

Camden County, NC Code of Ordinances

Ordinance No. 2019-08-01**An Ordinance
Amending the Camden County
Code of Ordinances****Camden County, North Carolina**

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend Chapter 150 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code. This code of ordinances hereby adopts the current North Carolina State Building Codes with Amendments and the current National Electrical Code with North Carolina Amendments as indicated by the North Carolina Department of Insurance (NCDOI) and listed on their website as current. This Ordinance also hereby adopts the current North Carolina General Statutes with Amendments.

Article II. Construction

Article III. Replace Chapter 150 of the Camden County Code which shall read as follows:

CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION***Section Housing Code***

- 150.01 Findings; purpose
- 150.02 Definitions
- 150.03 Minimum standards of fitness for dwellings and dwelling units
- 150.04 Minimum standards for structural condition
- 150.05 Minimum standards for safe and sanitary maintenance
- 150.06 Minimum standards for control of insects, rodents and infestations
- 150.07 Minimum standards applicable to rooming houses; exceptions
- 150.08 Minimum standards for fire resistant
- 150.09 Minimum standards for light, ventilation and heating
- 150.10 Minimum standards for minimum room areas
- 150.11 Minimum standards for ceiling heights
- 150.12 Minimum standards for sanitation
- 150.13 Minimum standards form emergency escape and rescue
- 150.14 Minimum standards for means of egress

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150.15	Minimum standards for guards and window fall protection
150.16	Minimum standards for smoke alarms
150.17	Minimum standards for carbon monoxide alarms
150.18	Minimum standards for swimming pools, spas and hot tubs
150.19	Responsibilities of owners and occupants
150.20	Duties and powers of Building Inspector
150.21	Inspections; duty of owners and occupants
150.22	Procedure for Violations
150.23	Penalty

HOUSING CODE

§ 150.01 FINDINGS; PURPOSE.

Pursuant to G.S. § 160A-441, it is hereby found and declared that there exist in the county dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities and due to other conditions rendering the dwellings unsafe or unsanitary and dangerous and detrimental to the health, safety and morals and otherwise inimical to the welfare of the residents of the county. It is further found by the County Board of Commissioners that there exist in the county abandoned structures which constitute a health and safety hazard as a result of the attraction of insects and rodents or which results in a condition creating a fire hazard or which bring about dangerous conditions constituting a threat to children or which bring about frequent use by vagrants as living quarters in the absence of sanitary facilities. In order to protect the health, safety and welfare of the residents of the county, as authorized by G.S. §§ 160A-360 et seq., it is the purpose of this subchapter to establish minimum standards of fitness for the initial and continued occupancy of all dwellings used for habitation and for the continued existence of abandoned structures as expressly authorized by G.S. § 160A-444.

The County shall abide by and enforce construction and renovation codes and standards, in accordance with the current North Carolina Building Codes with amendments and North Carolina adopted National Electric Code with NC Amendments as scheduled and identified by the NC Department of Insurance. Permits shall be issued pursuant to GS 153A-357. The County shall also abide by and enforce the current North Carolina General Statutes with Amendments.

§ 150.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Unless otherwise noted herein definitions shall conform to the North Carolina Building and Electrical Codes.

CELLAR. A portion of a building located partly or wholly underground, having an adequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

DETERIORATED. A dwelling that is unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards established by this subchapter, at a cost not in excess of 50% of its value, as determined by finding of the Inspector.

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DWELLING. 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 shall not be regarded as a dwelling. The word **DWELLING**, wherever used herein, shall also be construed to mean any structure which has not been occupied by the owner or the owner's tenant for a period of 90 consecutive days.

DWELLING UNIT. 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.

EXTERMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Inspector.

GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE ROOM. Habitable rooms shall have a floor area of not less than 70 square feet. **Exception:** Kitchens. Habitable rooms shall be not less than 7 feet in any horizontal dimension. **Exception:** Kitchens. **Height effect on room area.** Portions of a room with a sloping ceiling measuring less than 5 feet or a furred ceiling measuring less than 7 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

HABITABLE SPACE. Space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

INFESTATION. The presence, within or around a dwelling, of any insects, rodents or other pests in a number as to constitute a menace to the health, safety or welfare of the occupant or to the public.

INSPECTOR. The Building Inspector of the county or any agent of the Inspector who is authorized by the Inspector.

MULTIPLE DWELLING. Any dwelling containing more than two dwelling units.

OCCUPANT. Any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of a dwelling unit or rooming unit.

OPERATOR. Any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

OWNER.

(1) Any person who, alone, jointly or severally with others:
(a) Shall have title to any dwelling unit, with or without accompanying actual possession thereof; or
(b) 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.

(2) Any person thus representing the actual owner shall be bound to comply with the provisions of this subchapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he or she were the owner.

PUBLIC AUTHORITY. The County Department of Social Services, the County Building Inspector or any officer who is in charge of any department or branch of the

government of the county or the state relating to health, fire, building regulations or other activities concerning dwellings in the county.

ROOMING HOUSE. Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of the owner or operator.

ROOMING UNIT. 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.

RUBBISH. Combustible and noncombustible waste materials, except garbage and ashes, and the term shall include paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

SUPPLIED. Paid for, furnished or provided by, or under the control of, the owner or operator.

TEMPORARY HOUSING. Any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than 30 consecutive days.

UNFIT FOR HUMAN HABITATION. Conditions that exist in a dwelling which violate or do not comply with one or more of the minimum standards of fitness or one or more of the requirements established by this subchapter.

§ 150.03 MINIMUM STANDARDS OF FITNESS FOR DWELLINGS AND DWELLING UNITS.

Every dwelling and dwelling unit used as human habitation or held out for use as a human habitation shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of this subchapter. No person shall occupy, as owner-occupant, or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of this subchapter.

§ 150.04 MINIMUM STANDARDS FOR STRUCTURAL CONDITION.

(A) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

(B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

(D) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in a condition that they will not fall or collapse.

(E) Adequate facilities, as defined by the North Carolina building codes, for egress in case of fire or panic shall be provided.

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(F) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable materials, which will, by use of reasonable household methods promote sanitation and cleanliness, and shall be maintained in a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

(G) The roof, flashings, exterior walls, basement walls, floor and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

(H) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling or in a condition or location as to constitute a fire hazard.

(I) There shall be no use of the ground for floors or wood floors on the ground.

§ 150.05 MINIMUM STANDARDS FOR SAFE AND SANITARY MAINTENANCE.

