

ARTICLE 1735

Rooming Houses

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CROSS REFERENCES

Zoning Ordinance of the City of Bethlehem

BOCA Basic Existing Structures Code - See BLDG. Art. 1733

1735.01 DEFINITIONS.

"Rooming House" shall mean a dwelling in which at least two rooms are offered for rent, payable in money or other consideration, whether or not meals are furnished to lodgers, and in which no transients are accommodated and no public restaurant is maintained. A school or college dormitory, fraternity or sorority house, membership club with residents, and other similar uses are not deemed as a rooming house. (Ord. 3012. Passed 9/3/85.)

"Bed and Breakfast" shall mean a single family detached residence, owner-occupied, which may provide overnight lodging and serve breakfast to transient guests. (Ord. 3123. Passed 6/16/87.)

"Rooming Facility" shall mean both uses - Rooming House or Bed and Breakfast Establishments. (Ord. 3123. Passed 6/16/87.)

1735.02 CODE COMPLIANCE; EXCEPTIONS.

Every person who operates a rooming facility or who occupies or lets to another for occupancy any rooming unit in any rooming facility shall comply with the provisions of every section of the BOCA Basic Existing Structures Code. (Ord. 3012. Passed 9/3/85.) (Ord. 3123. Passed 6/16/87.)

1735.03 LICENSE REQUIRED; APPLICATION; ISSUANCE; TERM.

(a) No person shall operate a rooming facility unless he holds a valid rooming facility license issued by the Bureau of Health in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to the Bureau of Health for such license yearly, which shall be issued by the Bureau upon compliance by the operator with the applicable provisions of the BOCA Basic Existing Structures Code and of any rules regulations, codes, ordinances related to the use and occupancy, or adopted pursuant thereto. (Ord. 3123. Passed 6/16/87.)

(b) A license shall be issued by the Bureau of Health to the operator upon reasonable proof that an occupancy permit, certifying that there has been compliance with all applicable codes, has been issued by the Bureau. This license shall be displayed in a conspicuous place within the rooming facility at all times. No such license shall be transferable. Every person holding such a license shall give notice in writing to the Bureau within twenty-four hours after having sold, transferred, given away or otherwise disposed of ownership of, interest in or control of any rooming facility. (Ord. 3012. Passed 9/3/85.) (Ord. 3123. Passed 6/16/87.)

(c) Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming facility. Every rooming facility license shall expire at the end of each calendar year, unless sooner suspended or revoked as hereinafter provided. (Ord. 2512 §2. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.04 VIOLATIONS; WARNING; LICENSE SUSPENSION.

Whenever, upon inspection of any rooming facility, the inspecting officer finds that conditions or practices exist which are in violation of any provision of the BOCA Basic Existing Structures Code and any rules, regulations, codes, ordinances related to the use and occupancy, or adopted

pursuant thereto, the inspector shall give notice in writing to the operator of such rooming facility that unless such conditions or practices are corrected within a reasonable period, to be determined by the inspector, the operator's rooming facility license will be suspended. At the end of such period the inspector shall reinspect such rooming facility and, if he finds that such conditions or practices have not been corrected, he shall give notice in writing to the operator that the latter's license has been suspended.

The fee for inspecting a rooming house "for sale" shall be one hundred twenty-five dollars (\$125.00) for each rooming house plus ten dollars (\$10.00) for each rental room unit. (Ord. 2010-37. Passed 12/21/10)

(Ord. 3012. Passed 9/3/85) (Ord. 3123. Passed 6/16/87)

1735.05 HEARING.

Any operator whose license to operate a rooming facility has been suspended, or who has received notice from the inspector that his license will be suspended unless existing conditions or practices at his rooming facility are corrected, may request and shall be granted a hearing on the matter before the Board of Appeals under the procedure provided by the BOCA Basic Existing Structures Code. If no petition for such hearing is filed within ten days following the day on which such license was suspended, the operator shall immediately cease operation of the rooming facility. (Ord. 3012. Passed 9/3/85.) (Ord. 3123. Passed 6/16/87.)

1735.06 LICENSE; FEE; EXPIRATION; RENEWAL.

The base license fee shall be seventy-five dollars (\$75.00) for each rooming, house and ten dollars (\$10.00) for each rental room unit. (Ord. 2010-37. Passed 12/21/10)

The license fee for bed and breakfast establishments shall be fifty dollars (\$50.00) per rental room per calendar year.

