RICHFORD HOUSING CODE ORDINANCE
FOR
TOWN OF RICHFORD, VERMONT

SECTION 1. ENACTMENT

Pursuant to the provisions of Title 24 V.S.A. §§ 1971, 1972, 1973 and by the authority of 24 V.S.A. §§ 5001, *et seq.*, the Town of Richford hereby adopts this Richford Housing Code Ordinance, thereby revising and replacing the Municipal Housing Code Ordinance for Village of Richford, Vermont dated December 13, 1988.

SECTION 2. INTENT

The Richford Housing Code Ordinance ("Housing Code") is adopted for the purpose of promoting the public health, safety, morals and general welfare of the residents of the Town, and for the purpose of making rental dwellings and rental dwelling premises safe, sanitary and fit for human habitation.

SECTION 3. APPLICATION

The Housing Code applies to all rented dwellings, dwelling units, rooming houses, rooming units and mobile home lots; however, the Housing Code does not apply to a licensed lodging establishment when the occupancy is subject to meals and rooms tax pursuant to 32 V.S.A. § 225 and does not apply to tents or similar structures provided to persons choosing to live in such shelters as part of what is primarily an educational or experiential opportunity.

SECTION 4. THE RICHFORD MUNICIPAL HOUSING CODE COMPLIANCE OFFICE AND HOUSING OFFICER

This Section reiterates that the Richford Municipal Housing Code Compliance Office, previously established by the Municipal Housing Code Ordinance for Village of Richford, Vermont dated December 13, 1988, shall be directed by the Housing Officer, who shall be appointed by the Selectboard of the Town for a term of three (3) years. The Housing Officer may be removed from office by the Selectboard for cause at any time. The Housing Officer and the office shall enforce the provisions of this Chapter and have the duties set forth herein.

SECTION 5. HOUSING BOARD OF REVIEW

(1) **Administration.** The Town of Richford Selectboard shall constitute the Richford Housing Board of Review. The Housing Board of Review shall be comprised of the members of the Richford Selectboard. The Board shall elect a chairperson. The chairperson, or in the chairperson's absence, the acting chairperson, may administer oath and compel the attendance of witnesses. All hearings of the Board shall be open to the public.

(2) Duties and Authority. The Board shall have the following powers and be governed by the following procedure:

a. The Board shall keep minutes of its proceedings, showing the vote upon each question, and shall keep records of its decisions and findings and the reasons therefor, and of its examinations and other official actions, all of which shall be filed in the office of the town or city clerk and shall be a public record;

b. The Board may hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by a Housing Officer in the enforcement of any ordinance or regulation adopted under this chapter. The Board shall hold a hearing on an appeal within thirty (30) days of the application. The Board shall give one week notice thereof to the party making the appeal and to the Housing Officer, and shall decide upon the appeal within 30 days of the close of the hearing.

c. In order to hear an appeal, a majority of the Board must be present. A concurring vote of a majority of the members of the Board present at the hearing shall be necessary to reverse or modify any order or decision of the Housing Officer and to authorize a variance or modification in the application of any ordinance or regulation adopted under this chapter. When a tie vote occurs, the order of the Housing Officer shall be considered to be sustained. Except as provided in Section 6(4), the findings of the Board shall be conclusive with respect to questions of fact and may be reviewed only as to questions of law.

d. In exercising its powers, the Board may, in conformity 24 V.S.A. § 5005, *et seq.*, reverse or affirm wholly or partly, or may modify any order, requirement, decision or determination of the Housing Officer and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Housing Officer from whom the appeal was taken.

e. Where, by reason of an extraordinary and exceptional condition or situation unique to the property involved, the strict application this Housing Code would result in peculiar and exceptional difficulties to, or exceptional and undue hardship upon, the person to whom an order has been issued, the Board may vary from the strict application to the least extent necessary to relieve the difficulties, or hardship if the relief may be granted without substantial detriment to public health, safety, morals and general welfare and without substantial impairment of the intent and purpose of the ordinance or regulation.