(A) (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather-tight and rodent proof shall be kept in sound condition and good repair; shall be capable of affording privacy and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Annular spaces around pipes, electric cables, conduits

or other openings in the walls shall be protected against the passage of rodents by closing such opening with cement mortar, concrete masonry, silicone caulking or noncorrosive metal.

(2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

(B) Every floor, interior wall and ceiling shall be substantially rodent proof shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

(C) Every window, exterior door, basement or cellar door and hatchway shall be substantially weather-tight, watertight and rodent proof and shall be kept in sound working condition and good repair.

(D) Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.

(E) Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit the floor to be easily kept in a clean and sanitary condition.

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

(G) Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

(H) Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina Building Codes.

§ 150.06 MINIMUM STANDARDS FOR CONTROL OF INSECTS, RODENTS AND INFESTATIONS.

(A) In every dwelling unit, for protection against mosquitoes, flies and other insects, every window or other device with openings to outdoor space, used or intended to be used for ventilation shall be supplied with screens installed.

(B) Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents shall be supplied with screens installed or other approved device as will effectively prevent their entrance.

(C) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination whenever his or her dwelling unit is the only one infested. Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonable insect proof conditions, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more dwelling units in a dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

§ 150.07 MINIMUM STANDARDS APPLICABLE TO ROOMING HOUSES; EXCEPTIONS.

All of the provisions of this subchapter and all of the minimum standards and requirements of this subchapter shall be applicable to rooming houses, and to every person who operates a rooming house or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following provisions.

(A) (1) At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house whenever the facilities are shared.

(2) All facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one story removed from any of the persons sharing the facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times.

(3) The required facilities shall not be located in a cellar.

(B) Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over and at least 35 square feet of floor area for each occupant under 12 years of age.

(C) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, ceilings and for the sanitary maintenance of every other part of the rooming house and he or she shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

(D) Every water closet, flush urinal, lavatory basin and bathtub and shower required by division (A) above shall be located within the rooming house and within a room or rooms which afford privacy and are separate from habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

§ 150.08 MINIMUM STANDARDS FOR FIRE RESISTANT CONSTRUCTION

(A) **Two-family dwellings.** *Dwelling units* in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119 or UL 263. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the *exterior wall*, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

(1) A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.

(2) Wall assemblies need not extend through *attic* spaces where the ceiling is protected by not less than 5/8-inch Type X gypsum board, an *attic* draft stop constructed as specified in the NC building code is provided above and along the wall assembly separating the *dwellings* and the structural framing supporting the ceiling is protected by not less than 1/2-inch gypsum board or equivalent.

(1) **Supporting construction.** Where floor assemblies are required to be fire-resistance rated by the NC building code the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.

(2) **Dwelling unit rated penetrations.** Penetrations of wall or floor-ceiling assemblies required to be fire-resistance rated shall be rated and protected in accordance with the NC building code.

(3) **Through penetrations.** Through penetrations of fire-resistance-rated wall or floor assemblies shall comply with the NC building code.

Exception: Where the penetrating items are steel, ferrous or copper pipes, tubes or conduits, the annular space shall be protected as follows:

(1) In concrete or masonry wall or floor assemblies, concrete, grout or mortar shall be permitted where installed to the full thickness of the wall or floor assembly or the thickness required to maintain the fire-resistance rating, provided that both of the following are complied with:

(1.1) The nominal diameter of the penetrating item is not more than 6 inches

(1.2) The area of the opening through the wall does not exceed 144 square inches

(2) The material used to fill the annular space shall prevent the passage of flame and hot gases sufficient to ignite cotton waste where subjected to ASTM E119 or UL 263 time temperature fire conditions under a positive pressure differential of not less than 0.01 inch of water (3 Pa) at the location of the penetration for the time period equivalent to the fire-resistance rating of the construction penetrated.

(4) **Fire-resistance-rated assembly.** Penetrations shall be installed as tested in the *approved* fire resistance-rated assembly.

(5) **Penetration firestop system.** Penetrations shall be protected by an *approved* penetration firestop system installed as tested in accordance with ASTM E814 or UL 1479, with a positive pressure differential of not less than 0.01 inch of water (3 Pa) and shall have a F rating of not less than the required fire-resistance rating of the wall or floor-ceiling assembly penetrated.

(6) Membrane penetrations. Membrane penetrations shall comply with this section. Where walls are required to have a fire-resistance rating, recessed fixtures shall be installed so that the required fire-resistance rating will not be reduced.

Exceptions:

(1) Membrane penetrations of not more than 2-hour fire-resistance-rated walls and partitions by steel electrical boxes that do not exceed 16 square inches in area provided that the aggregate area of the openings through the membrane does not exceed 100 square inches in any 100 square feet of wall area. The annular space between the wall membrane and the box shall not exceed 1/8 inch. Such boxes on opposite sides of the wall shall be separated by one of the following:

(1.1) By a horizontal distance of not less than 24 inches where the wall or partition is constructed with individual non communicating stud cavities.

(1.2) By a horizontal distance of not less than the depth of the wall cavity where the wall cavity is filled with cellulose loose-fill, rockwool or slag mineral wool insulation.

(1.3) By solid fire blocking in accordance with NC Building code.

(1.4) By protecting both boxes with *listed* putty pads.

(1.5) By other *listed* materials and methods.

(2) Membrane penetrations by *listed* electrical boxes of any materials provided that the boxes have been tested for use in fire-resistance-rated assemblies and are installed in accordance with the instructions included in the *listing*. The annular space between the wall membrane and the box shall not exceed 1/8 inch unless *listed* otherwise. Such boxes on opposite sides of the wall shall be separated by one of the following:

(2.1) By the horizontal distance specified in the *listing* of the electrical boxes.

(2.2) By solid fire blocking in accordance with the NC Building code.

(2.3) By protecting both boxes with *listed* putty pads.

(2.4) By other *listed* materials and methods.

(3) The annular space created by the penetration of a fire sprinkler provided that it is covered by a metal escutcheon plate.

(B) Dwelling-garage opening and penetration protection. Openings and penetrations through the walls or ceilings separating the *dwelling* from the garage shall be in accordance with the following:

(1) Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1-3/8 inches in thickness, solid or honeycomb core steel doors not less than 1-3/8 inches thick, or 20-minute fire-rated doors.

