

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

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CHAPTER 1

MISCELLANEOUS

SECTION

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13-101. Health officer. The "health officer" shall be such municipal, county, or state officer as the board of mayor and aldermen shall appoint or designate to administer and enforce health and sanitation regulations within the town. (1980 Code, § 8-101)

13-102. Smoke, soot, cinders, etc. It shall be unlawful for any person to permit or cause the escape of such quantities of dense smoke, soot, cinders, noxious acids, fumes, dust, or gases as to be detrimental to or to endanger the health, comfort, and safety of the public or so as to cause or have a tendency to cause injury or damage to property or business. (1980 Code, § 8-105)

13-103. Stagnant water. It shall be unlawful for any person knowingly to allow any pool of stagnant water to accumulate and stand on his property without treating it so as to effectively prevent the breeding of mosquitoes. (1980 Code, § 8-106)

¹Municipal code references
 Animal control: title 10.
 Littering streets, etc.: § 16-107.

13-104. Weeds. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his property, and it shall be unlawful for any person to fail to comply with an order by the recorder or chief of police to cut such vegetation when it has reached a height of over one (1) foot. (1980 Code, § 8-107)

13-105. Dead animals. Any person owning or having possession of any dead animal not intended for use as food shall promptly bury the same or notify the health officer and dispose of such animal in such manner as the health officer shall direct. (1980 Code, § 8-108)

13-106. Health and sanitation nuisances. It shall be unlawful for any person to permit any premises owned, occupied, or controlled by him to become or remain in a filthy condition, or permit the use or occupation of same in such a manner as to create noxious or offensive smells and odors in connection therewith, or to allow the accumulation or creation of unwholesome and offensive matter or the breeding of flies, rodents, or other vermin on the premises to the menace of the public health or the annoyance of people residing within the vicinity. (1980 Code, § 8-109)

13-107. House trailers. It shall be unlawful for any person to park, locate, or occupy any house trailer or portable building unless it complies with all plumbing, electrical, sanitary, and building provisions applicable to stationary structures and the proposed location conforms to the zoning provisions of the town and unless a permit therefor shall have been first duly issued by the building official, as provided for in the building code. (1980 Code, § 8-104)

CHAPTER 2**JUNKYARDS****SECTION**

13-201. Junkyards.

13-201. Junkyards.¹ All junkyards within the corporate limits shall be operated and maintained subject to the following regulations:

(1) All junk stored or kept in such yards shall be so kept that it will not catch and hold water in which mosquitoes may breed and so that it will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.

(2) All such junkyards shall be enclosed within close fitting plank or metal solid fences touching the ground on the bottom and being not less than six (6) feet in height, such fence to be built so that it will be impossible for stray cats and/or stray dogs to have access to such junkyards.

(3) Such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety. (1980 Code, § 8-110)

¹State law reference

The provisions of this section were taken substantially from the Bristol ordinance upheld by the Tennessee Court of Appeals as being a reasonable and valid exercise of the police power in the case of Hagaman v. Slaughter, 49 Tenn. App. 338, 354 S.W.2d 818 (1961).

CHAPTER 3

REHABILITATION OR DEMOLITION OF UNFIT STRUCTURES

SECTION

- 13-301. Findings of board.
- 13-302. Definitions.
- 13-303. "Public officer" designated; powers.
- 13-304. Initiation of proceedings; hearings.
- 13-305. Orders to owners of unfit structures.
- 13-306. When public officer may repair, etc.
- 13-307. When public officer may remove or demolish.
- 13-308. Lien for expenses; sale of salvaged materials; other powers not limited.
- 13-309. Basis for a finding of unfitness.
- 13-310. Service of complaints or orders.
- 13-311. Enjoining enforcement of orders.
- 13-312. Additional powers of public officer.
- 13-313. Powers conferred are supplemental.
- 13-314. Structures unfit for human habitation deemed unlawful.

