

SECTION II. SECTION AMENDED.

Section 10-1-180 is amended by the addition of the following definitions:

- () Manufactured Home. A structure certified and labeled as a manufactured home under 42 USC Secs. 5401-5426, which, when placed on the site:
- Is set on an enclosed continuous foundation in accordance with Sec. 70.43(1), Wis. Stats., and ILHR 21, Subchapters III, IV, and V, Wis. Adm. Code, or is set on a comparable enclosed continuous foundation system approved by the Building Inspector, who may require a plan for such foundation to be certified by a registered architect or engineer to ensure proper support for such structure;
 - Is installed in accordance with the manufacturer's instructions;
 - Is properly connected to utilities; and
 - Meets other applicable standards of this Chapter.

SECTION III. SEVERABILITY.


If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 20th day of July 1995,

VILLAGE OF BEAR CREEK, WISCONSIN


Village President


Village Clerk

Published and/or Posted: July 21, 1995

SEC. 10-2-2 PARKING OUTSIDE PARKS; PERMITS; SEWERS; SIZE.

- (a) It shall be unlawful, except as provided in this Chapter for any persons to park any mobile home on any street, alley or highway, or other public place, or any tract of land owned by any person within the Village of Bear Creek that is not properly located on property owned by the said occupant of the mobile home and for which a building permit has been issued by said Village. Before a building permit can be issued by the Building Inspector, Village Clerk or Village Board, the owner of said mobile home must have paid the Village Treasurer the required fee for sewer hookup. All mobile homes must be a minimum size of twelve (12) by fifty (50) feet. However, this size provision does not include existing mobile homes that are located in the Village of Bear Creek prior to the effective date of this Chapter. D/C
7-20-95
- (b) (1) Emergency or temporary stopping or parking is not permitted on any street, alley or highway for not longer than twenty-four (24) hours, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- (2) A special permit may be granted by the Village Clerk or Village President for a longer period after a written application therefor is made on forms to be furnished by the Village Clerk. The forms shall give the name of the applicant, the owner or lessee of the mobile home, the desired location, the dates and hours requested for overtime parking. The permit may be granted for a period not to exceed five (5) days if the issuing official finds that such parking will not interfere with the orderly flow of traffic, or be otherwise injurious to the welfare of the Village or its inhabitants. The permit may be granted on the condition that the parking fee of \$1.00 per day for such location be paid to the Village Clerk in advance.
- (c) No person shall park or occupy any mobile home on any premises not owned by him or outside an approved mobile home park. The parking of only one (1) unoccupied mobile home in an accessory private garage building or in a rear yard is permitted providing no living quarters shall be maintained or any business practiced in said mobile home while said mobile home is so parked or stored. No person shall park or occupy any mobile home unit as defined in this section as a result of the inclusion of additions, attachments and annexes, foundations and appurtenances.
- (d) The provisions of this section shall not apply to mobile homes parked in the Village of Bear Creek and occupied as homes at the time of the passage of this Chapter as a non-conforming use. The replacement of such mobile homes shall not be permitted.

SEC. 10-2-3 LICENSE FOR MOBILE HOME PARK; APPLICATION AND ISSUANCE.

- (a) License Required. It shall be unlawful for any person to establish, operate or maintain or permit to be operated or maintained upon property owned, leased or controlled by him, a Mobile Home Park within the limits of the Village of Bear Creek without having first secured a license for each such park from the Village Board pursuant to this Chapter. Such license shall expire one year from the date of issuance, but may be renewed under the provisions of this Chapter for additional periods of one year.
- (b) Application.
- (1) The application for such license or the renewal thereof shall be filed with the

Village Clerk and shall be accompanied by a fee of \$2.00 for each space in the existing or proposed park, with a minimum of \$25.00 for the first twelve spaces or fraction thereof, and a surety bond to guarantee the collection by the licensee of the monthly parking permit or tax provided for herein and the payment of such fees or tax to the Village Treasurer, the payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against said licensee for a violation of the ordinances of said Village, County or State, pursuant to which said license is granted, and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person, firm or corporation who may be injured or damaged by reason of the licensee violating the provisions of this Chapter. A fee of Ten (\$10.00) Dollars shall be paid for each transfer of license. Said license transfer must be approved by the Village Board in writing.

