

# MIN – Coral Gables City Code

- **Sec. 105-146. - Purpose.**

The purpose of this article is to protect the public health, safety, morals and welfare of the people of the city by establishing minimum standards governing the condition, occupancy, and maintenance of dwellings, dwelling units, rooming houses, rooming units and premises; establishing minimum standards governing utilities, facilities, and other physical components and conditions essential to make dwellings, dwelling units, rooming houses, rooming units, and premises safe, sanitary, and fit for human habitation; fixing certain responsibilities and duties of owners, operators, agents and occupants of dwellings, and dwelling units, rooming houses, and rooming units, and the condemnation and vacating of those dwellings, dwelling units, rooming houses, and rooming units unfit for human habitation; and fixing penalties for violation of any of the provisions of this article; and to authorize the charging of a fee for the issuance of a certificate of occupancy. This article is hereby declared to be remedial and essential to the public interest, and it is intended that this article be liberally construed to effectuate the purposes as stated above

- **Sec. 105-147. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use* means a structure, the use of which is incidental to that of the main building, and which is attached thereto or located on the same premises.

*Approved* means approved by the head of the code enforcement agency.

*Bathroom* means a room containing one or more bathtubs, showers, or both, a toilet and lavatory.

*Building* means a structure that encloses space; a structure that gives protection or shelter for any occupancy. The term "building" shall be construed as if followed by the phrase "or part thereof."

*Code enforcement agency* means the department of building and zoning of the city.

*Director* means the director of the building and zoning department.

*Dwelling* means a building occupied exclusively for residential purposes and consisting of not more than one housekeeping unit used for cooking, living or sleeping purposes. The word "dwelling" shall be deemed to include dwellings, dwelling duplex, dwelling multiple, dwelling units, rooming houses, rooming units and premises.

*Dwelling duplex* means a building arranged, designed or used to house not more than two dwelling units.

*Dwelling multiple* means a building arranged, designed or used to house three or more dwelling units.

*Dwelling unit* means one or more rooms with living, cooking, sanitary, and sleeping facilities therein, arranged for one family with whom may reside not more than three lodgers or boarders if elsewhere provided for by an ordinance of the city.

*Exterior property area* means open space on the premises and vacant open space on adjacent premises.

*Extermination* means the control and elimination of insects, rodents, and vermin 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 approved means of pest elimination.

*Garbage* means the animal, vegetable, and mineral waste resulting from the handling, preparation, cooking and consumption of food.

*Habitable room* means a room in a residential unit used for living, sleeping, eating or cooking, but excluding baths, toilets, storage spaces or corridors.

*Head of code enforcement agency* means the director of the building and zoning department of the city.

*Infestation* means the presence within or contiguous to a dwelling of insects, rodents, vermin or other pests.

*Kitchen* means a space, 40 square feet or more in floor area, with a minimum width of five feet, used for cooking or preparation of food, and deemed habitable space.

*Kitchenette* means a space, less than 40 square feet in floor area, used for cooking or preparation of food, and not deemed habitable space.

*Multiple family*, as in a building, means more than two families or household living independently of each other and doing cooking within their living quarters and includes apartments, tenements and flats.

*Occupant* means 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* means any person, who has charge, care, or control of a multiple residence or roominghouse, in which dwelling units or rooming units are let or offered for occupancy.

*Owner* means any person, who alone or jointly or severally with others shall have:

(1)

Legal title to any building arranged, designed or used, in whole or in part, to house one or more dwelling units; or

(2)

Charge, care or control of any building arranged, designed or used, in whole or in part, to house one or more dwelling units, as owner or agent of the owner, or as a fiduciary of the estate of the owner or any officer appointed by the court. Any such person thus representing the actual owner shall be bound to comply with the terms of this article and any notice or rules and regulations issued pursuant thereto, to the same extent as if he were the owner.

*Premises* means a lot, plot, or parcel of land including the buildings or structures thereon.

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

*Rubbish* means all combustible and noncombustible waste, except garbage.

*Structure* means a combination of any materials, whether fixed or portable, forming a construction, including buildings. The word "structure" shall be construed as though followed by the words "or part thereof."

*Supplied facilities* means facilities paid for, furnished, or provided by, or under control of the owner or operator.

