# TOWN OF LAKE PARK
# FINANCE DEPARTMENT

## PROPERTY OWNER'S APPLICATION TO RENT DUPLEX AND OTHER RESIDENTIAL, PER UNIT

**Please provide all of the information requested or indicate that the item is not applicable.**

**LOCATION OF PROPERTY TO BE RENTED:**

Address: _____

**PROPERTY OWNER INFORMATION:**

Name of Property Owner: _____

Mailing Address: _____ City, State & Zip: _____

Phone: _____ SSN or Federal Employer ID # _____

**PROPERTY MANAGEMENT COMPANY OR CONTACT PERSON INFORMATION:**

Name of Property Management Company: _____

Mailing Address: _____ City, State & Zip: _____

Contact Name: _____ Phone: _____

E-Mail Address: _____

**TOWN CODE SECTION 28-51(173) c.2. – RENTAL PROPERTY:**

**RE038 Duplex and Other Residential, per Unit** . . . . . $22.05

# of Units: _____

**AGREEMENT BY APPLICANT:**

The information I have provided on this Application is true to the best of my knowledge. I understand that failure to comply with the Town of Lake Park Code Section 28-51(173)c.2. may result in civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to $250.00 per offense, as authorized by Florida Statute Chapter 205. Furthermore, I hereby solemnly swear that I have received, read and understood Section 78-2, and Sections 54-121 - 54-130, of the Town of Lake Park Code of Ordinances related to Minimum Housing & Occupancy Requirements. ***THIS STATEMENT MUST BE NOTARIZED – PLEASE SEE BACK PAGE***

535 Park Avenue
Lake Park, FL 33403
Phone: 561-881-3350 Fax: 561-881-3358 Web: www.lakeparkflorida.gov

_____ _____

Applicant's Signature Date

_____

Print Applicant's Name

The foregoing instrument was acknowledged before me on this ___ day of _____, 2015,

by _____ who is personally known
Name of Person Acknowledging

or who has produced _____ as identification.
Type of Identification

_____, Notary Public
Notary Public Signature

STATE OF _____ . (Notary Seal)

***REVISED: 2/27/2015***

**Sec. 78-2. - Definitions.**

Family means one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people* who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling. Any person under the age of 18 years whose legal custody has been awarded to the state department of children and family services or to a child placing agency licensed by the department, or who is otherwise considered to be a foster child or child in emergency shelter care, and who is placed with a family, shall be deemed to be related to and a member of the family for the purposes of this chapter. Nothing herein shall be construed to include any roomer or boarder as a member of a family.

* Single-Family Unit = Not more than three unrelated individuals per housing unit

DIVISION 3. - MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES

**Sec. 54-121. - Purpose and authority.**

No person shall occupy as owner-occupant or let or sublet to another for occupancy any dwelling or dwelling unit designed or intended to be used for the purpose of living, sleeping, cooking, or eating therein, nor shall any vacant dwelling building be permitted to exist which does not comply with the requirements of this division. The regulations in this division are intended to reasonably regulate the safety and occupancy of dwelling units. The town finds that occupancy regulations are needed to provide density control; preserve, and enhance residential neighborhoods as stable places for citizens to live; and protect the safety and welfare of town citizens. Such regulations are also needed to ensure there are adequate public and private facilities, and that dwelling units are of adequate size to accommodate residents. The regulations in this division are in pursuance of the authority granted by the Charter and laws of the town, to maintain the health and cleanliness of the town and to ensure good sanitary conditions in private premises in the town by establishing minimum housing standards for habitable buildings within the jurisdiction of the town. This division is further declared to be required for reasons of public health, welfare and safety and allows for the inspection of and the condemnation of dwellings unfit for human habitation and for fixing penalties for violations.

(Ord. 11-1991, § 1, 8-20-1991; Code 1978, § 7-98; Ord. No. 9-2004, § 3, 4-7-2004)

**Sec. 54-122. - Facilities required.**

(a) Sanitary facilities. Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition free from defects, leaks, and obstructions.

(b) Location of sanitary facilities. All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet, tub or shower and lavatory shall be located in a room affording privacy to the user and such room shall have a minimum floor space of 30 square feet, with no dimension less than four feet. Bathrooms shall be accessible from habitable rooms, hallways, corridors or other protected or enclosed areas, not including kitchens or other food preparation areas.