SECTION 6. INSPECTIONS, VIOLATIONS, APPEAL AND ENFORCEMENT

(1) **Inspections.**

a. Upon receiving notice of a potential violation of this Housing Code and where the potential violation does not stem from, or create, an immediate danger to public health or safety, or in the

course of conducting routine inspections, the Housing Officer shall make best efforts to provide the owner or registered agent of the subject premises with 14 days notice of an anticipated inspection. Pursuant to 9 V.S.A. § 4460, the owner or registered agent shall provide the occupants of the subject dwelling with not less than 48 hours notice of the anticipated inspection; provided, however, that these prescribed time periods shall not apply if the occupant of the subject dwelling is party that provides notice of a potential violation to the Housing Officer. The Housing Officer may enter, examine and survey all dwellings and dwelling premises between the hours of 8:00 a.m. and 5:00 p.m. and that the inspection shall be made so as to cause the least amount of inconvenience to the owner or occupant, consistent with the efficient performance of the duties of the Housing Officer.

The Housing Officer is authorized to enter, examine and survey all rental dwellings and rental dwelling premises at any time during an emergency that may create an immediate danger to public health or safety.

b. If entry for inspection is resisted or refused, the Housing Officer may refer the matter to the police department or municipal attorney for the purpose of seeking a search warrant as set forth at 24 V.S.A. 5003(b)(8). A search warrant for entry may be issued by a district or superior judge upon presentation of affidavits establishing probable cause. Standards for determining probable cause may be the passage of time between inspections, the nature of the dwelling, the condition of the area or the need to determine if there has been compliance with a repair order previously issued but need not necessarily depend upon specific knowledge of the condition of the particular dwelling.

(2) Violations.

a. The Housing Officer may issue a notice of violation and order the repair, alteration or improvement of a rental dwelling or rental dwelling premises directed to the owner or other person responsible therefor under the ordinance;

b. A notice of violation shall provide the alleged offender with up to five (5) days to cure the violation and notify the alleged offender that no further opportunity to cure shall be forthcoming after the five (5) day period. Action may be brought without notice and opportunity to cure if the alleged offender repeats the violation of the bylaw after the five (5) day notice period or within the next succeeding twelve (12) months.

c. Following the expiration of the 5-day period, the Housing Officer shall re-inspect the premises.

d. Upon a failure to cure, the Housing Officer may issue a citation or citations for violations of any provision of the Housing Code in accordance with 24 V.S.A § 1974a and 24 V.S.A. § 5007 according to the schedule below:

i. A penalty of $50 shall be imposed for the initial violation of these Regulations. The penalty for the second offense shall be $100, and the penalty for each subsequent offense shall be $200.

ii. A waiver fee may be collected, in lieu of a civil penalty, for any person who declines to contest a municipal complaint and pays the following waiver amounts for each violation. The waiver fee shall be set at $25 for the first offense, $50 for the second offense, and $100 for each subsequent offense.

iii. Each day a violation continues shall constitute a separate violation. Penalties shall accumulate accordingly.

e. The Housing Officer may declare any rental dwelling or rental dwelling premises unfit for human habitation if he or she finds that conditions exist in the dwelling which are a serious hazard or immediate peril to the health, safety or welfare of the occupants thereof, the occupants of neighboring dwellings or the general public.

i. Whenever any dwellings or dwelling premises are found by the Housing Officer to be unfit for human habitation because of defects which constitute a serious hazard or immediate peril to the health, safety or welfare of the occupants of the dwelling or the public, the Housing Officer may:

A. Order the rental dwelling or rental dwelling premises to be vacated and secured until such time as they determine that the dwelling is again fit for human habitation;

B. Order the repair, alteration or improvement of the rental dwelling or rental dwelling premises except the right to vacate and secure the rental dwelling or rental dwelling premises.