- (c) Insurance. Before any license is issued, the applicant must have met all of the specifications and codes set up by the Village and the State of Wisconsin on Mobile Parks, and must file with the Clerk a statement from the State of Wisconsin stating that the applicant has met and conformed with all specifications set forth by the Village and State. The State of Wisconsin Board of Health Chapter "H-77" relating to Mobile Homes and Mobile Home Parks is hereby adopted by reference and in case of conflicts between this ordinance and Chapter H-77, this Chapter shall govern.
- (d) Inspection and Enforcement. No Mobile Park license shall be issued until the premises have been inspected by the Village Building Inspector and proper officials of the State of Wisconsin, and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto. No license shall be renewed without a reinspection of the premises. For the purpose of making inspections and securing enforcements such officials or their authorized agents shall have the right and are hereby empowered to enter on any premise on which mobile home is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.
- (e) Application Information. The application for a license shall be accompanied by four (4) copies of the Mobile Home Park plan showing the following, either existing or proposed:
 - (1) The extent and area proposed for Mobile Home Park purposes.
 - (2) Roads and driveways.
 - (3) Location of sites or units for mobile homes.
 - (4) Proposed street surfacing and lighting.
 - (5) Off street parking, if any.
 - (6) Patios.
 - (7) Locations of community building and general plan of it.
 - (8) Location of recreation facilities.
 - (9) Location of sidewalks.
 - (10) Location of setback lines.
 - (11) Location of screening, planting, green areas, etc.
 - (12) A storage area for boats, snowmobiles, campers, trailers, camper-trailers and other equipment.
 - (13) The estimated time for the completion of the various improvements.
 - (14) Any other information requested by the Village of Bear Creek.
- (f) Public Hearing. No license for any Mobile Home Park shall be issued by the Village Board of Bear Creek until after a public hearing has been held on the matter by said Village. This hearing shall be noticed by publication in the three (3) official posting places in Bear Creek at least ten (10) days prior to the public hearing.

SEC. 10-2-4 SITE REQUIREMENTS AND STANDARDS.

- (a) Every Mobile Home Park, except for the Mobile Home Park presently owned and operated by James D. Thebo north of Highway 76 (Willow Street), shall have sufficient area and plans for the development of at least forty-eight (48) spaces, a manager, a street maintenance and operating personnel.
- (b) Every Mobile Home Park hereafter established shall:
 - (1) Every Mobile Home Park shall be located on a well-drained area and the premises shall be properly graded so as to prevent the accumulation of storm and other waters.
 - (2) Each space shall have a gross area of not less than 6,000 square feet, including off street parking areas, if any.
 - (3) Each space shall have a minimum width of fifty-five (55) feet measured at the setback line for a mobile home less than fifteen (15) feet in width, and a minimum width of sixty-five (65) feet for a mobile home over fifteen (15) feet in width.
 - (4) Front setback of mobile home shall be no less than fifteen (15) feet from the curb and no less than twelve (12) feet from the sidewalk.
 - (5) There shall be not less than ten (10) feet between a mobile home and any side line of a space.
 - (6) There shall be not less than twenty (20) feet of space between mobile homes in all directions.
 - (7) A patio shall be constructed on the ground beside each mobile home site; this patio shall be not less than 200 square feet in area constructed of concrete with 4" minimum thickness.
 - (8) At least one (1) shade tree, preferably Maple, (minimum diameter two (2) inches at time of planting) shall be placed and maintained on each unit. No box-elder trees shall be allowed.
 - (9) Except for the areas used for the mobile home, patio, sidewalk and off-street parking space, if any, the entire space shall be sodded or seeded and maintained with grass.
 - (10) Streets shall be forty (40) feet wide and shall be constructed of a minimum of three (3") inches of bituminous surface material on a suitable base of at least four (4") inch thickness. Streets may be thirty-three (33) feet wide with off street parking areas provided.
 - (11) Integral concrete sidewalks thirty six (36") inches wide and curb, shall be constructed on each side of the streets, or concrete curb and gutters shall be constructed, bordered by a thirty-six (36) inch concrete sidewalk. The concrete shall be four (4) inches thick.
 - (12) There shall be an unused area not less than twenty (20) feet in depth along each public street bordering a park, and between the park and a mobile home sales lot, which area shall be appropriately landscaped with trees at least every forty (40) feet and appropriate shrubbery.
 - (13) A central TV antenna shall be provided for the mobile homes and no TV antennas shall be permitted on a unit or in a space.
 - (14) All telephone, electric and TV wires and cables shall be underground.

SEC. 10-2-5 MOBILE HOME PARK MANAGEMENT.

