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ORDINANCE AMENDMENT OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN
AMENDING THE PROCESS FOR APPEALS OF HOUSING CODE CITATIONS

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Title V

HOUSING CODE¹

ARTICLE I. IN GENERAL

Par. 100. Definitions.

The following definitions shall apply in the interpretation and enforcement of this title:

- (a) *Authority* shall mean the authority appointed pursuant to paragraph 500 of this title.
- (b) *Basement* shall mean a portion of a building located partly underground, but having less than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground. Where the contour of the ground level immediately adjacent to the building is interrupted by ditching, pits, or trenching, the average adjoining ground level shall be the nearest contour line parallel to the walls of the building without regard to the level created by ditching, pits, or trenching.
- (c) *Cellar* shall mean a portion of a building located partly or wholly underground, and having one-half or more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
- (d) *Director of public health* shall mean the legally designated health authority of the city, or their authorized representative.
- (e) *Dwelling* shall mean any building which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined in subparagraph (aa) of this paragraph shall not be regarded as a dwelling.
- (f) *Dwelling unit* shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.
- (g) *Enforcing officer* shall mean the Director of the Office of Building Inspection and Enforcement or the Director of the Livable City Initiative, except it shall mean the fire marshal with respect to any nuisance or other condition which constitutes a serious fire hazard, and it shall also mean director of public health with respect to the lead paint ordinance as amended (section 16-7 of the Code of Ordinances). The Director of the Office of Building Inspection and Enforcement or the Director of the Livable City Initiative may deputize one (1) or more members of their office, as

¹Editor's note(s)—The Housing Code is derived from an ordinance adopted July 12, 1954, approved July 14, 1954, and effective July 24, 1954, as amended by ordinances listed in the history note following each section. An ordinance adopted Nov. 16, 1992, approved Nov. 24, 1992, effective Dec. 3, 1992, amended the title in its entirety. In some cases, the text of a given paragraph was retained but the paragraph number was changed. In such cases, a note following the paragraph will give the former paragraph number. Completely new paragraphs will carry reference only to the 1992 ordinance.

well as members of other city departments, who have a particular skill or competence, to act for them; and the term "enforcing officer" as used elsewhere in this title shall be deemed to include such deputies, but no order or other enforcement action shall be issued unless approved and signed or countersigned by the Director of the Office of Building Inspection and Enforcement or the Director of Livable City Initiative or their designee.

(h) *Extermination* shall mean the control and elimination of insects, or other pests, by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods approved by the enforcing officer.

(i) *Garbage* shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(j) *Good repair* shall mean to keep structurally and mechanically sound, free from defects, and easily maintainable; the acceptability of which repairs shall be determined by the enforcing officer.

(k) *Habitable room* shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathroom, water closet compartments, laundries, pantries, foyers, or communicating corridors, closets, recreation rooms (but not including "living room"), private workshops or hobby rooms and storage spaces.

(l) *Infestation* shall mean the presence, within or around a dwelling, or any insects, rodents or other pests.

(m) *Lead paint* shall mean any pigmented, liquid substance applied to surfaces by brush, roller, or spray in which the total nonvolatile ingredients contain more than six-tenths of one (0.6) percent of lead, by weight, calculated as metallic lead.

(n) *Multiple dwelling* shall mean any dwelling containing more than two (2) dwelling units.

(o) *Nuisance which is a serious threat to life, health or safety* shall mean:

(1) Any condition which would constitute a public nuisance at common law; or

(2) Cooking and/or kitchen facilities, bathroom facilities, rubbish and/or garbage disposal facilities or means of egress, not maintained as required by subparagraphs (a), (b), (d) and/or (f), paragraph 301 of this title; or

(3) The absence of adequate ventilation for habitable rooms, light and ventilation for bathrooms, heating facilities or stairway and hall lighting, as required by subparagraphs (a), (b), (c), (d), (e) and/or (f), paragraph 301 of this title; or

(4) Foundations, floors, walls, ceilings, roofs, windows, outside openings, stairs, porches, plumbing fixtures, bathroom floors, or facilities for the drainage and disposal of rainwater not maintained as required by subparagraphs (a), (b), (c), (d), (e) and/or (f), paragraph 301 of this title; or

(5) Shared or common areas not kept in a clean and sanitary condition as required by paragraph 304 of this title; or