C. Initiate demolition proceedings pursuant to sections 3113, 3114, 3115 and 3118 of Title 24 of V.S.A.

ii. The owner of any dwelling which has been found by the Housing Officer to be unfit for human habitation as set forth herein or in 24 V.S.A. § 5003(c)(11) shall not sell, transfer, mortgage, leave or otherwise dispose of such dwelling until the owner has furnished the intended grantee, mortgagee or lessee a true copy of the order and has notified the Housing Officer in writing of his/her intent to sell, transfer, mortgage, lease or otherwise dispose of the dwelling, or until the enforcing officer has found that the conditions causing the dwelling to be unfit for human habitation have been corrected. A transferee, mortgagee or lessee who has received actual notice or constructive notice shall be bound by the order on the date of the transfer, mortgage or lease without service of further notice upon him/her by the enforcing officer.

iii. If any person is displaced from a dwelling due to any action taken by the Housing Officer related to the dwelling being unfit for human habitation, the Housing Officer may provide such relocation assistance as is reasonably available to the Housing Officer; The Town shall not be responsible for providing relocation assistance to any person(s) displaced by the action of an agency of the State of Vermont. However, the Town shall bear no financial burden for relocation expenses.

(3) Appeal to the Board

a. Any person aggrieved by an order issued by the Housing Officer may appeal to the Board. The appeal shall be taken within seven (7) days from the date of the order appealed. The appeal shall be in writing and shall specify the grounds therefor and the relief requested. The Board shall immediately send a copy of the appeal to the Housing Officer who shall forthwith send to the Board all evidence constituting the record upon which the order was based.

b. An appeal to the Board shall stay the effectiveness of the order appealed from unless the Housing Officer certifies to the Board after notice of the appeal has been sent to them, that, by reason of facts stated in the certificate, a stay would cause a serious hazard or imminent peril to the health or safety of the occupants of a dwelling or of the public. Upon consideration of such certificate, the Board shall give written notice to the appealing party specifying that the order shall be effective pending a hearing on the merits of the appeal in which case the effectiveness of the order shall not be stayed otherwise than by a restraining order which may be granted by a court of competent jurisdiction or application therefor and upon notice to the Housing Officer and on due cause shown.

c. The Board shall hold a hearing of the appeal within one month of the application. The Board shall give one week notice thereof to the party making the appeal and the Housing Officer and shall decide upon the appeal within 30 days of the close of the hearing. At the hearing, any party may appear in person or by agent or attorney.

(4) Appeal to Superior Court

a. Any person, including the Housing Officer, aggrieved by any decision of the Board, may appeal to the Franklin County, Vermont Superior Court under 24 V.S.A. § 5006 within the 30-day time limit and in accord with the procedure set forth in Rule 75 of the Vermont Rules of Civil Procedure. The appeal shall not stay proceedings upon the decision appealed from, but the court may on application, upon notice to the board and on due cause shown, grant a restraining order.

b. The Superior Court has authority to take evidence and issue rulings as set forth at 24 V.S.A. § 5006(b).

c. An unappealed decision of the Housing Officer or of the Board shall be a Final Order ripe for enforcement.

(5) Enforcement

If the Housing Officer finds that any person has failed to comply with any order issued by them within the time specified therein and that such person has failed to appeal such order within the time prescribed, the Housing Officer may pursue one of the following actions:

a. The Housing Officer may issue a citation or citations in the name of the Town through the Judicial Bureau, as set forth in 24 V.S.A. § 1974a, if the penalty for all continuing civil ordinance violations is $800.00 or less.

b. Notify the Town attorney who shall be authorized to bring suit in the name of the Town to enforce such order. Such suit shall be brought in the Vermont Superior Court, Franklin Unit, Civil Division, and either party may request that the court, in accord with 24 V.S.A. § 5008, advance the case so that it may be heard and determined with as little delay as possible. The Court may issue a temporary injunction or order in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include attorney's fees and costs if the plaintiff substantially prevails.

c. If the dwelling or dwelling premises is unfit for habitation or the violation of this Housing Code is otherwise particularly egregious, the Housing Officer may notify the state's attorney of Franklin County, Vermont, in accord with 24 V.S.A. §§ 5007 and 5008, in an effort to pursue criminal enforcement. Criminal enforcement may result in imprisonment for not more than 30 days per violation, and each day shall constitute a separate violation

(6) Records and Reporting

The Housing Officer shall keep a record of all inspections, violations, and it's proceedings. It shall be the duty of the Housing Officer to report to the Housing Board of Review and Town Attorney for prosecution, or other action, any violations found to exist.