*Temporary housing* means any tent, trailer or other structure used for human shelter designed to be transportable and which is not attached to the ground, to another structure, or to any utility system for more than 30 consecutive days. Any tent, trailer, or other structure occupied for more than 30 consecutive days shall meet all requirements of this Code. This shall not be construed as permitting its existence unless specifically provided for by other ordinances.

*Toilet room or compartment* means an enclosed space containing one or more toilets, which may also contain one or more lavatories, urinals, and other plumbing fixtures.

- **Sec. 105-185. - Described and designated.**

Any dwelling which is found to have any of the following defects shall be declared by the director to be unfit for human habitation:

- (1) 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.
- (2) Lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.
- (3) Because of its location, general condition, state of the premises or number of occupants, if so unsanitary, unsafe, overcrowded or otherwise detrimental to health and safety that it creates a serious hazard to the occupants or of the public.
- (4) Because of the failure of the owner or occupant to comply with such notices or orders issued pursuant to this article, is unfit for human habitation.

- **Sec. 105-224. - Freedom from health, accident or fire hazards.**

Exterior property areas shall be free from conditions that might create a health, accident, or fire hazard, such as holes and excavations, sharp protrusions and other objects or conditions which might be a potential cause of personal injury. Undergrowth shall not exceed a height of 12 inches.

- **Sec. 105-225. - Freedom from rubbish and garbage.**

Exterior property areas shall be kept free from organic and inorganic material that might become a health, accident, or fire hazard, whether or not said areas are used for human habitation. Metal containers with covers shall be provided for the temporary storage of garbage and rubbish. Materials of an inflammable nature shall be safely stored or removed from the premises. Rubbish, trash, debris, dead trees or other unsightly or unsanitary matter shall be removed by owner or occupant or both.

- **Sec. 105-226. - Discharge of sewage.**

Sewage must be discharged into a public sewer system, if same is provided by the city or into other means of disposal approved by the city

- **Sec. 105-227. - Stormwater drainage.**

Stormwater causing recurrent or excessive ponding shall be eliminated through proper filling or grading of ground. The ground should be graded away from the building and foundation, but not so as to cause the water to drain into adjoining property or city rights-of-way, streets or parkways

- **Sec. 105-228. - Noxious weeds and plants.**

Exterior property areas shall be free from species of weeds or plant growth which are noxious or detrimental to the public health.

- **Sec. 105-229. - Insect and rodent harborage.**

Exterior property areas shall be kept free from sources of insect, vermin, and rodent breeding, harborage, and infestation. Where insect, rodent, or vermin breeding areas, harborage or infestation exist, such areas, harborage, or infestation shall be eliminated

- **Sec. 105-231. - Accessory structures; repair, freedom from hazards.**

Accessory structures, located on exterior property areas, shall be kept in good repair, free from health, fire, and accident hazards, and vermin.

- **Sec. 105-233. - Maintenance—Private space.**

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

- **Sec. 105-236. - Extermination.**

Every occupant of a single dwelling unit shall be responsible for the extermination of any rodents, vermin or other pests therein or on the premises. Every occupant of a dwelling unit in a building containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested, except that whenever such infestation is caused by the failure of the owner to carry out the provisions of this article, extermination shall be the responsibility of the owner. When three or more dwelling units within a building are so infested, it shall be the responsibility of the owner to carry out the provisions of this article within such building, as cited above with respect to extermination.

- **Sec. 105-239. - Discontinuance of utilities.**

No owner, operator, or occupant shall cause any service, facility, equipment, or utility which is required to be supplied by the provisions of this article to be removed from, or shut off from, or discontinued for any occupied dwelling unit, except for necessary repairs, alterations, or emergencies

- **Sec. 105-241. - Hot water.**

Every dwelling shall have an adequate supply of hot water, properly connected to kitchen sink, laundry trays or washing machine, lavatory, tub and/or shower. Water heating equipment, except where a solar water heater is installed, shall be properly maintained and capable of delivering water at a minimum temperature of 120 degrees Fahrenheit at each hot water outlet

- **Sec. 105-243. - Plumbing fixtures connected to sewer lines.**

All plumbing fixtures installed within a structure used for human habitation shall be connected to sewer lines that discharge into a public sewerage system or other approved means of disposal. Private sewerage systems shall be connected and repairs or additions made in accordance with the applicable regulations of the city

- **Sec. 105-245. - Plumbing fixtures required.**

Every dwelling and dwelling unit shall have the following plumbing fixtures: kitchen sink, toilet, bathtub or shower, and lavatory. Kitchen sinks, bathtubs, showers, and lavatories shall be properly connected to both hot and cold water lines. Required plumbing fixtures shall be installed in accordance with the plumbing code of the city.