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- (6) Infestation by insects, rodents or other pests when it would be the responsibility of the owner to exterminate such insects, rodents, or pests pursuant to paragraph 309 of this title.
- (p) *Nuisance which constitutes a serious fire hazard* shall mean any of the dangerous conditions described in paragraphs (a) through (g) of section 13-302 of Chapter 13 (Fire Prevention Code) of the Code of Ordinances.
- (q) *Occupant* shall mean the person, over one (1) year of age, living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit or rooming unit.
- (r) *Operator* shall mean any person who has charge, care, or control of a building, or part thereof, in which dwelling units or rooming units are let.
- (s) *Owner* shall mean any person who, alone or jointly or severally, with others:
- (1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care, or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this title and to the rules and regulations adopted pursuant thereto, or the same extent as if he were the owner.
- (t) *Persons* shall mean and include any individual; firm, corporation, association, or partnership.
- (u) *Plumbing* shall mean and include all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.
- (v) *Rooming house* means any dwelling, or that part of any dwelling, containing one (1) or more rooming units in which space is let by the owner or operator to four (4) or more persons or as otherwise provided by local, state or federal law. This term includes, but is not limited to, any lodging houses or rooming houses, hotels, motels, group living residential occupancies and dwellings located in the city that house groups including fraternities and sororities that are not located on land owned by educational institutions. This term excludes hospitals, homes for the aged, community residences and health care facilities that are otherwise regulated by state law.
- (w) *Rooming unit* shall mean 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.
- (x) *Rubbish* shall mean combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coke, and other combustible material, paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust.

(y) *Supplied* shall mean paid for, furnished, or provided by or under the control of the owner-operator.

(z) *Tenement house* shall mean any house or building, or portion thereof which is rented, leased, let or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of three (3) or more families, living independently of each other, and doing or able to do their cooking upon the premises, and having a common right in the halls, stairways or yards.

(aa) *Temporary housing* shall mean tent, trailer, or similar structure which is used as human shelter for not more than thirty (30) consecutive days or more than ninety (90) days in any calendar year; provided that such tent, trailer, or similar structure complies with the statutes, ordinances and regulations of the State of Connecticut and the City of New Haven. Nothing is herein intended to prohibit the use of a tent, trailer, or similar structure as a dwelling for more than thirty (30) consecutive days or more than ninety (90) days in any calendar year, if such tent, trailer, or similar structure complies with the provisions of this title and the statutes, ordinances, and regulations of the State of Connecticut or the City of New Haven.

(Ord. of 7-1-57, § 1; Ord. of 9-10-62; Ord. of 2-3-64; Ord. of 6-6-66, § 1-5; Ord. of 4-7-75; Ord. of 1-3-77; Ord. of 11-16-92; Ord. No. 1304, Pt. II(A), 12-17-01)

Par. 101. Construction and interpretation of certain words.

Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," and "premises," are used in this title, they shall be construed as though they were followed by the words "or any part thereof."

(Ord. of 7-1-57, § 1.21; Ord. of 11-16-92)

Par. 102. Penalties.

Any person who shall violate any provision of this title may, upon conviction, be punished by a fine of not more than two thousand dollars (\$2,000.00), or the maximum penalty permitted under the Connecticut General Statutes, as amended from time to time; and each day's failure to comply with any such provision shall constitute a separate violation.

(Ord. of 7-1-57, § 11; Ord. of 11-16-92)

Par. 103. Effect of conflict between this title, other provisions.

In any case where a provision of this title is found to be in conflict with a provision of any zoning, building, fire, safety, health or other ordinance or code of the city, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

(Ord. of 7-1-57, § 12.1; Ord. of 11-16-92)

Par. 104. Permit required for creation of dwelling, rooming unit in existing structure.

No dwelling unit or rooming unit shall be created within an existing structure or converted, remodeled or altered so as to create an additional dwelling unit or rooming unit unless the enforcement officer has issued a written permit certifying that the plans and specifications for such work indicate that the provisions of this title will be complied with. Said permit shall be issued without a fee and shall be prerequisite to the issuance of any permits for such work by the building department.

(Ord. of 7-1-57, § 14.1; Ord. of 9-10-62; Ord. of 11-16-92)

Par. 105. Effective date of provisions.

The provisions of this title shall become effective thirty (30) days after enactment, except that the provisions relating to the bathtub or shower and running hot water in paragraph 300 and the provisions of paragraph 405 shall become effective on July 1, 1959, and the provisions of this ordinance shall take effect on July 1, 1975.