(c) Hot and cold water supply. Every dwelling unit shall have connected to the kitchen sink, lavatory, and tub or shower an adequate supply of both cold and hot water. All water shall be supplied through an approved distribution system connected to a potable water supply.

(d) Water heating facilities. Every dwelling unit shall have water heating facilities which are properly installed and maintained in a safe and good working condition and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit. Such water heating facilities shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit heating facilities required under the provisions of this article are not in operation. Apartment houses may use a centralized water heating facility capable of heating an adequate amount of water as required by the Standard Plumbing Code to not less than 120 degrees Fahrenheit.

(e) Heating facilities.

(1) Every dwelling unit shall have approved heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, and bathrooms in every dwelling unit located therein to a temperature of at least 68 degrees Fahrenheit (20 degrees Celsius) at a distance three feet above floor level, under minimum winter conditions.

(2) Where a central heating system is not provided, each dwelling unit shall be provided with facilities whereby heating appliances may be connected.

(3)Unvented fuel burning heaters shall be prohibited except for gas heaters listed for unvented use and the total input rating of the unvented heaters is less than 30 Btu per hour per cubic feet of room content. Unvented fuel burning heaters shall be prohibited in bedrooms.

(f) Cooking and heating equipment. All cooking and heating equipment and facilities shall be installed in accordance with the building, mechanical, gas or electrical code and shall be maintained in a safe and good working condition. Portable cooking equipment employing flame is prohibited.

(g) Garbage disposal facilities. Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, of a type and location approved by the applicable governing body.

(h) Fire protection. A person shall not occupy as owner-occupant and shall not let to another for occupancy any building or structure which does not comply with the fire prevention code (chapter 12, article II of this Code).

(i) Smoke detector systems. Every dwelling unit shall be provided with an approved listed smoke detector, installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm. The detector shall be tested in accordance with and meet the requirements of UL (Underwriters Laboratories, Inc.) 217, Single and Multiple Station Smoke Detectors, as subsequently amended by such authority.

(Ord. 11-1991, § 1, 8-20-1991; Code 1978, § 7-99)

**Sec. 54-123. - Minimum requirements for light and ventilation.**

(a) Outlets and fixtures. Every habitable room in such dwelling shall contain at least two separate wall-type electric outlets, or one such outlet and one supplied ceiling-type electric light fixture; and every bathroom, laundry room, furnace room and common hall shall contain at least one ceiling or wall-type

electric light fixture. Every such outlet and fixture shall be in working condition and installed in accordance with the requirements of the electric code of the town. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (914 mm) from the window and extend to a level above that of the ceiling of a room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

(b) Common hall and stairway lighting. Every common hall and stairway in residential occupancies, other than in one-family and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent lightbulb for each 200 square feet (19 m2) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9,144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of one footcandle (11 lux) at floors, landings and treads.

(c) Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

(d) Windows and skylights. Every habitable room shall have at least one window or skylight opening directly to the outdoors, or to a court, which can easily be opened, or such other device as will adequately ventilate the room. The minimum total operable window area in every habitable room shall be equal to 45 percent of the minimum total window area required in this article. When walls or other portions of structures face a window and are located less than three feet from the window and extend to a level above that of the ceiling of the room so as to be a light obstruction feature, such window shall not be included as contributing to the required minimum total window area.

(e) Bathroom and toilet room. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by this section, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

(Ord. 11-1991, § 1, 8-20-1991; Code 1978, § 7-100; Ord. No. 9-2004, § 4, 4-7-2004)

**Sec. 54-124. - Minimum requirements for electrical systems.**

Every electrical outlet and fixture required by this article shall be installed, maintained and connected to a source of electric power in accordance with the provisions of the state building code (section 54-7).

(Ord. 11-1991, § 1, 8-20-1991; Code 1978, § 7-101)

Sec. 54-125. - General requirements for the exterior and interior of structures.

(a) Foundation. The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon.

(b) Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain, or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be kept in repair.

(c) Roofs.

(1) Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

(2)All portions, additions or sections of a roof including, but not limited to, fascia, eaves, soffit, sheathing, rafter tails, barge rafter, vent screening, gutters, downspouts, roof jacks, lead or metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports in accordance with common building practices. No item shall display signs of deterioration, abuse or improper installation that could be construed to affect the purpose of that item or cause damage to the immediate area or roof structure, that could allow dampness or admit rain to the interior of that building.

