and installations shall be made in accordance with the provisions of Title 26 (Electrical Regulations.)

### 29.30.200 Ceiling Heights.

Habitable rooms in existing one and two family dwelling buildings shall have a clear ceiling height of at least 7 feet. Habitable rooms in other existing buildings shall have a clear ceiling height of at least 7 feet 6 inches. The following height exceptions may be used for the one and two family dwelling ceiling height requirements:

- A. Flat ceilings.** Where the ceiling is flat, ceiling heights may be a minimum of 6 feet 8 inches. Pipes, ducts, beams, or similar objects projecting from the ceiling may be as follows:
1. Ceiling projections may be as low as 6 feet where they are located within 2 feet from the wall; or
  2. Ceiling projections may be as low as 6 feet 2 inches where they do not occupy more than 10 percent of the floor area in the room where they are located.
- B. Sloped ceilings.**
1. General. Where the ceiling is sloped, the height may be as follows:
    - a. The minimum ceiling height must be at least 6 feet 8 inches over an area comprising at least 50% of the overall room area; and
    - b. Portions of the room with a ceiling height less than 5 feet shall not be counted toward the overall room area.
  2. Bathrooms. In bathrooms with a sloped ceiling, the ceiling height shall comply with Section 305.1 Exception 4 of the 2005 Oregon Residential Specialty Code.
- C.** These exceptions to the current building codes shall not apply where any occupancy has been changed, or the occupant load has been increased, contrary to the provisions of this Title.

### 29.30.210 Sleeping Room Requirements.

Every room used for sleeping purposes:

- A.** Shall be a habitable room as defined in this title;
- B.** Shall not be a kitchen;
- C.** Shall have natural light, ventilation, and windows or other means for escape purposes as required by this Title; and
- D.** Shall comply with the following minimum requirements for floor area:
  1. Shall have a minimum area of at least 70 square feet of floor area, except that where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each person in excess of two. No portion of a room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the room's minimum area.
  2. Any dwelling or portion of any dwelling constructed pursuant to permit or lawfully constructed prior to permit requirements shall be deemed in compliance with respect to sleeping room area provided that the deficiency in floor area is no more than 15 percent of that required by Subsection 29.30.210 D 1. This subsection shall not apply where any

## **Portland, Oregon**

### **Housing Code – Healthy Home Provisions**

occupancy has been changed, or the number of occupants has been increased, contrary to the provisions of this Title.

3. Floor area requirements for single-room occupancy housing units shall be in accordance with Section 29.30.290 of this Title.

#### **29.30.220 Overcrowding.**

No dwelling unit shall be permitted to be overcrowded. A dwelling unit shall be considered overcrowded if there are more residents than one plus one additional resident for every 100 square feet of floor area of the habitable rooms in the dwelling unit.

#### **29.30.240 Smoke Detectors.**

Smoke detectors sensing visible or invisible particles of combustions or alarms shall be required in all buildings where a room or area therein is designated for sleeping purposes either as a primary use or use on a casual basis. Smoke detectors or alarms shall be installed in each sleeping room or area, in the immediate vicinity of the sleeping rooms and on each additional story of the dwelling, including basements and attics with habitable space. All detectors or alarms shall be approved, shall be installed in accordance with the manufacturer's instructions, shall plainly identify the testing agency that inspected or approved the device, and shall be operable.

#### **29.30.260 Hazardous Materials.**

- A. When paint is applied to any surface of a residential structure, it shall be lead-free.
- B. Residential property shall be free of dangerous levels of hazardous materials, contamination by toxic chemicals, or other circumstances that would render the property unsafe. Where a governmental agency authorized by law to make the determination has verified that a property is unfit for use due to hazardous conditions on the property, the property shall be in violation of this Title. Any such property shall remain in violation of this Title until such time as the agency has approved the abatement of the hazardous conditions. The Director may order such property vacated pursuant to Section 29.60.070 of this Title.
- C. No residential property shall be used as a place for the storage and handling of highly combustible or explosive materials or any articles which may be dangerous or detrimental to life or health. No residential property shall be used for the storage or sale of paints, varnishes or oils used in the making of paints and varnishes, except as needed to maintain the dwelling
- D. Residential property shall be kept free of friable asbestos.

#### **29.30.270 Maintenance of Facilities and Equipment.**

In addition to other requirements for the maintenance of facilities and equipment described in this Chapter:

- A. All required facilities in every dwelling shall be constructed and maintained to properly and safely perform their intended function.
- B. All non-required facilities or equipment present in a dwelling shall be maintained to prevent structural damage to the building or hazards of health, sanitation, or fire.

## Portland, Oregon Housing Code – Healthy Home Provisions

### 29.30.290 Special Standards for Single-Room Occupancy Housing Units.

In addition to meeting requirements for residential structures defined elsewhere in this Title, hotels containing single-room occupancy housing units shall comply with the following:

- A. The unit shall have at least 100 square feet of floor area, except that any single-room occupancy housing unit constructed pursuant to permit or lawfully constructed prior to permit requirements shall be deemed in compliance with respect to floor area provided it has at least 85 square feet of floor area. This exception shall not apply where any occupancy has been changed or increased contrary to the provisions of this Title.
- B. Either a community kitchen with facilities for cooking, refrigeration, and washing utensils shall be provided on each floor, or each individual single-room occupancy housing unit shall have facilities for cooking, refrigeration and washing utensils. In addition, facilities for community garbage storage or disposal shall be provided on each floor.
- C. Where cooking units are provided in individual single-room occupancy housing units, they shall conform to the requirements set forth below.
  - 1. All appliances shall be hard-wired and on separate circuits or have single dedicated connections;
  - 2. All cooking appliances shall be fixed and permanent;
  - 3. The Mechanical Specialty Code, as adopted by Section 27.01.030, shall be used for setting standards for cooking appliances. Cabinets over cooking surfaces shall be 30 inches above the cooking surface, except that this distance may be reduced to 24 inches when a heat shield with 1-inch airspace and extending at least 6 inches horizontally on either side of the cooking appliance is provided. Cooking appliances are limited to two cooking elements or burners and located with at least a 6-inch clear space in all directions from the perimeter of the cooking element or burner. In lieu of two-burner cooking appliances, standard third-party tested and approved ranges with ovens are acceptable, provided that the units are fixed and hard-wired or have single dedicated connections;
  - 4. All cooking appliances shall be installed under permit from the Bureau of Development Services; and
  - 5. All cooking appliances shall be installed so as to provide a minimum clear workspace in front of the appliance of 24 inches.

## Chapter 29.50 Other Requirements

### 29.50.040 Occupancy of Residential Property After Notice of Violation.

- A. If a notice of violation of Chapters 29.30 or 29.40 has been issued, and if the affected structure or any portion thereof is or becomes vacant, it shall be:
  - 1. Unlawful to re-enter the affected structure or any portion thereof between the hours of 10:00 p.m. 7:00 a.m. for any use of, or presence in, the affected structure or portion thereof unless authorized in writing by the Director.
  - 2. Unlawful to re-enter the affected structure or portion thereof between the hours of 7:00 a.m. and 10:00 p.m. for any purpose other than work associated with the correction of violations noted in the Notice of Violation.
  - 3. Except as provided above in subsection 2., it is unlawful to occupy the affected structure or portion thereof without prior written approval from the Director.

**Portland, Oregon**  
**Housing Code – Healthy Home Provisions**

- B.** In addition to any civil penalties imposed pursuant to Section 22.05.010 A.5. or Section 29.70.020 D., and as collected through a municipal lien process, any person unlawfully occupying any such affected structure or portion thereof shall upon conviction be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or both.