13-301. Findings of board. Pursuant to Tennessee Code Annotated, § 13-21-101, et seq., the board of mayor and aldermen finds that there exists in the town structures which are unfit for human occupation due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety and morals, or otherwise inimical to the welfare of the residents of the town. (as added by Ord. #410, May 2003)

13-302. Definitions. (1) "Dwelling" means any building or structure, or part thereof, used and occupied for human occupation or use or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

(2) "Governing body" shall mean the board of mayor and aldermen charged with governing the town.

(3) "Municipality" shall mean the Town of Monterey, Tennessee, and the areas encompassed within existing town limits or as hereafter annexed.

(4) "Owner" shall mean the holder of title in fee simple and every mortgagee of record.

(5) "Parties in interest" shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any who are in possession thereof.

(6) "Place of public accommodation" means any building or structure in which goods are supplied or services performed, or in which the trade of the general public is solicited.

(7) "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 or state relating to health, fire, building regulations, or other activities concerning structures in the town.

(8) "Public officer" shall mean the officer or officers who are authorized by this chapter to exercise the powers prescribed herein and pursuant to Tennessee Code Annotated, § 13-21-101, et seq.

(9) "Structure" means any dwelling or place of public accommodation or vacant building or structure suitable as a dwelling or place of public accommodation. (as added by Ord. #410, May 2003)

13-303. "Public officer" designated; powers. There is hereby designated and appointed a "public officer," to be the building inspector of the town, to exercise the powers prescribed by this chapter, which powers shall be supplemental to all others held by the building inspector. (as added by Ord. #410, May 2003)

13-304. Initiation of proceedings; hearings. Whenever a petition is filed with the public officer by a public authority or by at least five (5) residents of the town charging that any structure is unfit for human occupancy or use, or whenever it appears to the public officer (on his own motion) that any structure is unfit for human occupation or use, the public officer 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 of, such structure a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer (or his designated agent) at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the service of the complaint; and the owner and parties in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the time and place fixed in the complaint; and the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer. (as added by Ord. #410, May 2003)

13-305. Orders to owners of unfit structures. If, after such notice and hearing as provided for in the preceding section, the public officer determines that the structure under consideration is unfit for human occupation or use, he shall state in writing his finding of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

(1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure (not exceeding

fifty percent [50%] of the reasonable value), requiring the owner, within the time specified in the order, to repair, alter, or improve such structure to render it fit for human occupation or use or to vacate and close the structure for human occupation or use; or

(2) If the repair, alteration or improvement of said structure cannot be made at a reasonable cost in relation to the value of the structure (not to exceed fifty percent 50% of the value of the premises), requiring the owner within the time specified in the order, to remove or demolish such structure. (as added by Ord. #410, May 2003)

13-306. When public officer may repair, etc. If the owner fails to comply with the order to repair, alter, or improve or to vacate and close the structure as specified in the preceding section hereof, the public officer may cause such structure to be repaired, altered, or improved, or to be vacated and closed; and the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human occupation or use. The use or occupation of this building for human occupation or use is prohibited and unlawful." (as added by Ord. #410, May 2003)

13-307. When public officer may remove or demolish. If the owner fails to comply with an order, as specified above, to remove or demolish the structure, the public officer may cause such structure to be removed and demolished. (as added by Ord. #410, May 2003)

13-308. Lien for expenses; sale of salvaged materials; other powers not limited. The amount of the cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition by the public officer shall be assessed against the owner of the property, and shall upon the filing of the notice with the office of the register of deeds of Putnam County, be a lien on the property in favor of the municipality, second only to liens of the state, Putnam County and municipality for taxes, any lien of the municipality for special assessments, and any valid lien, right, or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. These costs shall be collected by the municipal tax collector or Putnam County trustee at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes. In addition, the municipality may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction. The municipality may bring one (1) action for debt against more than one or all of the owners of properties against whom said costs have been assessed and the fact that multiple owners have been joined in one (1) action shall not be considered by the court as a

misjoinder of parties. If the structure is removed or demolished by the public officer, he shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the chancery court of Putnam County by the public officer, shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court. Nothing in this section shall be construed to impair or limit in any way the power of the town of to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise. (as added by Ord. #410, May 2003)