(d)Means of egress. Every dwelling unit shall have safe, unobstructed means of egress with minimum ceiling height of seven feet leading to a safe and open space at ground level. Stairs shall have a minimum headroom of six feet eight inches.

(e)Stairs, porches and appurtenances. 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.

(f)Protective railings. Protective railings shall be required on any unenclosed structure over 30 inches from the ground level or on any steps containing four risers or more.

(g)Windows. Every window shall be substantially weathertight, watertight and rodentproof, and shall be kept in sound working condition and good repair.

(h)Windows to be glazed. Every window sash shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes.

(i)Window sash. Window sash shall be properly fitted and weathertight within the window frame.

(j)Windows to be openable. Every window required for light and ventilation for habitable rooms shall be capable of being easily opened and secured in position by window hardware.

(k)Exterior doors.

(1) Every exterior door, basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodentproof, and shall be kept in sound working condition and good repair.

(2) Every exterior door shall be provided with properly installed hardware that is maintained to ensure reasonable ease of operation to open, close and secure in an open or closed position, as intended by the manufacturer of the door and the attached hardware.

(l)Exterior doorframes.

(1) Exterior doorframes shall be properly maintained and shall be affixed with weatherstripping and thresholds as required to be substantially weathertight, watertight and rodent and insect restrictive when the door is in a closed position.

(2) Exterior doorjambs, stops, headers and moldings shall be securely attached to the structure, maintained in good condition without splitting or deterioration that would minimize the strength and security of the door in a closed position.

(m) Screens. Dwelling units which do not have a central air conditioning system shall have screens on all exterior openable windows.

(n) Protective treatment. The exterior wall surfaces of all buildings or structures shall be properly maintained and protected from the elements and decay by painting or other protective covering or treatment. The exterior wall surface of all buildings and structures shall be kept free of faded or chipped paint, and shall be maintained in a good state of repair to prevent deterioration, and shall be cleaned, repainted, or recovered with like material whenever 25 percent or more of any exterior element, i.e., siding, fascia, etc. All siding shall be weather-resistant and watertight. All masonry joints shall be sufficiently tuck pointed to ensure water and air tightness.

(o) Accessory structures. Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

(p) Interior floors, walls, and ceilings.

(1) Every floor, interior wall and ceiling shall be substantially rodentproof, 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.

(2) Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(q) Structural supports. Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render it incapable of carrying normal loads.

(r) Protective railings for interior stairs. Interior stairs and stairwells more than four risers high shall have handrails located in accordance with the requirements of the state building code (section 54-7). Handrails or protective railings shall be capable of bearing normally imposed loads and be maintained in good condition.

(s) Firestopping and draftstopping.

(1) Firestopping shall be maintained to cut off all concealed openings both horizontal and vertical and to form a fire barrier between floors and between the upper floor and the roof space.

(2) Draftstopping shall be maintained to cut off all concealed draft openings in floor/ceiling assemblies and in attics.

(t) Interior doors. Every existing interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

(u) Interior door hardware. Every interior door shall be provided with proper hardware, securely attached and maintained in good condition. Hasp lock assemblies are not permitted on the exterior side of the door of habitable rooms. Doors of interior habitable rooms shall not be provided with double-key locking devices.

(v) Bathroom doors. Privacy of bathrooms shall be afforded by doors complete with privacy hardware intended by manufacturer for that purpose.

(w) Skirting.

(1) Existing skirting shall be maintained free from broken or missing sections, pieces or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

(2) Replacement or new skirting shall be constructed of materials intended for exterior use and properly sized and mounted to prevent free access to the crawl space of the structure. Crawl space access grille or door and ventilation grilles shall be sized according to local code requirements.

(Ord. 11-1991, § 1, 8-20-1991; Ord. No. 27-2002, § 2, 9-18-2002; Code 1978, § 7-102)

**Sec. 54-126. - Occupancy limitations**.

(a) Dwelling units, hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

(b) A habitable room, other than a kitchen, shall be not less than seven feet (2,134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than three feet (914 mm) between counter fronts and appliances or counter fronts and wall.