(Ord. of 7-1-57, § 15; Ord. of 9-10-62; Ord. of 4-7-75; Ord. of 11-16-92)

Editor's note(s)—The term "this ordinance" near the end of this paragraph presumably refers to the 1975 ordinance given in the history note. The ordinance adopted Nov. 16, 1992, was effective Dec. 3, 1992.

ARTICLE II. INSPECTION AND ENFORCEMENT

Par. 200. Inspection by enforcing officers; right of owners to enter premises to make repairs.

The enforcing officer is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within this city in order that they may perform their duty of enforcing this Code and thereby safeguarding the health and safety and welfare of the occupants of dwellings and of the general public. For the purpose of making such inspections, the enforcing officer is hereby authorized to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming units, and premises. The owner or occupant of every dwelling, dwelling unit, and rooming unit, or the person in charge thereof, shall give the enforcing officer free access to such dwelling, dwelling unit or rooming unit and its premises at all reasonable times for the purpose of such inspection, examination and survey. Each occupant of a dwelling or dwelling unit shall give the owner thereof, or their agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times, for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this title or any lawful order issued pursuant to the provisions of this title.

(Ord. of 7-1-57, § 2; Ord. of 9-10-62; Ord. of 11-16-92)

Par. 201. Issuance of orders by enforcing officer.

Whenever the enforcing officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this title, they shall give notice of such alleged violation to

the owner of the property or their agent and the person or persons responsible therefor, as hereinafter provided. Such notice shall:

- (a) Be in writing;
- (b) Include the code section violated and statement of the condition constituting the violation;
- (c) Allow a reasonable time, appropriate to the seriousness of the violation or as prescribed by statute, ordinance, protocols as established by the enforcement officer or other regulation, but in no event shall such time exceed thirty (30) days, for the performance of any act required to remedy the violation;
- (d) Be served upon the owner or their agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon them personally or if a copy thereof is sent by registered or certified mail to their last known address; or if a copy thereof is posted in a conspicuous place in or about that dwelling affected by the order; or if they are served with such order by any other method authorized or required under the laws of this state;
- (e) In cases where the enforcement officer determines that the condition constituting the violation is an emergency and/or presents an imminent danger to the public health and safety, notice of the violation and the time within which it must be remediated may be first provided orally and/or by electronic means to the owner or their agent, to be followed by notice as required by (d) above;
- (e) Contain an outline of remedial action, which if taken, will result in compliance with the provisions of this title and with rules and regulations adopted pursuant thereto.

(Ord. of 7-1-57, § 3.2; Ord. of 9-10-62; Ord. of 6-6-66, § 6.7; Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 204.

Par. 202. Order for the abatement of nuisance.

- (a) Whenever the enforcing officer shall issue an order alleging the existence of a nuisance as defined in paragraph 100(p) and such order is not complied with, or not so far complied with as the enforcing officer may regard as reasonable, within the time therein designated, the order may be executed in whole or in part by the enforcing officer, their agents or contractors; or, as an alternative, if a tenement house is involved, the enforcing officer may pursue their remedies under the receivership provisions of this title. No order shall be executed or receivership initiated unless all mortgagees and lien holders of record of the property where a nuisance exists shall have been served with a copy of the order at least forty-eight (48) hours prior to taking such action. If any such mortgagee or lien holder cannot with due diligence be served personally within the City of New Haven, service may be had on such person by posting a copy thereof in a conspicuous place on the property where the nuisance exists, and by sending a copy thereof by registered mail, return receipt requested, to the mortgagee or lienholder at the address set forth in the recorded mortgage or lien.

(b) The expenses and disbursements incurred by the enforcing officer in carrying out such orders shall initially be paid for from the housing repair fund hereinafter described in subparagraph (h) or any other appropriation or fund for such purpose.

(c) The city shall have a lien for such expenses as are incurred in the execution of an order, which lien shall have priority over all other liens and encumbrances, except taxes and assessments, recorded previously to the existence of such lien.

(d) No such lien shall be valid for any purpose until the enforcing officer shall file with the city clerk, for recordation with deeds of land, a certificate subscribed and sworn to by the enforcing officer describing the premises, the owner of the premises, the amount claimed as a lien thereon, and the date of commencement of the activities undertaken in executing the order, and stating that the amount is justly due and that the expense has been incurred in pursuance of the order of the enforcing officer, giving the date of the order. Such certificate shall be filed at any time during the progress of the work required by such order or within four (4) months after the completion of the contract, or the final performance of the work, or the final furnishing of the materials, dating from the last item of work performed or materials furnished, whichever is later.