13-309. Basis for a finding of unfitness. The public officer defined herein shall have the power and may determine that a structure is unfit for human occupation and use if he finds that conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants or users of such structure, the occupants or users of neighboring structures or other residents of the Town of. Such conditions may include the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; or uncleanness. (as added by Ord. #410, May 2003)

13-310. Service of complaints or orders. Complaints or orders issued by the public officer pursuant to this chapter shall be served upon persons, either personally or by registered mail, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence, and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) consecutive weeks in a newspaper printed and published in the town. In addition, a copy of such complaint or order shall be posted in a conspicuous place on premises affected by the complaint or order. A copy of such complaint or order shall also be filed for record in the Register's Office of Putnam County, Tennessee, and such filing shall have the same force and effect as other lis pendens notices provided by law. (as added by Ord. #410, May 2003)

13-311. Enjoining enforcement of orders. Any person affected by an order issued by the public officer served pursuant to this chapter may file a bill in chancery court for an injunction restraining the public officer from carrying out the provisions of the order, and the court may, upon the filing of such suit, issue a temporary injunction restraining the public officer pending the final disposition of the cause; provided, however, that within sixty (60) days after the posting and service of the order of the public officer, such person shall file such bill in the court. The remedy provided herein shall be the exclusive remedy and

no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the public officer, or because of noncompliance by such person with any order of the public officer. (as added by Ord. #410, May 2003)

13-312. Additional powers of public officer. The public officer, in order to carry out and effectuate the purposes and provisions of this chapter, shall have the following powers in addition to those otherwise granted herein:

- (1) To investigate conditions of the structures in the town in order to determine which structures therein are unfit for human occupation or use;
- (2) To administer oaths, affirmations, examine witnesses and receive evidence;
- (3) To enter upon premises for the purpose of making examination, provided that such entry shall be made in such manner as to cause the least possible inconvenience to the persons 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 chapter; and
- (5) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate. (as added by Ord. #410, May 2003)

13-313. Powers conferred are supplemental. This chapter shall not be construed to abrogate or impair the powers of the town with regard to the enforcement of the provisions of its charter or any other ordinances or regulations, nor to prevent or punish violations thereof, and the powers conferred by this chapter shall be in addition and supplemental to the powers conferred by the charter and other laws. (as added by Ord. #410, May 2003)

13-314. Structures unfit for human habitation deemed unlawful. It shall be unlawful for any owner of record to create, maintain or permit to be maintained in the town structures which are unfit for human occupation due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety and morals, or otherwise inimical to the welfare of the residents of the town. Violations of this section shall subject the offender to a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #410, May 2003)

CHAPTER 4

MINIMUM PROPERTY MAINTENANCE REQUIREMENTS

SECTION

13-401. Definitions.

13-402. Duty to maintain property.

13-403. Enforcement.

13-404. Appeals.

13-401. Definitions. As used in the interpretation and application of this chapter, the following words shall have the meanings indicated:

(1) "Junk" means discarded, broken or disabled material including, but not limited to, furniture, appliances, tools, machinery, or other items that are not in functioning condition.

(2) "Litter" means discarded waste materials, including but not limited to, paper wrappings, packaging materials, discarded or used bottles and cans, scrap lumber and other building materials, broken or discarded furniture, household furnishings and equipment.

(3) "Owner" means any person owning property in Monterey, Tennessee, as shown on the real property records of Putnam County or on the current assessment roll for taxes, and shall also mean any lessee, tenant or other person having control or possession of the property.

(4) "Property" means land and any buildings or structures located thereon.