(c) Habitable spaces, hallways, corridors, laundry areas, bathrooms and toilet rooms shall have a clear ceiling height of not less than seven feet (2,134 mm). Exceptions to these requirements shall be as follows:

(1) In one-family and two-family dwellings, beams or girders spaced not less than four feet (1,219 mm) on center and projecting not more than six inches (152 mm) below the required ceiling height.

(2) Basement rooms in one-family and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than six feet eight inches (2,033 mm) with not less than six feet four inches (1,932 mm) of clear height under beams, girders, ducts and similar obstructions.

(3) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet (2,134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five feet (1,524 mm) or more shall be included.

(d) Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m2) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m2) of floor area for each occupant thereof.

(e) Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exceptions to this requirement shall be for those units that contain fewer than two bedrooms.

(f) Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

(g) Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

(h) Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of the following table:

**TABLE 1**
**MINIMUM AREA REQUIREMENTS**

| | | | |
|---|---|---|---|
| | | | |
| Living room a,b | No requirements | 120 | 150 |
| Dining room a,b | No requirements | 80 | 100 |
| Kitchen ;sup\sup; | 50 | 50 | 60 |
| Bedroom | Shall comply with section 54-126(d)—(j) | | |

| | Minimum Area in Square Feet | | |
|---|---|---|---|
| Space | 1-2 Occupants | 3—5 Occupants | 6 or More Occupants |

For SI: 1 square foot = 0.093 m2

a See subsection (j) of this section for combined living room/dining room spaces.

See subsection (i) of this section for limitations on determining the minimum occupancy area for sleeping purposes.

(i) The minimum occupancy area required by Table 1 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with subsections (d) through (g) of this section.

(j) Combined living room and dining room spaces shall comply with the requirements of Table 1 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

(k) Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

(1) A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m2). A unit occupied by three occupants shall have a clear floor area of not

less than 320 square feet (29.7 m2). These required areas shall be exclusive of the areas required by subsections (k)(2) and (3).

(2) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this article shall be provided.

(3) The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

(4) The maximum number of occupants shall be three.

(l) All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and service for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

(Ord. No. 11-1991, § 1, 8-20-1991; Code 1978, § 7-103; Ord. No. 9-2004, § 5, 4-7-2004)

**Sec. 54-127. - Sanitation requirements.**

(a) Sanitary responsibility of premises. Every owner of a multiple dwelling shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and premises thereof.

(b) Cleanliness. Every tenant of a dwelling unit shall keep in a clean and sanitary condition that part of a dwelling, dwelling unit and premises thereof which the tenant occupies or which is provided for the tenant's particular use.

(c) Garbage disposal. Every tenant of a dwelling or dwelling unit shall dispose of all the tenant's garbage and any other organic waste which might provide food for rodents and all rubbish in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage or rubbish storage containers.

(d) Care of premises. It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property for the open storage of any abandoned motor vehicle, icebox, refrigerator, stove, glass, building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the community development director or code enforcement officer.

(e) Extermination. Every occupant of a single dwelling building and every owner of a building containing two or more dwelling units shall be responsible for the extermination of any insects, rodents, or other pests within the building or premises.

(f) Use and operation of supplied plumbing fixtures. Every tenant of a dwelling unit shall keep all 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 thereof.

(Ord. No. 11-1991, § 1, 8-20-1991; Code 1978, § 7-104)

**Sec. 54-128. - Roominghouses.**

(a) Compliance exceptions. No person shall operate a roominghouse, or shall occupy or let to another for occupancy any rooming unit in any roominghouse, except in compliance with the provisions of every section of this code except the provisions of sections 54-121, 54-122 and 54-127

(b) License required. No person shall operate a roominghouse unless such person holds a valid roominghouse license.

(c) Water closet, lavatory and bath facilities. At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system and in good working condition, shall be supplied for each four rooms within a roominghouse wherever such facilities are shared. All such facilities shall be located on the floor they serve within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

(d) Water heater required. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times.

(e) Minimum floor area for sleeping purposes. Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of floor space and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of floor space for each occupant thereof.

(f) Exit requirements. Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the state building code (section 54-7).