- (a) Every Mobile Home Park shall have a manager or person in charge of said park. A copy of the park license and of this Chapter shall be posted therein and the park register at all times be kept in said office.

- (b) It is hereby made the duty of the manager or person in charge, together with the licensee to:
- (1) Keep a register of all guests, to be open at all times to inspection by State and Federal officers and the Village Board, School Board or their agents, which shall show for all guests:
 - a. Names and addresses
 - b. Number of children of school age
 - c. State and legal residence
 - d. Dates of entrance and departure
 - e. License numbers of all trailers and towing or other vehicles
 - f. State issuing such license
 - g. Purpose of stay in Park
 - h. Place of last location and length of stay
 - i. Place of employment of each occupant
 - (2) Maintain the park in a clean, orderly and sanitary condition at all times. No stripped, junked, or wrecked vehicles, not in good and safe operating conditions shall be allowed anywhere in the mobile home park, and the repair of automobiles, motorcycles, snowmobiles and other vehicles shall be prohibited except in the storage area.
 - (3) Assure that the provisions of this Chapter are complied with and enforced and report promptly to the proper authorities any violations of this Chapter and/or any other violations of law which come to his attention.
 - (4) Report to the Health Officer or other applicable official all cases of persons or animals affected or suspected of being affected with any communicable disease.
 - (5) Collect the monthly parking permit fee or tax provided for in Title 7 of this Code of Ordinance. A book shall be kept showing the names of the persons paying said service charges and the amount paid and the date thereof.
 - (6) Prohibit parking on the lawn in front of the mobile home.
 - (7) Require all mobile homes to be skirted from the mobile home to the ground with the same material as, or equal to, that from which the mobile home was made.
 - (8) Provide for every mobile home a substantial fly-tight, water-tight, rodent-proof garbage depository from which the contents shall be removed in a sanitary manner at least once weekly.
 - (9) Not allow a dependent mobile home to occupy a space in the Mobile Home Park, nor allow a mobile home to be inhabited by a greater number of occupants than that for which it was designed.
 - (10) Furnish every mobile home with at least four cables to attach it to the ground. Deny a person occupying or owning a mobile home or trailer, or a licensee of such park the right to build or cause to be constructed any foundation, pier, posts, lean-to sheds or additions to the mobile home or trailer while parked within any licensed mobile home park. Nothing herein contained shall prohibit the use of commercially manufactured stabilizing equipment or the skirts required by Subsection (b) 7 or the addition of factory built awnings, porches, steps and platforms.
 - (11) Not allow any licensee or occupant to erect upon any licensed mobile home park any tent, sectional, or prefabricated cabin or cottage or any other structure intended to be used for dwelling purposes, or to be used in connection with or added to any mobile home legally located on a space in such park, except for a dwelling and office for the park manager, which shall be constructed in accordance with the standards of the Village of Bear Creek and State of Wisconsin.

- (12) Snow removal, street maintenance and street lighting shall be provided by the park licensee without expense to the Village.
- (13) There shall be no open fires of any kind allowed, except for charcoal or gas barbecues.

SEC. 10-2-6 REVOCATION AND SUSPENSION.

The Village Board is hereby authorized to revoke any license or permit issued pursuant to the terms of this Chapter and in accordance with Section 66.058, Wis. Stats.

SEC. 10-2-7 PENALTIES.

- (a) Any person violating any provision of this Chapter shall, upon conviction thereof, be subject to the general penalty provisions of Sec. 1-1-6 of this Code of Ordinance.
- (b) As an alternate method of enforcement against any person operating a mobile home park without the license required in this Chapter, the Village Attorney is hereby authorized to procure injunctive relief in favor of the Village against such a person.

AN ORDINANCE TO AMEND SECTION 10-3-1 OF THE MUNICIPAL CODE OF THE VILLAGE OF BEAR CREEK ADOPTING WISCONSIN STATUTES SECTION 101.22 RELATING TO THE EQUAL RIGHTS OF ALL PERSONS TO FAIR HOUSING, AND PROVIDING MEANS FOR IMPLEMENTATION AND ENFORCEMENT THEREOF.