Exception: A disappearing/pull-down stairway to uninhabited attic space with minimum 3/8-inch (nominal) fire-retardant-treated structural panel is equivalent to the separation requirement from attics in the NC Building code

(2) Duct penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the *dwelling* from the garage shall be constructed of a minimum No. 26 gage sheet steel or other *approved* material and shall not have openings into the garage.

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(C) **Dwelling-garage fire separation.** The garage shall be separated as required in the following table. Openings in garage walls shall comply the NC Building code. The wall separation provisions of the table shall not apply to garage walls that are perpendicular to the adjacent *dwelling unit* wall.

Dwelling-Garage Separation

Separation	Material
From the residence and attics	Not less than 1/2-inch gypsum board or equivalent applied to the garage side
From habitable rooms above the garage (footnote a)	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 1/2-inch gypsum board or equivalent
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 1/2-inch gypsum board or equivalent applied to the interior side of exterior walls that are within this area

Footnote a: For dwelling units constructed prior to the 2012 North Carolina Residential code edition, 1/2-inch or greater existing gypsum board on the bottom side of the garage ceiling shall be acceptable. Joints shall be taped.

(D) **Under-stair protection.** Enclosed accessible space under stairs shall have walls, under-stair surface and any soffits protected on the enclosed side with 1/2-inch gypsum board.

§ 150.09 MINIMUM STANDARDS FOR LIGHT, VENTILATION AND HEATING

(A) **Habitable rooms.** Habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural *ventilation* shall be through windows, skylights, doors, louvers or other *approved* openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The openable area to the outdoors shall be not less than 4 percent of the floor area being ventilated.

Exceptions:

(1) The glazed areas need not be openable where the opening is not required by the mechanical code and a whole-house mechanical *ventilation* system is installed

(2) The glazed areas need not be installed in rooms where Exception 1 is satisfied and artificial light is provided that is capable of producing an average illumination of 6 foot-candles (65 lux) over the area of the room at a height of 30 inches above the floor level.

(3) Use of sunroom and patio covers, shall be permitted for natural *ventilation* if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

(B) **Adjoining rooms.** For the purpose of determining light and *ventilation* requirements, any room shall be considered to be a portion of an adjoining room where not less than one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room and not less than 25 square feet.

Exception: Openings required for light or *ventilation* shall be permitted to open into a sunroom with thermal isolation or a patio cover, provided that there is an openable area

between the adjoining room and the sunroom or patio cover of not less than one-tenth of the floor area of the interior room and not less than 20 square feet. The minimum openable area to the outdoors shall be based upon the total floor area being ventilated.

(C) **Sunroom additions.** Required glazed openings shall be permitted to open into sunroom *additions* or patio covers that abut a street, *yard* or court if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening, and the ceiling height of the sunroom is not less than 7 feet.

(D) **Bathrooms.** Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 m²), one half of which must be openable.

Exception: The glazed areas shall not be required where artificial light and a local exhaust system are provided. Exhaust air from the space shall be exhausted directly to the outdoors.

(E) **Intake openings.** Mechanical and gravity outdoor air intake openings shall be located not less than 10 feet from any hazardous or noxious contaminant, such as vents, chimneys, plumbing vents, streets, alleys, parking lots and loading docks. For the purpose of this section, the exhaust from *dwelling* unit toilet rooms, bathrooms and kitchens shall not be considered as hazardous or noxious.

Exception: The 10-foot separation is not required where the intake opening is located 3 feet or greater below the contaminant source.

(F) **Outside opening protection.** Air exhaust and intake openings that terminate outdoors shall be protected with corrosion-resistant screens, louvers or grilles having an opening size of not less than 1/4 inch and a maximum opening size of 1/2 inch in any dimension. Openings shall be protected against local weather conditions. Outdoor air exhaust and intake openings shall meet the provisions for *exterior wall* opening protectives in accordance with the NC Building code.

(G) **Interior stairway illumination.** Interior stairways shall be provided with an artificial light source to illuminate the landings and treads. The light source shall be capable of illuminating treads and landings to levels of not less than 1 foot-candle (11 lux) as measured at the center of treads and landings. There shall be a wall switch at each floor level to control the light source where the stairway has six or more risers.

Exception: A switch is not required where remote, central or automatic control of lighting is provided.

(H) **Exterior stairway illumination.** Exterior stairways shall be provided with an artificial light source located at the top landing of the stairway. Exterior stairways providing access to a *basement* from the outdoor *grade* level shall be provided with an artificial light source located at the bottom landing of the stairway.

(I) **Required glazed openings.** Required glazed openings shall open directly onto a street or public alley, or a *yard* or court located on the same *lot* as the building.

Exceptions:

(1) Required glazed openings that face into a roofed porch where the porch abuts a street, *yard* or court and the longer side of the porch is not less than 65 percent unobstructed and the ceiling height is not less than 7 feet.

(2) Eave projections shall not be considered as obstructing the clear open space of a *yard* or court.

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(3) Required glazed openings that face into the area under a deck, balcony, bay or floor cantilever where a clear vertical space not less than 36 inches in height is provided.

(J) **Required heating.** Every *dwelling unit* shall be provided with heating facilities capable of maintaining a room temperature of not less than 70°F at a point 3 feet above the floor and 2 feet from exterior walls in habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section. Winter design condition in Camden County 20 degrees F.

Exception: Unconditioned *sunrooms* that are thermally isolated from the dwelling.

(K) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the National Electric Code with North Carolina Amendments.

§ 150.10 MINIMUM STANDARDS FOR MINIMUM ROOM AREAS

(A) **Minimum area.** Habitable rooms shall have a floor area of not less than 70 square feet.

Exception: Kitchens.

(B) **Minimum dimensions.** Habitable rooms shall be not less than 7 feet in any horizontal dimension.

Exception: Kitchens.

(C) **Height effect on room area.** Portions of a room with a sloping ceiling measuring less than 5 feet or a furred ceiling measuring less than 7 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

§ 150.11 MINIMUM STANDARDS FOR CEILING HEIGHT

(A) **Minimum height.** *Habitable space*, hallways and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet. Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches.

Exceptions:

(1) For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet.

(2) The ceiling height above bathroom and toilet room fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a shower head shall have a ceiling height of not less than 6 feet 8 inches above an area of not less than 30 inches by 30 inches at the showerhead.

(3) Beams, girders, ducts or other obstructions in *habitable space* shall be permitted to project to within 6 feet 4 inches of the finished floor.