(e) Unless, within six (6) months after actual notice of such filing, proceedings to discharge such lien are taken by the party against whom or whose premises a lien is claimed, the filing shall, as to all persons having such actual notice, become conclusive evidence that the amount claimed in the notice of lien with interest is due and is a just lien upon the premises.

(f) When the enforcing officer shall have executed any order so far as it may require, the enforcing officer shall file among their records such order and an affidavit stating with fairness and accuracy the items of expense in general terms and the date of execution of such order.

(g) The expenses of executing an order, until the same are paid or discharged, shall be a lien and charge upon rent and compensation due or then maturing from any tenant or occupant of the dwelling and premises or part thereof to which any such order relates, or in respect of which any such expenses were incurred. Recovery or repayment of such expenses as are incurred in executing an order may be obtained by the enforcing officer by collecting rents directly from the tenants of the dwelling involved, or by a suit against the owner of the dwelling instituted and maintained in the name of the City of New Haven, or both. Any such recovery or repayment shall be deposited in the housing repair fund to be used for the purpose of the fund.

(h) A fund to be known as the housing repair fund is hereby created and established. Into such fund shall be deposited such monies as shall be appropriated or allotted by the board of alders and the board of finance or shall be realized from the sale of bonds issued pursuant to chapter 109 of the General Statutes of the State of Connecticut, as amended, for that purpose, or such amounts as may from time to time be received as grants or grant-in-aid under any state or federal program, or such other monies as shall otherwise be made available to the fund.

(Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 205.

Par. 203. Appeals—Procedure, conduct.

(a) Any person adversely affected by any order which has been issued in connection with the enforcement of any provisions of this title may request and, upon payment of a ten dollar (\$10.00) fee to the treasurer of the City, shall be granted a hearing on the matter before **a hearing officer** established under **Title III section 17-85** of the Code of Ordinances; provided that such person, within twenty (20) days of the date of service of the enforcement order, shall file in the office of the enforcing officer a written petition containing a request for such hearing and setting forth a brief and concise statement of the error alleged to be contained in the enforcement order. The filing of such petition shall not automatically stay operation of the order. For good cause shown, the party filing the petition, within the time allowed for such filing, may make written request of the enforcing officer for a stay of operation of the order pending **a hearing before the hearing officer**. Such request shall be ruled on by a hearing officer, who shall issue a written decision within five (5) business days of receipt of the request.

(b) Upon receipt of such petition, the enforcing officer shall notify said **hearing officer** to set a time and place for such hearing and shall give the petitioner at least five (5) business days' written notice thereof.

(c) At such hearing the petitioner shall be given an opportunity to be heard and to show why such enforcement order shall be modified, extended or withdrawn or a variance granted. The petitioner shall have the right to be represented by counsel, to cross-examine and to call witnesses, and to introduce evidence in their own behalf.

(d) The hearing shall be commenced not later than sixty (60) days after the day on which the petition was filed, provided that upon written application of the petitioner, the hearing officer may postpone the date of the hearing for a reasonable time beyond such sixty-day period if, in their judgment, the petitioner submitted a good and sufficient reason for such postponement; but in no event shall said hearing be postponed longer than sixty (60) days from the originally scheduled hearing date.

(Ord. of 7-1-57, § 3.3; Ord. of 9-10-62; Ord. of 6-6-66, § 8-10; Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 7-6-81, § 8; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 206.

Par. 204. Same—Hearing Officer; authority; conditions for granting extensions; variances.

Such a hearing shall be had before the **hearing officer**, who may issue a written decision sustaining, modifying or withdrawing the enforcement order; may also grant an extension or modification in accordance with the following conditions:

(a) *Extension.* The time for performance of any act required by the enforcement order may be extended for not more than eighteen (18) months subject to appropriate conditions and provided that the **hearing officer** makes specific written findings of fact based on evidence relating to the following factors:

(1) That there are practical difficulties or unnecessary hardships that prevent the carrying out the strict letter of any provisions of this title; and

(2) That such extension is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.