SECTION 7. FINAL ORDER

(1) Any Final Order by the Housing Officer provided for in this Housing Code may be recorded in the Town Clerk's office where land records are recorded. The Final Order shall be effective against any purchaser, mortgagee, attaching creditor, lien holder, or other person whose claim or interest in the property arises subsequent to the recording of the Final Order. The recording fee shall be paid by the owner of the property which is the subject of the Final Order. Upon compliance with a Final Order issued under this Housing Code, the Housing Officer shall issue a cancellation of the Final Order in writing, to be recorded in the same manner. The recording fee shall be paid by the owner.

SECTION 8. AMENDMENT

The Richford Selectboard may alter, amend or revoke this Chapter, or any part thereof in accordance with the provisions of 24 V.S.A. §§ 1972 and 1973.

SECTION 9. STANDARDS

In recognition of the fact that the Vermont Department of Health has adopted a Rental Housing Health Code pursuant to 18 V.S.A. § 102, 3 V.S.A. § 3003(a) and 3 V.S.A. § 801(b)(11), establishing minimum health and habitability standards to which all residential rental housing in Vermont must conform, the Town hereby adopts, by reference, all provisions of that Rental Housing Health Code, as it currently exists under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code (the "State of Vermont Rental Housing Health Codes"), and in any duly amended form.

The Town further specifically adopts and supplements the State of Vermont Rental Housing Health Codes as follows:

(1) Sanitation Facilities: The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under Sanitation Facilities are hereby adopted by reference. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health, subchapter 6, Rental Housing Health Code under Pest and Bedbug Control and Management are hereby adopted by reference. In addition, no person shall occupy a dwelling unit or rooming unit which does not comply with the following minimum standards:

a. Every owner or managing agent of a rooming house shall be responsible for the extermination of any insects, rodents or other pests in the yard.

b. Every occupant of a dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests in it or in the yard. In a two-family dwelling or a multifamily dwelling the occupant shall be responsible for such extermination whenever his/her dwelling unit is the only one infested. When, however, infestation is caused by failure of the owner or managing agent to maintain a dwelling in a rodent-proof or substantially insect-proof condition, extermination shall be the responsibility of the owner or managing agent.

(2) Ventilation, Lighting and Heating. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under Heating are hereby adopted by reference. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under Natural and Mechanical Ventilation are hereby adopted by reference. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under

Lighting and Electricity are hereby adopted by reference. In addition, no person shall occupy a dwelling unit or rooming unit which does not comply with the following minimum standards:

a. Windows and Openable Space. The owner of dwellings and rooming houses shall provide ventilation to the outdoors as follows so as to not endanger the health and safety of the occupants. Dwellings and rooming houses shall meet the following standards:

   i. Habitable Rooms. Every habitable room shall have at least one window which can be easily opened and which faces directly to the outdoors. The minimum glass area shall be 10% of the floor area of the room. The openable area shall not be less than 4% of the floor area of the room.

   ii. Bathroom. Every bath, toilet or shower room shall be ventilated by direct access with the external air either by window, airshaft or ventilation fan. If a ventilation fan is used, it shall be vented directly to the exterior of the building and be of sufficient size to prevent the buildup of moisture.

   iii. Glass-Enclosed Porch. For the purpose of this Section, where a habitable room faces onto a glass-enclosed porch, the porch shall be considered as part of the living room if the total window and open area between the porch and the habitable room is at least 20% of the floor area of the living room.

   iv. Laundry Rooms. Every laundry room shall have a minimum openable area of at least 3 square feet. All clothing dryers shall be vented directly to the exterior of the building.

   v. Insufficient Air Space. Whenever a window of a room faces a wall or other portion of any abutting structure which is located less than 3 feet from the window and extends to a level above that of the ceiling of the room, the window shall not be counted in calculating window area or openable area.