(5) "Trash" means waste food products and other household garbage. (as added by Ord. #411, May 2003)

13-402. Duty to maintain property. No person owning, leasing, renting, occupying, being in possession or having charge or any property in the town, including vacant lots, shall maintain or allow to be maintained on such property, except as may be permitted by any other town ordinance, any of the following conditions visible from any public street or alley:

(1) Junk, litter and trash;

(2) Outdoor nuisances dangerous to children, including but not limited to abandoned, broken or neglected equipment, machinery, or any appliance with a latching door;

(3) Shopping carts in any front yard, side yard, rear yard or vacant lot of any property;

(4) Dead, decayed, diseased or hazardous trees, or any other vegetation a majority of which (excluding vegetation located in flowerbeds, or trees, or shrubbery, or existing hayfields) exceeds twelve (12) inches in height, or which is dangerous to public health, safety and welfare, located in any front yard, side yard, rear yard, or upon any vacant lot;

(5) Graffiti or signs, not in compliance with the town zoning ordinance, on the exterior of any building, fence or other structure in any front yard, side yard or rear yard or vacant lot;

(6) Vehicle parts or other articles of personal property which are discarded or left in a state of partial construction or repair in any front yard, side yard, rear yard or vacant lot;

(7) Utility trailers or unmounted campertops located in any front yard except in the driveway;

(8) Any accumulation of weeds, brambles, berry vines, or other vegetation which is overgrowing any structure which exceeds an average height of three (3) feet, other than maintained landscaping, or any accumulation of junk, litter, trash, dead organic matter, debris, offal, rat harborages, stagnant water, combustible materials or vegetation, and similar materials or conditions constituting fire, health or safety hazard. (as added by Ord. #411, May 2003)

13-403. Enforcement. (1) Notice to property owner. It shall be the duty of the Zoning Compliance Official of the Town of Monterey, Tennessee, to serve notice upon the property owner of record in violation of § 13-402 above. The property owner shall be notified in writing specifying the nature of the violation, specifying the corrective measures to be taken, and require compliance within not less than 5 days nor more than 30 days. The notice may be served upon the owner(s) of the premises where the violation is located by:

- (a) Posting notice in plain view on the property in violation, or
- (b) Sending notice by certified mail.

The date the notice is posted or received by the offender shall serve as the beginning of the specified time period allowing for corrective action.

(2) Failure to take corrective action. Failure by the property owner to take corrective action to bring the property within compliance of § 13-402 above shall constitute a violation of this chapter and be a civil offense. The zoning compliance official and/or any designated person charged with the enforcement of this chapter may then take the following actions:

(a) Pursuant to Tennessee Code Annotated, § 7-63-101, the zoning compliance official is authorized to issue ordinance summons for violations of this chapter on private property. The zoning compliance official shall upon the complaint of any citizen, or acting on his own information, investigate complaints directly related to land use and public health on private property. If after such investigation, the building official finds violations of this chapter on private property, he shall issue an ordinance summons. The ordinance summons shall be served upon the owner or owners of the property, or upon the person or persons apparently in lawful possession of the property, and shall give notice to the same to appear and answer the charges. If the offender refuses to sign the agreement to appear, the zoning compliance official may

- (i) Request the town judge to issue a summons, or

(ii) Request a police officer to witness the violation. The police officer who witnesses the violation may issue the offender a citation in lieu of arrest as authorized by Tennessee Code Annotated, § 7-63-101 et seq., or if the offender refuses to sign the citation, may arrest the offender for failure to sign the citation in lieu of arrest, or

(b) If the owner or owners of the premises fails or refuses to comply with the order issued by the zoning compliance official within the time period specified by the letter of notification, as provided herein, such failure or refusal shall be deemed a violation of the provisions of this chapter and said owner or owners shall be subject to the penalties herein provided. The zoning compliance official that is charged with enforcing this code, or the inspector's duly authorized representatives may enter onto such premises and take corrective action specified by the letter of notification so that the nuisance identified by said letter is removed or abated. Upon completion of the corrective action carried out by the Town of Monterey as authorized herein, the actual costs of such action, plus a fee of fifteen percent (15%) for administrative costs, shall be due from the owner or owners of said property to the Town of Monterey and said costs shall be billed to the owner or owners of said property. If said bill is not paid in full within sixty (60) days after the date of mailing, a ten percent (10%) penalty shall be added and said costs and penalties shall be placed on the tax rolls of the Town of Monterey as a lien upon said property and collected in the same manner as other town taxes are collected.