THE VILLAGE OF BEAR CREEK DOES ORDAIN AS FOLLOWS:

SECTION 10-3-1 IS CREATED TO READ AS FOLLOWS:

FAIR AND OPEN HOUSING

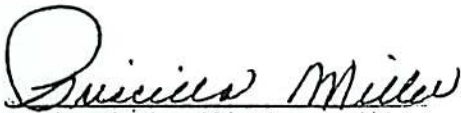
WHEREAS, the Village Board of the Village of Bear Creek recognizes responsibilities under Section 101.22 Wisconsin Statutes, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein:

THEREFORE, BE IT ORDAINED THAT:

The fair housing ordinance of the Village of Bear Creek is amended to include as a protected class, families with children as defined by the Federal Fair Housing Act of 1988.


Thomas Bechard, Village President

ATTEST:


Priscilla Miller, Village Clerk

Adopted: May 11, 1992

Published: May 21, 1992

Effective: May 11, 1992

CHAPTER 3

Fair Housing

- §10-3-1 Statement on Fair Housing
- §10-3-2 Definitions: As Used in This Chapter
- §10-3-3 Discrimination Prohibited
- §10-3-4 Enforcement

SEC. 10-3-1 STATEMENT ON FAIR HOUSING.

It is hereby declared to be the policy of the Village of Bear Creek to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, ancestry, national origin, sex, sexual preference, handicap, marital status of person maintaining a household, lawful source of income, place of birth or age and, to that end, to prohibit discrimination in housing by any persons.

SEC. 10-3-2 DEFINITIONS: AS USED IN THIS CHAPTER.

- (a) "DWELLING" shall mean any building, structure, or portion thereof which is occupied as, or designed for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction thereof of any such buildings or structure.
- (b) "PERSON" includes a single individual.
- (c) "FAMILY" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy and receivers.
- (d) "TO RENT" includes to lease, sublease, to let and otherwise grant for a consideration the right to occupy premises not owned by the occupant.
- (e) "DISCRIMINATORY HOUSING PRACTICE" MEANS:
 - (1) To refuse to sell or rent after making a bona fide offer, or to refuse to negotiate for the sale or rental of, or make unavailable or deny a dwelling to any person because of race, color, religion, sex, sexual preference, national origin, handicap or age.
 - (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, sexual preference, national origin, handicap or age.
 - (3) To make, print, or publish or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion, sex, sexual preference, national origin, handicap or age.
 - (4) To represent to any person because of race, color, religion, sex, sexual preference, national origin, handicap or age that any dwelling is not available for inspection, sale or rental when such dwelling is, in fact, so available.
 - (5) For any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving or maintaining a dwelling or to discriminate against him in the fixing of the amount, interest rate, duration, or terms or conditions of

- such loan or other financial assistance because of race, color, religion, sex, sexual preference, handicap, age or national origin of such person or persons.
- (6) To deny any person access to our membership or participation in any multiple listing service, real estate broker's organization or other service organization, or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of such access, membership or participation on account of race, color, religion, sex, sexual preference, national origin, handicap or age.
 - (7) To induce directly or indirectly or attempt to induce directly or indirectly the sale, purchase, rental or lease for the listing for any of the above, of any housing accommodation by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, sexual preference, religion, national origin, handicap or age.
 - (8) To retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this article, or because he has filed a complaint, testified, assisted in or participated in any manner in any investigation, proceeding, hearing or conference under this Chapter.

SEC. 10-3-3 DISCRIMINATION PROHIBITED.

It is unlawful to discriminate in the sale or rental of housing or to commit any discriminatory housing practice except that this Chapter shall not apply to any of the following:

- (a) Any single family house sold or rented by an owner; provided that in case of the sale of any such single family house by a private individual owner not residing in such house at the time of such sale, the exemption granted by this subsection shall apply only with respect to one such sale within a twenty-four (24) month period; provided further, that the sale or rental of any such single family house shall be excepted from the applications of this Chapter only if such house is sold or rented, without the use of any real estate broker, agent, or salesman and without the publication, posting or mailing of any advertisement in violation of Section 10-3-2(e)(3); but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies to perfect or transfer title.
- (b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independent of each other, if the owner actually maintains and occupies one of such living quarters as his residence.
- (c) To a religious organization, association, or society or any non-profit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association or society from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, sexual preference, national origin, handicap or age.
- (d) Nor shall anything in this Chapter prohibit a private club, not open to the public, which as an incident to its primary purpose or purposes provides lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members.

SEC. 10-3-4 ENFORCEMENT.

Any person aggrieved by an unlawful practice prohibited by this Chapter may file a complaint with the Village President thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice and in no event more than sixty (60) days after the alleged unlawful practice has occurred. The Village President shall receive each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this Chapter shall cause the Village President to forward the complaint and findings to appropriate state and federal agencies.