   vi. Skylight-Type Windows. A skylight-type window shall be considered as a window for the purpose of this Section except in the case of a kitchen with more than 60 square feet in floor area, a living room, or sleep room.

   vii. Common spaces and Stairways. Each common space and stairway shall be adequately ventilated.

   viii. Screens. Screens shall be provided for all operable windows and for doors that are providing ventilation when a window is not available. All screens shall be maintained in good repair and be free from tears, holes, or other imperfections of either screen or frame that would admit insects such as flies or mosquitoes.

ix. Use of Vaporizers/Humidifiers: Vaporizers/humidifiers shall not be used by dwelling or rooming house occupants or owners in such ways that cause an elevated relative humidity (above 60%), promoting the growth of microorganisms and visible mold.

x. Every dwelling, dwelling unit, rooming house or rooming unit shall be maintained to be free from the regular or periodic appearance of standing water or excessive moisture, which may result in visible mold growth.

b. Lighting and Electricity.

i. Common spaces. Every common space and stairway in a dwelling shall contain at least one supplied ceiling or wall type electric light fixture and one outlet.

A. Two-Family Dwelling, Multi-Family and Rooming House. Every common space and stairway in every two-family dwelling, multi-family dwelling, and rooming house shall be adequately lighted at all times except that in a two-family dwelling an adequate lighting system which may be turned on when needed by conveniently located switches may be permitted instead of a full-time lighting system.

c. Heating.

i. Portable heating equipment employing a flame and heating equipment using gasoline or kerosene are prohibited.

(3) Space and Occupancy. No person shall occupy a dwelling unit or rooming unit which does not comply with the following minimum standards for space and occupancy.

a. Habitable Floor Area. Every dwelling unit shall contain at least 130 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable floor area for each of the next three occupants, and at least 50 square feet of additional habitable floor area for each additional occupant.

i. For the purposes of this Section a person under one (1) year of age shall not be counted as an occupant.

b. Sleeping Rooms. In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least 80 square feet of floor area, and every room occupied for sleeping purposed by more than one occupant shall contain at least 40 square feet of floor area for each occupant 12 years of age and over and at least 20 square feet for each occupant under 12 years of age.

c. Calculation of Floor Area. Floor area shall be calculated on the basis of habitable room area. Closet area and hall area within the dwelling unit, where provided may not be counted as

required habitable floor area. At least one-half of the floor area of every habitable room shall have a ceiling height of at least 7 feet, and the floor area of any part of the room where the ceiling height is less than 5 feet shall not be considered as part of the floor area in computing the total floor area of the room to determine maximum permissible occupancy.

d. Cellars. No cellar shall be used for living purposes.

e. Basements. No basement shall be used for living purposes unless:

   i. The floors and walls are substantially watertight.

   ii. The total window area, total openable area and ceiling height are in accordance with this Ordinance.

   iii. The required minimum window area of every habitable room is in accordance with NFPA and VT Fire & Building Code guidelines as adopted by state legislature.

(4) Structural Elements. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under Structural Elements are hereby adopted by reference. In addition, no person shall occupy a dwelling unit, or rooming unit which does not comply with the following minimum standards for safe and sanitary maintenance of structural elements:

a. Owner Responsibilities. Every dwelling unit must be supplied with a smoke detector in the vicinity of each sleeping area and in each cellarway. Additionally, every dwelling unit must be supplied with a carbon monoxide alarm outside each sleeping area in the immediate vicinity of the bedrooms. An additional carbon monoxide detector shall be installed in each sleeping room that contains a fuel-burning appliance.

(5) Cooking Equipment. No owner or occupant shall furnish or use any cooking equipment which does not comply with the following minimum standards:

a. Every piece of cooking equipment shall be so constructed and installed that it will function safely and effectively and shall be maintained in sound working condition.

b. Portable cooking equipment employing flame and cooking equipment using gasoline or kerosene as fuel for cooking are prohibited.

(6) Mobile Homes on Rented Lots. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under Mobile Homes on Rented Lots are hereby adopted by reference.