(B) **Basements.** Portions of *basements* that do not contain *habitable space* or hallways shall have a ceiling height of not less than 6 feet 8 inches.

Exception: At beams, girders, ducts or other obstructions, the ceiling height shall be not less than 6 feet 4 inches from the finished floor.

§ 150.12 MINIMUM STANDARDS FOR SANITATION

(A) **Toilet facilities.** Every *dwelling* unit shall be provided with a water closet, lavatory, and a bathtub or shower.

(B) **Kitchen.** Each *dwelling* unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.

(C) **Sewage disposal.** Plumbing fixtures shall be connected to a sanitary sewer or to an *approved* private sewage disposal system.

(D) **Water supply to fixtures.** Plumbing fixtures shall be connected to an *approved* water supply. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water.

(E) **Bathtub and shower spaces.** Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet above the floor.

§ 150.13 MINIMUM STANDARDS FOR EMERGENCY ESCAPE AND RESCUE OPENINGS

(A) **Emergency escape and rescue opening required.** *Basements, habitable attics* and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where *basements* contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into a public way, or to a *yard* or court that opens to a public way.

Exception: Storm shelters and *basements* used only to house mechanical *equipment* not exceeding a total floor area of 200 square feet.

(B) **Operational constraints and opening control devices.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge. Window opening control devices complying with ASTM F2090 shall be permitted for use on windows serving as a required emergency escape and rescue opening.

(C) **Emergency escape and rescue openings.** Emergency escape and rescue openings shall have minimum dimensions as follows:

(1) **Minimum opening area.** Emergency and escape rescue openings shall have a minimum net clear openable area of 4 square feet. The minimum net clear opening height shall be 22 inches. The minimum net clear opening width shall be 20 inches. Emergency escape and rescue openings must have a minimum total glazing area of not less than 5 square feet in the case of a ground floor level window and not less than 5.7 square feet in the case of an upper story window.

(2) **Window sill height.** Where a window is provided as the emergency escape and rescue opening, it shall have a sill height of not more than 44 inches above the floor; where the sill height is below *grade*, it shall be provided with a window well.

(3) **Window wells.** The horizontal area of the window well shall be not less than 9 square feet, with a horizontal projection and width of not less than 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required as indicated below shall be permitted to encroach not more than 6 inches into the required dimensions of the window well.

(4) **Ladder and steps.** Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with other sections regarding ladders and steps. Ladders or rungs shall have an inside width of not less than 12 inches, shall project not less than 3 inches from the wall and shall be spaced not more than 18 inches on center vertically for the full height of the window well.

(5) **Emergency escape and rescue openings under decks and porches.** Emergency escape and rescue openings shall be permitted to be installed under decks and porches provided that the location of the deck allows the emergency escape and rescue openings to be fully opened and provides a path not less than 36 inches in height to a *yard* or court.

(6) **Replacement windows.** Replacement windows installed in buildings meeting the scope of this code shall be exempt from the maximum sill height requirements provided the replacement window meets the following conditions:

(a) The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window is of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.

(b) The replacement window is not part of a change of occupancy.

(D) **Emergency escape and rescue doors.** Where a door is provided as the required emergency escape and rescue opening, it shall be permitted to be a side-hinged door or a slider. Where the opening is below the adjacent ground elevation, it shall be provided with a bulkhead enclosure.

(1) **Minimum door opening size.** The minimum net clear height opening for any door that serves as an emergency and escape rescue opening shall be in accordance with opening sizes above.

(2) **Bulkhead enclosures.** Bulkhead enclosures shall provide direct access from the *basement*. The bulkhead enclosure shall provide the minimum net clear opening equal to the door in the fully open position.

(3) **Bars, grilles, covers and screens.** Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided that the minimum net clear opening size is not reduced and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that required for the normal operation of the escape and rescue opening.

(E) **Dwelling additions.** Where *dwelling additions* occur that contain sleeping rooms, an emergency escape and rescue opening shall be provided in each new sleeping room. Where *dwelling additions* occur that have *basements*, an emergency escape and rescue opening shall be provided in the new *basement*.

Exceptions:

(1) An emergency escape and rescue opening is not required in a new *basement* that contains a sleeping room with an emergency escape and rescue opening.

(2) An emergency escape and rescue opening is not required in a new *basement* where there is an emergency escape and rescue opening in an existing *basement* that is accessible from the new *basement*.

(F) **Alterations or repairs of existing basements.** An emergency escape and rescue opening is not required where existing *basements* undergo alterations or repairs.

Exception: New sleeping rooms created in an existing *basement* shall be provided with emergency escape and rescue openings.

§ 150.14 MINIMUM STANDARDS FOR MEANS OF EGRESS

(A) **Means of egress.** All *dwelling*s shall be provided with a means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the *dwelling* to the exterior of the *dwelling* at the required exterior egress door without requiring travel through a garage.

(B) **Egress door.** Not less than one exterior egress door shall be provided for each *dwelling* unit. The egress door shall be side-hinged, and shall provide a clear width of not less than 32 inches where measured between the face of the door and the stop, with the door open 90 degrees. The clear height of the door opening shall be not less than 78 inches in height measured from the top of the threshold to the bottom of the stop. Other exterior doors shall not be required to comply with these minimum dimensions. Egress doors shall be readily openable from inside the *dwelling* without the use of a key or special knowledge or effort.

(C) **Floors and landings at exterior doors.** There shall be a landing or floor on each side of each exterior door. The width of each landing shall be not less than the door served. Every landing shall have a dimension of not less than 36 inches measured in the direction of travel. The slope at exterior landings shall not exceed 1/4 unit vertical in 12 units horizontal (2 percent).

Exception: Exterior balconies less than 60 square feet and only accessible from a door are permitted to have a landing less than 36 inches measured in the direction of travel.

(1) **Floor elevations at the required egress doors.** Landings or finished floors at the required egress door shall be not more than 1-1/2 inches lower than the top of the threshold.

Exception: The exterior landing or floor shall be not more than 8-1/4 inches below the top of the threshold provided the door does not swing over the landing or floor. Where exterior landings or floors serving the required egress door are not at *grade*, they shall be provided with access to *grade* by means of a ramp or a stairway.

(2) **Floor elevations for other exterior doors.** Doors other than the required egress door shall be provided with landings or floors not more than 8-1/4 inches below the top of the threshold.

Exception: A landing is not required where a stairway is located on the exterior side of the door, provided that the door does not swing over the stairway.