The Village of Bear Creek by its Board of Trustees does hereby ordain as follows:

1. TITLE. This ordinance shall be known as the Housing Code of the Village of Bear Creek, to be designated in the Code of Ordinances for the Village of Bear Creek as Chapter 3A of Title 10.

2. Chapter 3A of Title 10 is hereby created to read as follows:

SEC. 10-3A-1 APPLICATION. The provisions of this subchapter shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habitation.

SEC. 10-3A-2 DEFINITIONS. Certain words or terms in this subchapter are defined for the purpose hereof as follows:

(1) APPROVED. Approved shall mean approved by the Assessor-Inspector appointed to enforce the provisions of this subchapter.

(2) HALF-BASEMENT OR LOWER LEVEL. A portion of a building located partly underground, but having less than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

(3) BASEMENT. A portion of a building located partly or wholly underground and having one-half or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.

(4) BOARD OF ZONING APPEALS. As created by SEC. 2-4-2 of this code.

(5) DWELLING. Any building or structure, or part thereof, which is used or intended to be used for living or sleeping.

(6) DWELLING UNIT. A room or group of rooms or part thereof, located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping and cooking.

(7) EXTERMINATION. The control or 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 or trapping, by block their access to a dwelling, or by any other recognized and legal pest elimination methods approved by the Health Officer.

(8) FIRST STORY. That story of a dwelling at or next above the average grade of adjoining ground.

(9) **GARBAGE.** The animal and/or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(10) **HABITABLE ROOM.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces. (See also SEC 10-3A-6 of this chapter regarding requirements for floor space.)

(11) **INFESTATION.** The presence, within or around a dwelling, or in or near waste disposal containers, of any insects, rodents or other pests.

(12) **LIGHT HOUSEKEEPING.** The use of a room or rooms for combined living, sleeping and dining purposes by individuals or groups of persons having part of a dwelling such as stairs or halls in common, but living independently of each other and doing their cooking upon the premises, whether in the same or in other units, as distinguished from a dwelling unit or apartment having normal kitchen and toilet facilities.

(13) **LIGHT HOUSEKEEPING UNIT.** The room or rooms occupied for light housekeeping purposes by one individual or group of persons living independently of other such individuals or groups.

(14) **MULTIPLE DWELLING.** Any dwelling containing more than 2 dwelling units.

(15) **OCCUPANT.** Any person living, sleeping, cooking or eating in or having possession or use of a dwelling unit.

(16) **OPERATOR.** Any legally responsible person who has charge, care or control of a building or part thereof in which dwelling units are leased or let.

(17) **OWNER.** Any legally responsible person who, alone or jointly or severally with others.

(a) Has legal title to any dwelling with or without actual possession thereof;
or

(b) Has charge, care or control of any dwelling as owner or agent of the owner, or as person representative, trustee or guardian of the estate of the owner. Any such person thus representing the owner shall be bound to comply with the provisions of this subchapter to the same extent as if he were the owner.

(18) **PLUMBING.** Water pipes, mechanical garbage disposal units, waste pipes, water closets, sinks, installed dishwashers and clothes washing machines, lavatories, bathtubs, shower baths, catch basins, drains, vents and other similar supplied fixtures, including all connections to water or sewer lines.

(19) **PREMISES.** Includes any part of a dwelling or building and its land.

(20) 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.

(21) 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.

(22) RUBBISH. Combustible or noncombustible waste materials except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, leaves, tin cans, metals, mineral matter, glass, crockery or dust.

(23) SUPPLIED. Paid for, arranged, furnished or provided by or under control of the owner or operator.

SEC. 10-3A-3 COMPLIANCE WITH REQUIREMENTS. No person shall occupy or let to another for occupancy any dwelling for the purpose of living, sleeping, cooking or eating therein which does not comply with the requirements of this subchapter.

SEC. 10-3A-4 REQUIREMENTS FOR SANITATION.

(1) SINK, FLUSH WATER CLOSET, LAVATORY BASIN AND BATHTUB OR SHOWER IN DWELLINGS.

(a) Every dwelling unit shall contain:

1. A kitchen sink in good working condition, properly connected to an approved water and sewer system.

2. A room or rooms affording privacy and equipped with a flush water closet, lavatory basin and bathtub or shower in good working condition, properly connected to an approved water and sewer system.