(7) National Fire Protection Association (NFPA) Standards.

a. Owners shall ensure that all rental dwelling units meet the standards of NFPA 1 (National Fire Code), NFPA 70 (National Electric Code) and NFPA 101 (Life Safety Code) as adopted by the Vermont Department of Public Safety, Division of Fire Safety.

(8) Responsibilities of Owners and Occupants. The provisions as required under Vermont Health Regulations, Chapter 6, Environmental Health Rules, subchapter 6, Rental Housing Health Code under General Responsibilities are hereby adopted by reference. In addition:

a. Owners:

i. Transfer of Responsibility. A contract effective as between owner and managing agent, managing agent and occupant, or owner and occupant with regard to compliance hereunder shall not relieve any part of his/her direct responsibility under this Ordinance.

ii. Notice of Maximum Occupancy. Every owner or managing agent shall advise the occupant in writing either by insertion in the lease between the parties or otherwise of the maximum number or occupants permitted in the occupied premises under this Ordinance.

b. Occupants:

i. No occupant shall cause any service equipment or utility which is required by this Ordinance to be removed, shut off, or discontinued for any occupied dwelling, except for such temporary interruption as may be necessary while actual repairs or alterations are in progress, or during temporary emergencies.

(9) Managing Agent. All rental property and rooming house owners who do not live within Franklin County, Vermont shall be required to designate a managing agent located in Franklin County, Vermont who is empowered to represent the owner in matters concerning compliance with this ordinance. The name, address and phone number of any local (within Franklin County, Vermont) managing agent shall be provided to the Housing Officer. It shall be a violation of this ordinance for a rental property and rooming house owner who does not live within Franklin County, Vermont to fail to designate a managing agent located in Franklin County, Vermont who is empowered to represent the owner in matters concerning compliance with this ordinance.

SECTION 10. DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense

including the future, words in the plural number include the singular number, and words in the singular number include the plural numbers. The word "shall" is always mandatory and not merely directory.

"Basement" is a portion of any dwelling located partly underground but having less than half its clear floor-to ceiling height below the average grade of the adjoining ground.

"Board" means· the board established or designated as the housing board of review.

"Cellar" is a portion of any dwelling having half or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.

"Common Space" means all interior passageways, hallways, foyers, stairways, basements and other rooms in a dwelling or rooming house used or intended for use by the occupants of more than one dwelling unit or rooming unit.

"Dwelling" means any building or structure or part thereof, including rooming houses and apartments, that is used, occupied, or intended to be used or occupied for human habitation, and includes dwelling premises, appurtenances and facilities belonging to the dwelling or usually enjoyed therewith.

"Dwelling Premises" means the land and auxiliary buildings thereon used or intended to be used in connection with the dwelling;

"Dwelling Unit" is a 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.

"Food Residual or Food Scrap" means source separated and uncontaminated material that is derived from processing or discarding of food and that is recyclable, in a manner consistent with 10 V.S.A. § 6605k. Food residual may include preconsumer and postconsumer food scraps. "Food residual" does not mean meat and meat-related products when the food residuals are composted by a resident on site.

"Habitable Room" is a room or enclosed floor space used or intended to be used for living, sleeping, or eating purposes, excluding bathrooms, water closet compartments, stairways, laundries, foyers, pantries, communicating corridors, stairways, closets, basement recreation rooms, and storage spaces.

"Housing Officer" means the head, or their duly authorized representative, of the Richford Municipal Housing Code Compliance office.

"Immediate Family" means a person's parents, spouse, domestic partner, children and siblings.

"Infestation" means the presence of any pest or bedbug that creates a health hazard or other risk to the preservation of public health.

"Local Board of Health" means the Selectboard, together with the health officer as provided by 18 V.S.A. §§ 601 and 604.

"Local Health Officer" means the properly designated and appointed health officer or deputy health officer as authorized and appointed in accordance with 18 V.S.A. § 601.

"Managing Agent" is any person having charge, care management or control of any dwelling or part of it, in which dwelling units or rooming units are let.