- **Sec. 105-246. - Electrical service.**

Every dwelling, dwelling unit, roominghouse, and rooming unit shall be provided with electric service, properly connected.

- **Sec. 105-247. - Cooking facilities.**

Every dwelling unit shall be provided with installed cooking facilities or utility connections for such facilities. Where cooking facilities are not supplied, adequate space and utility connections shall be provided where such connections are necessary.

- **Sec. 105-248. - Refrigerated space.**

In every dwelling unit where perishable foods are kept, refrigerated space for their storage or appropriate utility connections shall be provided. Where refrigeration equipment is not provided, adequate space and utility connections shall be provided

- **Sec. 105-249. - Maintenance of plumbing fixtures.**

Every water line, plumbing fixture, and drain located in a structure used for human habitation shall be properly installed, connected, and maintained, and capable of performing the function for which it was designed. All repairs to installations must be made in accordance with the plumbing regulation of the Florida Building Code adopted in section 105-23.

- **Sec. 105-278. - Stairs, porches and railings.**

The stairs, porches and railings affixed to the exterior of every structure used for human habitation shall be kept in good repair and structurally sound. They shall be free from holes and serious cracks, and shall be capable of supporting imposed loads

- **Sec. 105-279. - Weather and watertightness.**

Every structure, used for human habitation shall be so maintained that it will be weather and watertight. Exterior walls, roofs and all openings around doors, windows, chimneys and all other parts of the structure shall be so maintained as to keep water from entering the structure and to prevent undue heat loss. Damaged materials must be repaired or replaced. All parts of the structure that show evidence of dry rot or other deterioration shall be repaired, replaced and refinished to be in conformity with the rest of the structure. Window panes permitting entrance of water shall be replaced

- **Sec. 105-282. - Vermin and rodent free.**

The exterior of every structure used for human habitation shall be so maintained as to be vermin and rodent free. All exterior windows that are not fixed, doors, and other openings, up to four feet aboveground level, shall be screened or protected with acceptable wire mesh or other approved materials. Defects, cracks, or holes shall be tightly sealed to prevent the entrance of vermin and rodents.

- **Sec. 105-283. - Screening required.**

Every window, door, and other opening to outdoor space in the exterior of every structure used for human habitation shall be effectively protected against the entrance of insects. Such doors and other openings to outdoor space shall be supplied with either a self-closing device or a self-closing screen door. Every window and other opening to outdoor space shall be equipped with approved screening. A residential entrance with an ornamental solid door shall not be required to be screened.

- **Sec. 105-288. - Stairs and railings.**

Interior stairs of every structure used for human habitation shall be structurally sound and free from defects dangerous to life and limb. Railings shall be provided for stairs, balconies, and stairwells. Treads and risers that are broken, wrapped or loosened shall be repaired or replaced

- **Sec. 105-289. - Floors, walls, ceilings and roofs.**

Floors, walls, ceilings and roofs of every structure used for human habitation shall be structurally sound, and maintained in a clean and sanitary condition. They shall be free from cracks, breaks, loose plaster and similar conditions so serious as to endanger the safety of occupants or to seriously mar the attractiveness of the premises.

- **Sec. 105-291. - Interior free from rubbish and garbage.**

The interior of every structure used for human habitation shall be maintained free from rubbish and garbage that might become a health, accident, or fire hazard. Containers with covers shall be provided for the temporary storage of rubbish and garbage and other refuse. Materials of an inflammable nature shall be stored safely or removed from the premises.

- **Sec. 105-292. - Insect and rodent harborage.**

The interior of every structure used for human habitation shall be kept free from insect, rodent, and vermin infestation. Where insect, rodent, or vermin infestation, harborage, or breeding areas exist, such areas, harborage, or infestation shall be eliminated.