(3) **Storm and screen doors.** Storm and screen doors shall be permitted to swing over exterior stairs and landings.

(D) **Hallways.** The width of a hallway shall be not less than 3 feet measured from the finished surface of the walls.

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(1) **Interior egress doors.** All doors providing egress from habitable rooms shall have nominal dimensions of 2 feet 6 inches width by 6 feet 8 inches height. Interior egress doors shall be readily openable from the side from which egress is to be made without the use of a key or special knowledge or effort.

(E) **Stairways.**

(1) **Width.** Stairways shall be not less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4-1/2 inches on either side of the stairway and the clear width of the stairway at and below the handrail height, including treads and landings, shall be not less than 31-1/2 inches where a handrail is installed on one side and 27 inches where handrails are provided on both sides.

Exceptions:

- (1) The width of spiral stairways
- (2) Stairways not required for egress shall be permitted to be a minimum width of 26 inches.

(2) **Headroom.** The headroom in stairways shall be not less than 6 feet 8 inches measured vertically from the sloped line adjoining the tread nosing or from the floor surface of the landing or platform on that portion of the stairway.

Exceptions:

(1) Where the nosings of treads at the side of a flight extend under the edge of a floor opening through which the stair passes, the floor opening shall be allowed to project horizontally into the required headroom not more than 4-3/4 inches.

(2) The headroom for spiral stairways.

(3) **Vertical rise.** A flight of stairs shall not have a vertical rise larger than 147 inches between floor levels or landings.

(4) **Stair treads and risers.** Stair treads and risers shall meet the requirements of this section. For the purposes of this section, dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.

(a) **Risers.** The riser height shall be not more than 8-1/4 inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch. The top and bottom riser of interior stairs shall not exceed the smallest riser within that stair run by more than 3/4 inch. The height of the top and bottom riser of the interior stairs shall be measured from the permanent finished surface (carpet excluded). Where the bottom riser of an exterior stair adjoins an exterior walk, porch, driveway, patio, garage floor, or finish grade, the height of the riser may be less than the height of the adjacent risers.

(b) **Treads.** The minimum tread depth shall be not less than 9 inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

(1) **Winder treads.** Winder treads shall have a tread depth of not less than 9 inches measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a tread depth of not less than 4 inches at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline shall not exceed the smallest winder tread by more than 3/8 inch.

(c) **Nosings.** The radius of curvature at the nosing shall be not greater than 9/16 inch. A nosing projection not less than 3/4 inch and not more than 1-1/4 inches shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed 1/2 inch.

Exceptions:

(1) A nosing projection is not required where the tread depth is not less than 11 inches.

(2) The opening between adjacent treads is not limited on stairs with a total rise of 30 inches or less.

(d) **Exterior plastic composite stair treads.** Plastic composite exterior stair treads shall comply with the provisions of this section and the requirements of ASTM D7032.

(5) **Landings for stairways.** There shall be a floor or landing at the top and bottom of each stairway. A flight of stairs shall not have a vertical rise larger than 12 feet 3 inches between floor levels or landings. The width of each landing shall not be less than the width of the stairway served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

Exception: A floor or landing is not required at the top of an interior flight of stairs, including stairs in an enclosed garage, provided that a door does not swing over the stairs.

(6) **Stairway walking surface.** The walking surface of treads and landings of stairways shall be sloped not steeper than one unit vertical in 48 inches horizontal (2-percent slope).

(7) **Handrails.** Handrails shall be provided on not less than one side of each continuous run of treads or flight with four or more risers.

(a) **Height.** Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than 34 inches and not more than 38 inches.

Exceptions:

(1) The use of a volute, turnout or starting easing shall be allowed over the lowest tread.

(2) Where handrail fittings or bendings are used to provide continuous transition between flights, transitions at winder treads, the transition from handrail to *guard*, or used at the start of a flight, the handrail height at the fittings or bendings shall be permitted to exceed 38 inches.

(b) **Continuity.** Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1-1/2 inches between the wall and the handrails.

Exceptions:

(1) Handrails shall be permitted to be interrupted by a newel post at the turn.

(2) The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

(3) Two or more separate rails shall be considered continuous if the termination of the rails occurs within 6 inches of each other. If transitioning between a wall-mounted handrail and a guardrail/handrail, the wall-mounted rail shall return into the wall.

(c) **Grip-size.** Required handrails shall be of one of the following types or provide equivalent graspability:

(1) Type I. Handrails with a circular cross section shall have an outside diameter of not less than 1-1/4 inches and not greater than 2 inches. If the handrail is not circular, it shall have a perimeter dimension of not less than 4 inches and not greater than 6-1/4 inches with a cross section of dimension of not more than 2-1/4 inches. Edges shall have a radius of not less than 0.01 inch.

(2) Type II. Handrails with a perimeter greater than 6-1/4 inches shall have a graspable finger recess area on both sides of the profile. The finger recess shall begin within a distance of 3/4 inch measured vertically from the tallest portion of the profile and achieve a depth of not less than 5/16 inch within 7/8 inch below the widest portion of the profile. This required depth shall continue for not less than 3/8 inch to a level that is not less than 1-3/4 inches below the tallest portion of the profile. The width of the handrail above the recess shall be not less than 1-1/4 inches and not more than 2-3/4 inches. Edges shall have a radius of not less than 0.01 inch.

Exception: Exterior handrails (garages and areas exposed to the weather) shall not be more than 3-1/2 inches in cross-section dimension.

(d) **Exterior plastic composite handrails.** Plastic composite exterior handrails shall comply with the requirements of ASTM D7032.

(F) **Special Stairways**

(1) **Spiral stairways.** Spiral stairways are permitted, provided that the clear width at and below the handrail is not less than 26 inches and the walkline radius is not greater than 24-1/2 inches. Each tread shall have a depth of not less than 6-3/4 inches at the walkline. All treads shall be identical, and the rise shall be not more than 9-1/2 inches. Headroom shall be not less than 6 feet 6 inches.

(2) **Bulkhead enclosure stairways.** Stairways serving bulkhead enclosures, not part of the required building egress, providing access from the outside *grade* level to the *basement* shall be exempt from the requirements where the height from the *basement* finished floor level to *grade* adjacent to the stairway is not more than 8 feet and the *grade* level opening to the stairway is covered by a bulkhead enclosure with hinged doors or other *approved* means.