(b) *Modifications.* A modification may be granted in a specific case and from a specific provision of this title subject to appropriate conditions and provided that the **hearing officer** makes specific written findings of fact based on evidence relating to the following factors:

(1) That there are practical difficulties or unnecessary hardships that prevent carrying out the strict letter of the provision;

(2) That the effect of the strict application of the code provisions would be arbitrary in the specific case;

(3) That an extension would not result in an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and

(4) That such modification is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.

If any enforcement order is withdrawn by the **hearing officer**, the **ten-dollar** (\$10.00) fee shall be returned to the petitioner.

(Ord. of 7-1-57, § 3.4; Ord. of 9-10-62; Ord. of 6-6-66, § 11; Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 7-6-81, § 9; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 207.

Par. 205. Same—Effect of sustaining notice of permit suspension; time for filing petition for hearing on permit suspensions.

After a hearing in the case of any notice suspending any permit required by this title, when such enforcement order has been sustained by the **hearing officer**, the permit shall be deemed to have been revoked. Any such permit which has been suspended by an enforcement order shall be deemed to be automatically revoked if a written petition for hearing pursuant to Par. 203 is not filed in the office of the enforcing officer within twenty (20) days after such notice is served.

(Ord. of 7-1-57, § 3.6; Ord. of 9-10-62; Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 7-6-81, § 10; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 208.

Par. 206. Same—Record of proceedings required; right of judicial appeal.

The proceedings at such hearings, including the findings and decision of the **hearing officer**, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the enforcing officer and open to reasonable public inspection as required by law. Such record shall also include a copy of every notice or order issued in connection with the matter. A person aggrieved by

the decision of the enforcing officer or the **hearing officer** may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

(Ord. of 7-1-57, § 3.7; Ord. of 9-10-62; Ord. of 6-6-66, § 13; Ord. of 1-11-71; Ord. of 4-7-75; Ord. of 7-6-81, § 11; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 209.

State law reference(s)—Jurisdiction of superior court over appeals from municipal boards, commissions and officers, § 52-7, Conn. Gen. Stat. (Rev. 1958).

Par. 207. Application of placarding and condemnation provisions.

The provisions of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the requirements of paragraphs 208 through 212.

(Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 210.

Par. 208. Condemnation of unfit dwellings—Defects warranting.

Any dwellings or dwelling units which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the enforcing officer:

- (a) One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.
- (b) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public as prescribed by the provisions of this title.
- (c) One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

(Ord. of 7-1-57, § 10.1; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 211.

Par. 209. Same—Occupants required to vacate.

Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the enforcing officer shall be vacated within a reasonable time as ordered by the enforcing officer.

(Ord. of 7-1-57, § 10.2; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 212.

Par. 210. Same—Removal of placard prohibited.

No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in paragraph 211.

(Ord. of 7-1-57, § 10.4; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 213.

Par. 211. Same—Reoccupation, removal of placard when defects corrected.

No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the enforcing officer. The enforcing officer shall remove such placard whenever the defects upon which the condemnation and placarding action were based has been eliminated.

(Ord. of 7-1-57, § 10.3; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 214.

Par. 212. Same—Hearing authorized.

Any person affected by any order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request in writing and shall be granted a hearing on the matter before the **hearing officer** under the procedure provided by paragraphs 203 through 209.

(Ord. of 7-1-57, § 10.5; Ord. of 1-1-71; Ord. of 4-7-75; Ord. of 7-6-81, § 12; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 215.

Par. 213. Study, designation of substandard areas by city plan commission.

The city plan commission shall study from time to time the quality of housing within the city and shall certify to the enforcing officer those areas in which substandard housing exists or in which there is an imminent danger of existing housing becoming substandard. Within thirty (30) days after the effective date of this title the city plan commission shall certify to the enforcing officer the first of said priority areas. The city plan commission shall certify additional priority areas from time to time upon written request from the enforcing officer and within thirty (30) days of the receipt of said request. The city plan commission shall have the power to change, alter, or modify the designation of said priority areas.

(Ord. of 7-1-57, §§ 13.1, 13.3; Ord. of 9-10-62; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 216.

Par. 214. Enforcing officer to give authority to substandard areas.

In the program of enforcement of this title, the enforcing officer shall give priority to those areas which have been certified to him by the city plan commission as directed in paragraph 213; provided, however, that the enforcing officer shall not be limited to such areas in the program of enforcement.

(Ord. of 7-1-57, §§ 13.1, 13.3; Ord. of 9-10-62; Ord. of 4-7-75; Ord. of 11-16-92)

Note(s)—Formerly, ¶ 217.