(3) Penalty for violations. Any person violating this chapter shall be subject to a civil penalty of \$1.00 to \$500.00 for each separate violation of this chapter. Each day the violation of this chapter continues shall be considered a separate violation.

(4) Supplemental nature of this section. The provisions of this section are in addition and supplemental to, and not in substitution for, any other provision in the town charter, the municipal code of ordinances, or other applicable law which permits the town to proceed against an owner, tenant or occupant of property who has created, maintained, or permitted to be maintained on such property the growth of vines, grass, weeds, underbrush, and/or the accumulation of the debris, trash, litter, or garbage or any combination of the preceding elements, under its charter, any other provision of the municipal code of ordinances or any other applicable law. (as added by Ord. #411, May 2003)

13-404. Appeals. Appeals of any provision of this chapter by the owner or owners of the premises shall be submitted in writing to the Town of Monterey. When the owner or owners of the premises is ordered to correct the violation, the appeal must be submitted within the time period for corrective action specified in the letter of notification. If determined by the Town of

Monterey that a hearing is in order, the hearing will be held at the regularly scheduled meeting of the town. Owner or owners of premises in question will be notified personally OR by sending said notice by certified mail of the decision for a hearing. If a hearing is warranted, the date and time of such hearing will be included in the letter of notification. (as added by Ord. #411, May 2003)

CHAPTER 5

LIGHT, VENTILATION, SPACE AND PLUMBING FACILITIES ORDINANCE¹

SECTION

- 13-501. General.
- 13-502. Definition.
- 13-503. Light.
- 13-504. Ventilation.
- 13-505. Dwelling unit limitations.
- 13-506. Space requirements.
- 13-507. Toilet and lavatory.
- 13-508. Enforcement.
- 13-509. Penalty.
- 13-510. Remedies.
- 13-511. Appeals.

13-501. General. (1) Scope. The provisions of this ordinance shall govern the minimum conditions and standards for the light, ventilation, space and plumbing facilities for the occupancy of a structure. All light, ventilation, space and plumbing conditions shall comply with the requirements herein prescribed insofar as they are applicable.

(2) Responsibility. The owner of the structure shall provide and maintain such light, ventilation, space and plumbing conditions in compliance with these requirements. A person shall not let to another for occupancy or use any premises, which does not comply with the following requirements of this ordinance. (as added by Ord. #418, Oct. 2003)

13-502. Definition. 1. "Habitable room." Any room used or intended to be used for sleeping, cooking, living or eating purposes, excluding such enclosed spaces as closets, pantries, bath or toilet facilities, service rooms, corridors, laundries, unfinished attics, foyers, storage space, utility rooms or similar spaces. All habitable rooms must have an egress window.

2. "Occupant." Any person whose primary sleeping quarters are located within the dwelling unit. (as added by Ord. #418, Oct. 2003)

13-503. Light. 1. General. All spaces or rooms shall be provided sufficient light so as not to endanger health and safety.

¹Municipal code reference:

Building, utilities, etc. codes: title 12.

2. Habitable rooms. Every habitable room shall have at least one (1) window facing directly to the outdoors. The minimum window area, measured between stops, for every habitable room shall be a minimum of eight per cent (8%) of the floor area of such room, except in kitchens when artificial light may be provided in accordance with the provisions of the building code.