(3) **Bowed tread stairways.** Bowed tread stairways are permitted provided they are uniform in bowed tread depth along the entire width of the tread with not more than 3/8-inch variance from greatest to smallest tread in the stairway flight. At no point shall the tread be less than 9 inches with a nosing as above

(a) **Standard stairway application.** The bottom three treads in a standard straight run stairway application are permitted to bow provided that, at no point along the width of the tread, they are less than 9 inches and each bowed tread is uniform with other bowed treads with no more than 3/8 inch variance from greatest to least. Nosing is required.

(b) **Bowed tread circular stairways.** Bowed treads in a circular stairway are permitted provided they are uniform, as per winder treads measured at a point 12 inches from the side where the treads are narrower. At this walk line, bowed treads must be

uniform with other circular stairway treads with the greatest tread not to exceed the smallest by more than 3/8 inch. Nosing is required.

(c) **Ships ladders.** Ships ladders shall not be used as an element of a means of egress. Ships ladders shall be permitted provided that a required means of egress stairway or ramp serves the same space at each adjoining level or where a means of egress is not required. The clear width at and below the handrails shall be not less than 20 inches.

(1) **Treads of ships ladders.** Treads shall have a depth of not less than 5 inches. The tread shall be projected such that the total of the tread depth plus the nosing projection is not less than 8-1/2 inches. The riser height shall be not more than 9-1/2 inches.

(2) **Handrails of ships ladders.** Handrails shall be provided on both sides of ships ladders. Handrail height shall be uniform, not less than 30 inches and not more than 34 inches.

(G) **Ramps.**

(1) **Maximum slope.** Ramps serving the egress door shall have a slope of not more than 1 unit vertical in 12 units horizontal (8.3-percent slope). All other ramps shall have a maximum slope of 1 unit vertical in 8 units horizontal (12.5 percent).

Exception: Where it is technically infeasible to comply because of site constraints, ramps shall have a slope of not more than 1 unit vertical in 8 units horizontal (12.5 percent).

(2) **Landings required.** There shall be a floor or landing at the top and bottom of each ramp, where doors open onto ramps, and where ramps change directions. The width of the landing perpendicular to the ramp slope shall be not less than 36 inches.

(3) **Handrails required.** Handrails shall be provided on not less than one side of ramps exceeding a slope of one unit vertical in 12 units horizontal (8.33-percent slope).

(a) **Height.** Handrail height, measured above the finished surface of the ramp slope, shall be not less than 34 inches and not more than 38 inches.

(b) **Continuity.** Handrails where required on ramps shall be continuous for the full length of the ramp. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1-1/2 inches between the wall and the handrails.

§ 150.15 MINIMUM STANDARDS FOR GUARDS AND WINDOW FALL PROTECTION

(A) **Guards.** *Guards* shall be provided as required.

(1) **Where required.** *Guards* shall be located along open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30 inches measured vertically to the floor or *grade* below at any point within 36 inches horizontally to the edge of the open side. Insect screening shall not be considered as a *guard*.

(2) **Height.** Required *guards* at open-sided walking surfaces, including stairs, porches, balconies or landings, shall be not less than 36 inches in height as measured vertically above the adjacent walking surface or the line connecting the leading edges of the treads.

Exceptions:

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(1) *Guards* on the open sides of stairs shall have a height not less than 34 inches measured vertically from a line connecting the leading edges of the treads.

(2) Where the top of the *guard* serves as a handrail on the open sides of stairs, the top of the *guard* shall be not less than 34 inches and not more than 38 inches as measured vertically from a line connecting the leading edges of the treads.

(3) **Opening limitations.** Required *guards* shall not have openings from the walking surface to the required *guard* height that allow passage of a sphere 4 in diameter.

Exceptions:

(1) The triangular openings at the open side of stair, formed by the riser, tread and bottom rail of a *guard*, shall not allow passage of a sphere 6 inches in diameter.

(2) *Guards* on the open side of stairs shall not have openings that allow passage of a sphere 4-3/8 inches in diameter.

§ 150.16 MINIMUM STANDARDS FOR SMOKE ALARMS

(A) **General.** Smoke alarms shall comply with NFPA 72 and this section.

(B) **Listings.** Smoke alarms shall be *listed* in accordance with UL 217. Combination smoke and carbon monoxide alarms shall be *listed* in accordance with UL 217 and UL 2034.

(C) **Where required.** Smoke alarms shall be provided in accordance with this section.

(1) **New construction.** Smoke alarms shall be provided in *dwelling units*.

(2) **Alterations, repairs and additions.** Where *alterations, repairs* or *additions* requiring a building permit occur, or where one or more sleeping rooms are added or created in existing *dwelling*s, the individual *dwelling unit* shall be equipped with smoke alarms located as required for new *dwelling*s.

Exceptions:

(1) Work involving the exterior surfaces of *dwelling*s, such as the replacement of roofing or siding, the *addition* or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.

(2) Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

(D) **Location.** Smoke alarms shall be installed in the following locations:

(1) In each sleeping room.

(2) Outside each separate sleeping area in the immediate vicinity of the bedrooms.

(3) On each additional *story* of the *dwelling*, including *basements* and *habitable attics* and not including crawl spaces and uninhabitable *attics*. In *dwelling*s or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full *story* below the upper level.

(4) Smoke alarms shall be installed not less than 3 feet horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required in another section.

(E) **Installation near cooking appliances.** Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required in another section

(1) Ionization smoke alarms shall not be installed less than 20 feet horizontally from a permanently installed cooking *appliance*.

(2) Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet horizontally from a permanently installed cooking *appliance*.

(3) Photoelectric smoke alarms shall not be installed less than 6 feet horizontally from a permanently installed cooking *appliance*.

(F) **Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual *dwelling unit*. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

Exception: Interconnection of smoke alarms in existing areas shall not be required where *alterations* or repairs do not result in removal of interior wall or ceiling finishes exposing the structure.

(G) **Combination alarms.** Combination smoke and carbon monoxide alarms shall be permitted to be used in lieu of smoke alarms.

(H) **Power source.** Smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and, where primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Exceptions:

1. Smoke alarms shall be permitted to be battery operated where installed in buildings without commercial power.

2. Smoke alarms installed in accordance with code section titled "Alterations, repairs and additions" shall be permitted to be battery powered.

(I) **Fire alarm systems.** Fire alarm systems shall be permitted to be used in lieu of smoke alarms and shall comply with this section.

(1) **General.** Fire alarm systems shall comply with the provisions of this code and the household fire warning *equipment* provisions of NFPA 72. Smoke detectors shall be *listed* in accordance with UL 268.