(b) No water closet shall be of the flush hopper, frost-proof hopper, privy or similar type where a sewer system is available to the property; and where no sewer is available, such facilities shall be used only when approved by the Building Inspector.

(2) ACCESS TO BATHROOMS AND WATER CLOSETS. Access to each bathroom or water closet compartment shall be provided without requiring passage through a sleeping room, bathroom or water closet compartment of another dwelling unit.

(3) FLOORS AND VENTILATION OF BATHROOMS AND WATER CLOSETS.

(a) Every water closet compartment and bathroom shall be floored with a surface which is reasonably impervious to water and which can be easily kept in a clean and sanitary condition.

(b) Every bathroom and water closet compartment shall be provided with windows meeting the requirements for light and ventilation of habitable rooms prescribed in SEC. 10-3A-5 below or with an approved mechanical or gravity ventilation system affording adequate ventilation and maintained in good working condition at all times.

(4) PIPED HOT AND COLD RUNNING WATER.

(a) Every kitchen sink, lavatory basin and bathtub or shower required under this subchapter shall be connected and supplied with hot and cold running water.

(b) Every dwelling shall have supplied water heating facilities which are properly installed and connected to water lines maintained in safe and good working condition and of a sufficient capacity to supply an adequate amount of water at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120° F.

SEC. 10-3A-5 REQUIREMENTS FOR LIGHT, VENTILATION AND HEATING.

(1) WINDOW AREA AND VENTILATION.

(a) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area in every sleeping room shall be 8% of the floor area of such room, but not less than 12 square feet. Whenever walls or other portions of structures face a window of any such room and such light obstruction structures are located less than 3 feet from the window and extend a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least 15% of the total floor area.

(b) Every habitable room shall have at least one window which can easily be opened or such other device as will adequately ventilate the room. The total openable window area in every habitable room shall equal at least 45% of the minimum window area required by this section except where there is supplied some other device affording adequate ventilation and approved by the Building Inspector.

(2) SCREENING.

(a) When flies or other pests are prevalent, all openable windows, as required by sub. (1) above, shall be effectively screened and screen doors shall be self-closing. Screens and screen doors shall be maintained in good condition.

(b) Every basement window used for ventilation and every other opening to a building which might provide an entry for rodents shall be supplied with a screen or such other device as will effectively prevent their entrance.

(3) ELECTRICAL OUTLETS. Every habitable room shall contain at least one floor- or wall-type electric convenience outlet and one ceiling electric lighting fixture or 2 electric convenience outlets, and every water closet compartment, bathroom or hall, furnace room or laundry room shall contain at least one wall- or ceiling-type electric light fixture. Every electrical outlet and fixture shall be properly installed and maintained in good and safe working condition and connected to an approved source of electric power in a safe approved manner.

(4) PUBLIC HALL LIGHTING. Every public hall and stairway in every multiple dwelling shall be lighted to at least 5 foot candles on the floor and stair at all times.

(5) HEATING FACILITIES. Every dwelling shall have heating facilities which are properly installed and vented, are maintained in safe operating condition, and are capable of heating all habitable rooms, bathrooms and water compartments in each dwelling unit therein to a temperature of at least 65° F at a distance of 3 feet above floor level when the outside temperature is minus 20° F.

SEC 10-3A-6 REQUIREMENTS FOR FLOOR SPACE AND GENERAL OCCUPANCY.

(1) FLOOR SPACE.

(a) Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant in addition to the floor area included in water closet compartments, bathrooms, halls or passageways.

(b) Every room occupied for sleeping purposes shall contain at least 70 square feet of floor space for one occupant or 50 square feet of floor space for each occupant if more than one.

(2) ACCESS TO SLEEPING ROOMS. No dwelling unit shall be so located or arranged that access thereto requires passage through a habitable room of another dwelling unit.

(3) CEILING HEIGHT OF HABITABLE ROOMS. At least 1/2 of the floor area of every habitable room shall have a ceiling height of not less than 7 feet of unfinished ceiling height. The floor area of any part of a room where the ceiling height is less than 5 feet shall not be considered as part of the required floor area.

(4) BASEMENT OR HALF-BASEMENT OCCUPANCY. No basement space may be used as a habitable room or dwelling unit, except as hereinafter provided.

(a) In one- and two-family dwellings, kitchens and dinning rooms may be located in a basement area having its floor level not more than 3 feet 6 inches below the outside finish grade.