No reduction in the license fee shall be made for fractional yearly licenses.

The license shall expire at the end of the calendar year in which it is issued and shall be renewed annually. (Ord. 2512 §4. Passed 4/6/76; Ord. 2751. Passed 1/6/81.) (Ord. 3123. Passed 6/16/87.)

1735.07 REQUIRED PLUMBING FACILITIES.

At least one water closet, lavatory basin and bath tub or shower properly connected to an approved water and sewer system and in good working condition shall be supplied for each four roomers wherever such facilities are shared. All such facilities shall be located within the residence building served and shall be not more than one story removed from any of the persons sharing such facilities. Every lavatory, basin and bath tub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar except by written approval of the inspection officer. Such sanitary facilities shall be separate from an in addition to facilities used by a resident operator. (Ord. 2512 §6. Passed 4/6/76. (Ord. 3123. Passed 6/16/87.)

1735.08 OPERATOR RESPONSIBLE FOR BEDDING AND TOWELS.

The operator of every rooming facility shall supply bed linen and towels therein at least once each week, and prior to the letting of any room to another occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner. (Ord. 2512 §7. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.09 SHADES OR DRAPES.

Every window of every rooming unit shall be supplied with shades, draw drapes or other approved devices or material which, when properly used, will afford privacy to the occupant of the rooming unit. (Ord. 2512 §8. Passed 4/6/76; Ord. 3123. Passed 6/16/87.)

1735.10 MINIMUM FLOOR AREA FOR SLEEPING.

The minimum floor area for sleeping rooms is as follows:

<u>Persons Per Room</u>	<u>Square Feet</u>
1	70
2	140
3	190
4	240

(Ord. 2512 §9. Passed 4/6/76; Ord. 3123. Passed 6/16/87.)

1735.11 PROPER MEANS OF EGRESS.

Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of this State and this City. This shall include at least one openable window of sufficient dimensions to allow its use as a means of egress in each rooming unit. There shall be no exceptions to this requirement for any facility licensed after the date of passage of this ordinance. (Ord. 1632 §13. Passed 1/19/60.) (Ord. 3123. Passed 6/16/87.)

1735.12 OPERATOR RESPONSIBLE FOR SANITARY MAINTENANCE.

The operator of every rooming facility shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming facility; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming facility is contained is leased or occupied by the operator. (Ord. 2512 §10. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.13 PRIVACY; ACCESSIBILITY OF SANITARY FACILITIES.

Every water closet, flush urinal, lavatory basin and bath tub or shower required by this article shall be located within the rooming facility and within a room or rooms which:

- (a) Afford privacy and are separate from the habitable rooms; and
- (b) Are accessible from a common hall and without going outside rooming facility or through any other room therein. (Ord. 2512 §11. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.14 INFIRMED OR BEDRIDDEN OCCUPANTS.

No person shall rent or let rooms in a rooming facility to a person or persons who are bedridden, infirmed or not ambulatory unless special permission is given by the Bureau of Health. (Ord. 2512 §12. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.15 PREPARATION OF FOOD IN ROOMING UNITS.

No cooking or preparing of food shall be allowed in a rooming unit. Hot plates or other portable types of stoves and/or appliances shall not be permitted. In facilities where food is prepared, such food shall be provided

exclusively for occupants of rooming facilities. No receptions or private parties for a fee shall be allowed. Rooming facilities shall not be deemed to be public eating and drinking establishments. (Ord. 2512 §13. Passed 4/6/76.) (Ord. 3123. Passed 6/16/87.)

1735.99 PENALTY.

Any person who violates any provision of this Article shall be subject to the following penalties:

(a) First violation - A fine of \$200.00, or thirty days imprisonment, or both;

(b) Second violation - A fine of \$500.00, or sixty days imprisonment, or both;

(c) Third and each subsequent violation - A fine of \$1,000.00, or ninety days imprisonment, or both. (Ord. 3038. Passed 10/22/85; Ord. 3242- Passed 2/7/89)

(Ord. 3290. Passed 10/17/89 changed Article No. only)