(2) **Location.** Smoke detectors shall be installed in the locations specified above.

(3) **Permanent fixture.** Where a household fire alarm system is installed, it shall become a permanent fixture of the occupancy, owned by the homeowner and carbon monoxide detectors shall be permitted to be installed in fire alarm systems in lieu of smoke detectors, provided that they are *listed* in accordance with UL 268 and UL 2075.

§ 150.17 MINIMUM STANDARDS FOR CARBON MONOXIDE ALARMS

(A) **Listings.** Carbon monoxide alarms shall be *listed* in accordance with UL 2034. Combination carbon monoxide and smoke alarms shall be *listed* in accordance with UL 2034 and UL 217.

(B) **Where required.** Carbon monoxide alarms shall be provided as follows:

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(1) **New construction.** For new construction, carbon monoxide alarms shall be provided in dwelling units where either or both of the following conditions exist.

(a) The *dwelling unit* contains a fuel-fired *appliance* or fireplace.

(b) The *dwelling unit* has an attached garage with an opening that communicates with the dwelling unit.

(2) **Alterations, repairs and additions.** Where *alterations*, repairs or *additions* requiring a building permit occur, or where one or more sleeping rooms are added or created in existing *dwelling units*, or where fuel-fired *appliances* or fireplaces are added or replaced, the individual *dwelling unit* shall be equipped with carbon monoxide alarms located as required for new *dwelling units*.

Exception: Work involving the exterior surfaces of *dwelling units*, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fired appliance that cannot introduce carbon monoxide to the interior of the dwelling, is exempt from the requirements of this section.

(3) **Location.** Carbon monoxide alarms in *dwelling units* shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. Where a fuel-burning *appliance* is located within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom.

(C) **Combination alarms.** Combination carbon monoxide and smoke alarms shall be permitted to be used in lieu of carbon monoxide alarms.

(D) **Power source.** Carbon monoxide alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and, where primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Exceptions:

(1) Carbon monoxide alarms shall be permitted to be battery operated where installed in buildings without commercial power.

(2) Carbon monoxide alarms installed in accordance with code section titled "Alterations, repairs and additions" shall be permitted to be battery powered.

(E) **Carbon monoxide detection systems.** Carbon monoxide detection systems shall be permitted to be used in lieu of carbon monoxide alarms as follows:

(1) **General.** Household carbon monoxide detection systems shall comply with NFPA 720. Carbon monoxide detectors shall be *listed* in accordance with UL 2075.

(2) **Location.** Carbon monoxide detectors shall be installed in the locations specified. These locations supersede the locations specified in NFPA 720.

(3) **Permanent fixture.** Where a household carbon monoxide detection system is installed, it shall become a permanent fixture of the occupancy and owned by the homeowner.

(4) **Combination detectors.** Combination carbon monoxide and smoke detectors shall be permitted to be installed in carbon monoxide detection systems in lieu of carbon monoxide detectors, provided that they are *listed* in accordance with UL 2075 and UL 268.

§ 150.18 MINIMUM STANDARDS FOR BARRIERS FOR SWIMMING POOLS, SPAS AND HOT TUBS

(A) BARRIER REQUIREMENTS for swimming pools, spas, and hot tubs installed in or on the lot of a one or two family dwelling: The provisions herein shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near drownings by restricting access to swimming pools, spas and hot tubs.

(B) Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

(1) The top of the barrier shall be at least 48 inches above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches or 4 inches where concrete or fixed solid material is used measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

(2) Openings in the barrier shall not allow passage of a 4-inch-diameter sphere.

(3) Solid barriers that do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(4) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches in width.

(5) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches in width.

(6) Maximum mesh size for chain link fences shall be a 2-1/4 inch square unless the fence has slats fastened at the top or the bottom that reduce the openings to not more than 1-3/4 inches.

(7) Where the barrier is composed of diagonal members such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1-3/4 inches.

(8) Access gates shall comply with the requirements of the above, items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:

(8.1) The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and

(8.2) The gate and barrier shall have no opening larger than 1/2 inch within 18 inches of the release mechanism.

(9) Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:

(9.1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or

(9.2) Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or

(9.3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

(10) Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

(10.1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

(10.2) The ladder or steps shall be surrounded by a barrier that meets the requirements of items 1 through 9 above. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.

(C) **Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with §150.18(B)(9) above with regards to walls serving as barriers.

(D) **Prohibited locations.** Barriers shall be located away from permanent structures, equipment or similar objects to prohibit them from being climbed upon to gain access.

(E) **Barrier exceptions.** Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

§ 150.19 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

(A) Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(B) Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he or she occupies and controls.

(C) Every occupant of a dwelling or dwelling unit shall dispose of all rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.

(D) Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.

(E) No occupant shall willfully destroy, deface or impair any of the facilities or equipment or any of the structure of a dwelling or dwelling unit.

(Ord. passed 5-15-89) Penalty, see § 150.99

(F) Refer to **GS 42 Article 5** regarding Landlord Tenant Residential Rental Agreements.

§ 150.20 DUTIES AND POWERS OF BUILDING INSPECTOR.

(A) The Building Inspector is hereby designated as the officer to enforce the provisions of this subchapter and to exercise the duties and powers herein prescribed. It shall be the duty of the Building Inspector:

(1) To investigate the dwelling conditions, and to inspect dwellings and dwelling units, located in the county, in order to determine which dwellings and dwelling units are unfit for human habitation and for the purpose of carrying out the objectives of this subchapter with respect to the dwellings and dwelling units;

(2) To take the action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;

(3) To keep a record of the results of inspections made under this subchapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed; and

(4) To perform the other duties as may be herein prescribed.

(B) The Building Inspector is authorized to exercise the powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this subchapter, including the following powers in addition to others herein granted:

(1) To investigate the dwelling conditions in the county;

(2) To administer oaths and affirmations, examine witnesses and receive evidence;

(3) To enter upon premises for the purpose of making examinations and inspections; provided, the entries shall be made in a manner as to cause the least possible inconvenience to the persons in possession; and

(4) To appoint and fix the duties of the officers, agents and employees as he or she deems necessary to carry out the purposes of this subchapter.