(g) Sanitary conditions. The operator of every roominghouse shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for maintenance of a sanitary condition in every other part of the roominghouse, and shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

(h) Cooking prohibited. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

(i) Maintenance of bedding and towels. Where bedding, bed linen or towels are supplied, the operator shall maintain the bedding in a clean and sanitary manner, and shall furnish clean bed linen and towels at least once each week and prior to the letting of any room to an occupant.

(j) Application to hotels. Every provision of this article which applies to roominghouses shall also apply to hotels, except to the extent that any such provision may be found to be in conflict with the laws of this state or with the lawful regulations of any state board or agency.

(Ord. 11-1991, § 1, 8-20-1991; Code 1978, § 7-105; Ord. No. 9-2004, § 6, 4-7-2004)

**Sec. 54-129. - Responsibility of the owner.**

(a) For purposes of this article, the term "owner" shall mean any person, agent, operator, firm, trust, partnership, limited liability corporation, association, corporation, or other person or entity having a legal or equitable interest in the property; or who is shown to be a/the record title owner of the property in the official records of the state, town or municipality; or who has the care, custody and control of the property, including but not limited to a guardian, personal representative or executor, of the estate of any

such person, or the receiver, trustee or administrator of the estate of such person if ordered to take possession of property by a court of competent jurisdiction.

(b) The responsibilities of the owner are to:

(1) Let no dwelling to anyone for occupancy unless it meets minimum standards of the Florida Building Code and the Palm Beach County Housing Code, as amended, which are incorporated herein by reference.

(2) Have the dwelling in clean, sanitary, habitable condition; to free from infestation before renting; to provide suitable wall coverings and ceilings; and to clean, repair and exterminate if needed to meet forestated requirements before offering for rent.

(3) Provide screens to be hung.

(4) Exterminate in the following cases:

a. When infestation exists in two or more units of multiple-unit structures.

b. When infestation exists in shared or public areas of multiple units structures.

c. When infestation exists in a single unit of a multiple-unit structure or in a single-unit structure when infestation is due to failure of the owner to maintain the dwelling in a rat-proof and reasonably insect-proof condition.

(5) To allow code compliance and law enforcement officers of the town, reasonable access to the dwelling to inspect for violations of this section. The owner's refusal to allow code compliance and/or law enforcement officer's access to any dwelling, during reasonable hours, shall be construed as prima facie evidence that the owner is in violation of one or more parts of this article.

(Ord. No. 14-2007, § 5, 8-1-2007)

Editor's note— Section 4 of Ord. No. 14-2007, adopted Aug. 1, 2007, repealed § 54-129, which pertained to unsafe dwellings or structures and derived from the 1978 Code; Ord. No. 11-1991, adopted Aug. 20, 1991; and Ord. No. 9-2004, adopted Apr. 7, 2004. Section 5 of said ordinance enacted new provisions to read as herein set out.

**Sec. 54-130. - Responsibility of occupant.**

(a) For purposes of this article, the term "occupant" shall mean any person, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

(b) The responsibilities of the occupant are to:

(1) Keep dwellings and premises he controls and occupies in a clean and sanitary condition.

(2) To dispose of rubbish and garbage in a clean and sanitary manner as prescribed by town regulation.

(3) To hang and maintain screens provided by the owner except where owner has agreed to supply such services.

(4) To keep plumbing fixtures therein in a clean and sanitary condition and to exercise reasonable care in the proper use and operation thereof.

(5) To exterminate in the following cases:

a. The occupant of a single dwelling is responsible for extermination of any insects, rodents or other pests therein or on the premises.

b. The occupant of a dwelling unit in a multiple-unit structure is responsible for extermination of any insects, rodents or other pests if his unit is the only unit infested.

c. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by the failure of the owner to maintain the dwelling in a rat-proof or reasonably insect-proof condition, the occupant is not responsible for extermination of any insects, rodents or other pests therein.

(6) Occupy no dwelling which does not comply with the minimum standards as set forth in the Florida Building Code and this housing code, as amended, which are incorporated herein by reference.

(7) To allow code compliance and law enforcement officers of the town, reasonable access to the dwelling to inspect for violations of this section. The occupant's refusal to allow code compliance and/or law enforcement officer's access to any dwelling during reasonable hours, shall be construed as prima facie evidence that the occupant is in violation of one or more parts of this section.

(Ord. No. 14-2007, § 5, 8-1-2007)