3. Common halls and stairways. Every common hall and stairway in every building, other than single-family dwellings, shall be adequately lighted at all times with an illumination of at least a sixty (60) watt light bulb. Such illumination shall be provided throughout the normally traveled stairs and passageways.

4. Other spaces. All other spaces shall be provided with natural or artificial light of sufficient intensity and so distributed as to permit the maintenance of sanitary conditions, and the safe use of the space and the appliances, equipment and fixtures. (as added by Ord. #418, Oct. 2003)

13-504. Ventilation. 1. General. All spaces or rooms shall be provided sufficient natural or mechanical ventilation so as not to endanger health and safety. Where mechanical ventilation is provided in lieu of the natural ventilation, the mechanical ventilating system shall be maintained in operation during the occupancy of any structure or portion thereof.

2. Exception. A kitchen with all electric appliances which contains neither an openable window nor mechanical ventilation shall not be subject to these requirements provided that:

a. The kitchen is in a location which would prohibit the installation of a window in an exterior wall; and

b. The installation of a mechanical ventilation system would be infeasible due to structural considerations.

Every habitable room shall have at least one (1) window, which can be easily opened to adequately ventilate the room.

3. Toilet rooms. Every bathroom and toilet room shall comply with the light and ventilation requirements for habitable rooms except that a window shall not be required in bathrooms or toilet rooms equipped with a natural or approved mechanical ventilation system.

4. Cooking facilities. Cooking shall not be permitted in any sleeping room, and a cooking facility or appliance shall not be permitted to be present in a sleeping room. (as added by Ord. #418, Oct. 2003)

13-505. Dwelling unit limitations. 1. Separation of units. Dwelling units shall be separate and apart from each other. Sleeping rooms shall not be used as the only means of access to other sleeping rooms or habitable spaces.

2. Basement rooms. Basement rooms partially below grade shall not be used for living purposes unless:

a. Floors and walls are watertight and so insulated as to prevent entry of moisture and drafts; and

- b. Total window area is in accordance with this ordinance; and
- c. Required minimum window area of every habitable room is entirely above the grade of the ground adjoining the window area. (as added by Ord. #418, Oct. 2003)

13-506. Space requirements. 1. Dwelling units. Every dwelling unit shall contain a minimum gross floor area of not less than two hundred fifty (250) square feet for the first occupant, and one hundred fifty (150) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

2. Area for sleeping purposes. Every room occupied for sleeping purposes by one (1) person shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) person shall contain at least fifty (50) square feet of floor area for each occupant thereof. (as added by Ord. #418, Oct. 2003)

13-507. Toilet and lavatory. Every dwelling shall contain within its walls, a room separate from habitable rooms, which affords privacy and has a toilet with cold running water and a lavatory and bathtub or shower supplied with hot and cold running water. There shall be a minimum of one toilet, lavatory and bathtub or shower for every seven (7) persons occupying the premises. (as added by Ord. #418, Oct. 2003)

13-508. Enforcement. The party designated by the Monterey Board of Mayor and Aldermen shall enforce this ordinance and shall have the authority to make inspection of buildings or premises necessary to carry out the duties of enforcement. (as added by Ord. #418, Oct. 2003)

13-509. Penalty. Any property owner and/or tenant violating this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty (\$50.00) dollars per day for each day's violation. Payment of the fine shall not constitute compliance. If the violation occurs for more than thirty (30) days the dwelling shall be deemed uninhabitable, be unoccupied and padlocked. (as added by Ord. #418, Oct. 2003)

13-510. Remedies. If any dwelling is used in violation of this ordinance the enforcement official may institute injunction, mandamus, or other appropriate action in proceeding to remedy the violation. (as added by Ord. #418, Oct. 2003)

13-511. Appeals. Any person or persons aggrieved by the requirements set forth in this ordinance may file an appeal with the board of mayor and aldermen seeking relief from its requirements. (as added by Ord. #418, Oct. 2003)