(C) The Inspection Department may make periodic inspections, subject to the board of commissioners' directions, when there is reasonable cause to believe that unsafe, unsanitary, otherwise hazardous or unlawful conditions may exist in buildings or structures within its planning and development regulation jurisdiction. However, when the inspection department determines that a safety hazard exists in one of the dwelling units within a multifamily building, which in the opinion of the Inspector poses an immediate threat to the occupant, the inspection department may inspect, in the absence of a specific complaint and actual knowledge of the unsafe condition, additional dwelling units in the multifamily building to determine if the same safety hazard exists. For purposes of this section, the term "reasonable cause" means any of the following:

- (1) The landlord or owner has a history of more than two verified violations of the house ordinances or codes within a 12-month period;
- (2) There has been a complaint that substandard conditions exist within the building or there has been a request that the building be inspected,

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- (3) The inspection department has actual knowledge of an unsafe condition within the building; or
- (4) Violations of the local ordinances or codes are visible from the outside of the property.

(D) In conducting inspections authorized under this section, the inspection department shall not discriminate between single-family and multifamily buildings or between owner-occupied or tenant-occupied buildings. In exercising this power, members of the department shall have the right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials. Nothing in this section shall be construed to prohibit periodic inspections in accordance with State fire prevention code or as otherwise required by State law.

§ 150.21 INSPECTIONS; DUTY OF OWNERS AND OCCUPANTS.

For the purpose of making inspection, the Inspector is hereby authorized to enter, examine and survey, at all reasonable times, all dwelling units, accessory structures, rooming units and premises. The owner or occupant of every dwelling, dwelling unit or rooming unit, or the person in charge thereof, shall give the Inspector free access to the dwelling, dwelling unit or rooming unit, and its premises at all reasonable times for the purpose of the inspection, examination and survey. Every occupant of a dwelling unit shall give the owner thereof or his or her agent or employee access to any part of the dwelling or dwelling unit and its premises, at all reasonable times for the purpose of making the repairs or alterations as necessary to effect compliance with the provisions of this subchapter or with any lawful order issued pursuant to the provisions of this subchapter.

§ 150.22 PROCEDURE FOR VIOLATIONS

(A) If the Inspector declares a residential or nonresidential building or structure to be unsafe, the Inspector must affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building. For purposes of this section, "unsafe" means dangerous to life because of liability to fire, bad conditions of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes.

(B) If a person removes a notice that has been affixed to a building by a local inspector and that states the dangerous character of the building, he is guilty of a Class 1 misdemeanor.

(C) Immediately upon affixing the notice upon the structure, the Inspector shall send notice, in writing, by certified or registered mail, to the owner of and parties in interest to the structure, of the unsafe character of the structure and request the owner takes prompt corrective action to repair, alter and improve the dwelling.

(D) If the owner fails to take prompt corrective action within thirty (30) days, the Inspector shall by certified or registered mail to the last known address or by personal service give written notice:

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(1) That the building or structure is in a condition that appears to meet one or more of the following conditions:

- (i) Constitutes a fire or safety hazard.
- (ii) Is dangerous to life, health, or other property.
- (iii) Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.
- (iv) Has a tendency to attract persons intent on criminal activities or other activities that would constitute a public nuisance.

(2) That a hearing will be held before the Inspector at a designated place and time, not later than 10 days after the date of notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; AND

(3) That following the hearing, the Inspector may issue any order to repair, close, vacate, or demolish the building that appears appropriate.

(E) If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the structure in question at least 10 days before the day of the hearing and a notice of the hearing is published in the local newspaper of general circulation at least once not later than one week before the hearing.

(F) If, at the hearing the Inspector finds that the building is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he/she shall issue a written order, stating his or her findings of fact to support the determination, and directing the owner of the building to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or taking other necessary steps, within such period, not less than sixty (60) days, as the Inspector may prescribe; provided, that where the Inspector finds that there is imminent danger to life or other property, he/she may order that corrective action be taken in such lesser period as may be feasible.

(G) An owner may appeal the Inspector's order to the Board of Commissioners by giving written notice of appeal to the Inspector and Clerk to the Board of Commissioners within 10 days following the day the order is issued. In the absence of an appeal, the Inspector's order is final.

(H) The Board of Commissioners shall hear the appeal within a reasonable time. The Notice of Hearing shall be sent to the owner, in writing, by certified or registered mail, and posted on the outside of the structure in question. The hearing conducted shall be quasi-judicial. The Board of Commissioners may affirm, modify and affirm, or revoke the Inspector's Order.

(I) An owner may appeal the Board of Commissioner's order in Superior Court within 30 days following the day the order is issued and they will hear the matter on judicial review.

(J) If the owner fails to comply with the order from which no appeal has been taken, the county may initiate any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or prevent occupancy of the building involved, including removing or demolishing the structure.

(K) The amounts incurred by the county in connection with the removal or demolition shall be a lien on the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as liens for special assessments as provided in Article 9 of Chapter 153A of the North Carolina General Statutes.

(L) If the building or structure is removed or demolished by the county, the county shall sell the usable materials of the building and any personal property, fixtures, or appurtenances found

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in or attached to the building. The county shall credit the proceeds of the sale against the cost of the removal or demolition. Any balance remaining from the sale shall be deposited with the clerk of superior court of the county where the property is located and shall be disbursed by the court to the person found to be entitled thereto by a final order or decree of the court.

(M) The amounts incurred by the county in connection with the removal or demolition shall also be a lien against any other real property owned by the owner of the building or structure and located within the county's jurisdictional limits, except for the owner's primary residence.

(N) Nothing in this section shall be construed to impair or limit the power of the county to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

(O) This Section shall be interpreted to comply with the North Carolina General Statutes as it exists to apply to residential and nonresidential buildings and as may be hereinafter amended.

§ 150.23 PENALTY.

(A) Any person violating any provisions of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

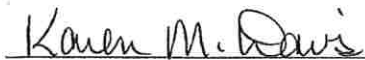
(B) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and cease and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in the order, and each day that any failure, neglect or refusal to comply with the order continues shall constitute a separate and distinct offense. It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to § 150.22 to occupy or permit the occupancy of the same after the time prescribed in the order for its repair, alteration or improvement, or of its vacation and closing, and each day that the occupancy continues after the prescribed time shall constitute a separate and distinct offense. The violation of any provision of § 150.03 through § 150.22 shall constitute a penalty as provided by G.S. § 14-4.

Adopted by the Board of Commissioners for the County of Camden this 9th day of September, 2019.



Tom White, Chairman
Camden County Board of Commissioners

ATTEST:



Karen M. Davis
Clerk to the Board of Commissioners