"Mobile Home" means a structure or type of manufactured home as defined in 10 V.S.A. § 6201 (1) that is designed for long-term and continuous residential occupancy.

"Mobile Home Lot" means any parcel of land not located in a mobile home park (as defined in 10 V.S.A. § 6201{(2)}) that is leased to a mobile home owner and established by the owner of the parcel of land as being the area in which the leaseholder establishes a property right by way of a lease. This code is not meant to apply to the rental of a lot in a mobile home park under the jurisdiction of 10 V.S.A. ch. 153.

"Multi-Family Dwelling" is any dwelling or part thereof containing three or more dwelling units.

"Occupant" means a tenant and every person or guest entitled to be living and sleeping in a dwelling, dwelling unit, rooming house or rooming unit or on the premises of a rented mobile home lot.

"Openable Area" is the part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

"Owner" is any person who:

a. Has legal or equitable title to any premises, dwelling, dwelling unit, rooming house, rooming unit or mobile home lot; or

b. Has charge, care, management or control of any premises, dwelling unit, rooming house, rooming unit or mobile home lot; or

c. Is the landlord or lessor of any premises, dwelling, dwelling unit, rooming house, rooming unit or mobile home lot; or

d. Is the authorized agent of the property owner of any premises, dwelling, dwelling unit, rooming house, rooming unit or mobile home lot.

"Person" is any person, firm, partnership, association, corporation, government, governmental subdivision or agency, business trust, estate, trust, company or organization of any kind.

"Pest" means any unwanted animal, including any insect, that is a potential vector for human disease and presents a public health threat.

"Plumbing" is water-heating facilities, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed clothes washing machines, catch basins, drains, vents and other similar supplied fixtures, together with all connections to public or private water or sewer lines.

"Premises" means the buildings, grounds and facilities associated with a dwelling, dwelling unit, rooming house or rooming unit and the grounds, areas and facilities associated with a rented mobile home lot that are held out for the use of occupants generally or whose use is promised to the occupant.

"Recyclables" means the following source separated materials: aluminum and steel cans; aluminum foil and aluminum pie plates; glass bottles and jars from foods and beverages; polyethylene terephthalate (PET) plastic bottles or jugs; high density polyethylene (HDPE) plastic bottles and jugs; corrugated cardboard; white and colored paper; newspaper; magazines; catalogues; paper mail and envelopes; boxboard; and paper bags.

"Rental Housing" means all dwellings, dwelling units, rooming houses, rooming units, or mobile home lots let by the owner to one or more persons to be used as a regular residence.

"Rodent-proof" means construction, installation and maintenance which under foreseeable conditions will prevent the movement of rodents to or from a dwelling or rooming house, or gaining access to food, water or any place where rodents can live, nest or seek shelter. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rodents by climbing, burrowing or other methods.

"Rooming House" is any dwelling or that part thereof containing one or more rooming units, in which space is let by the owner or managing agent to one or more persons who are not immediate family members of the owner.

"Rooming Unit" is any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

"Single Family Dwelling" is any dwelling containing one dwelling unit.

"Supplied" is installed, furnished, or provided by the owner or managing agent at their expense.

"Trash" means combustible and noncombustible waste materials that are not composted or recycled. This includes any products not included in the definitions of "Food Residual or Food Scrap" or "Recyclables."

"Two-Family Dwelling" is any dwelling containing two dwelling units.

"Town" is the Town of Richford.

"Violation" means any condition in or on the premises of a rented dwelling, rooming unit, rooming house or rented mobile home lot which fails to meet any requirement of this code.

"Watertight" means so constructed that the structure is substantially impermeable to water

"Weathertight" means so constructed that the structure resists weather and excludes rain and snow, and prevents the infiltration of air.

"Yard" is all ground, lawn, court, walk, driveway or other open space constituting part of the same premises as a dwelling.

SECTION 11: EFFECTIVE DATE

This Ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 19 day of March, 2018.

Linda Collens

Selectboard, Chair

Selectboard, Vice-Chair

Selectboard

Selectboard

Selectboard

Attest: _____ DATE: March 20, 2018