

Chapter 4501 - DEFINITIONS

4501.01 - Application of terms.

(a) The definitions in this chapter shall apply in the interpretation and enforcement of this Housing Code.

(b) The definitions and enforcement of this code are interpreted by the property maintenance inspector and the property maintenance appeals board, which as a board rules on the intent of this code and the rules and regulations adopted in connection therewith.

(c) Whenever the words "dwelling," "dwelling unit," "building," "rooming house," "rooming unit," or "premises," are used in this Housing Code, they shall be construed as though they were followed by the words "or any part thereof."

(Ord. 1254-75; Ord. 859-01 § 1.)

4501.02 - Accessory structure.

"Accessory structure" means a building or structure the use of which is incidental to that of the main building or structure and which is located on the same lot.

(Ord. 356-75.)

4501.025 - Administrator.

Repealed by Ordinance 859-01.

4501.03 - Approved.

"Approved" means approval by the director under the regulations of this code as applied to a material, device or method of construction or approval by other authorities designated by law, ordinance, or this code to give approval to the matter in question.

(Ord. 1552-01 § 3 (part).)

4501.04 - Basement.

"Basement" means that portion of a building located partly below grade but having less than one-half (½) of its clear floor-to-ceiling height below the average grade of the adjoining ground.

(Ord. 356-75.)

4501.05 - Bathroom.

"Bathroom" means a room which affords privacy to a person and is equipped with a flush-water closet, a lavatory basin, and a bathtub or shower. The following clarifying phrases are pertinent to the term "bathroom":

(a) "A room which affords privacy" shall mean a room, which is completely enclosed when the door is closed.

(b) The "bathroom" is not complete unless the facilities include all of the following items:

- (1) A flush water closet;
- (2) A lavatory basin;
- (3) A bathtub or shower facility;
- (4) Adequate heat; and
- (5) Heated and unheated water.

(c) The bathroom requirements of subsection (b) above do not preclude the existence of flush water closets and lavatory basins in other locations within a dwelling, but they shall contribute nothing to meeting other requirements.

(Ord. 356-75; Ord. 859-01 § 3.)

4501.06 - Building.

"Building" means any structure designed or built for the support, use, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

(Ord. 1254-75.)

4501.065 - Business building.

"Business building" means any structure, whether publicly owned or privately owned that is adapted for occupancy for transaction of business, for rendering of professional service, for amusement, for the display, sale, or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, apartment buildings, tenement houses, rooming houses, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, slaughter houses, warehouses, workshops, factories, condominiums and all outhouses, sheds, barns and other structures on premises used for business purposes.

(Ord. 859-01 § 4.)

4501.07 - Cellar.

"Cellar" means that space in a building located partly or entirely below grade which has one-half (½) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.

(Ord. 356-75.)

4501.071 - City.

"City" means the City of Columbus, Ohio.

(Ord. 859-01 § 5.)

4501.073 - Code enforcement officer.

"Code enforcement officer" means a property maintenance, or a property maintenance inspector trainee, and is a duly authorized representative of the director.

(Ord. 1552-01 § 3 (part).)

4501.075 - Department.

"Department" when used without clarification means the department of development.

(Ord. 377-95; Ord. 1272-01 § 1 (part).)

4501.08 - Dilapidated.

"Dilapidated" means a general condition of decay or extensive disrepair.

(Ord. 356-75.)

4501.085 - Director.

"Director" when used without clarification means the director of the department of development or his or her designee.

(Ord. 1692-98 § 7; Ord. 1272-01 § 1 (part).)

4501.087 - Division.

"Division" when used without clarification means the code enforcement division of the department of development.

(Ord. 1552-01 § 3 (part); Ord. No. 0455-2010, § 124, 4-5-2010)

4501.09 - Dormitory sleeping room.

"Dormitory sleeping room" means a room providing sleeping quarters for a number of persons.

(Ord. 356-75.)

4501.10 - Dwelling.

"Dwelling" means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons.

(Ord. 356-75; Ord. 859-01 § 8.)

4501.11 - Dwelling unit.

"Dwelling unit" means one or more habitable rooms forming a single habitable unit within a dwelling with facilities which are used or intended to be used by one (1) or more persons for living, sleeping, cooking and eating.

(Ord. 356-75.)

4501.12 - Egress.

"Egress" means a way to travel, including the system of corridors, stairways, exterior stairways, fire escapes and rooms connecting each dwelling unit or rooming unit with the exterior of the building at ground level.

(Ord. 356-75; Ord. 859-01 § 9.)

4501.13 - Exterior stairway.

"Exterior stairway" means one (1) or more flights of stairs on the outside of a building and the necessary landings and platforms connecting them to form a continuous and uninterrupted passage from one (1) floor to another. Standard fire escapes are not included as exterior stairways.

(Ord. 356-75.)

4501.14 - Extermination.

"Extermination" means the control and elimination of insects, rodents, or other pests by eliminating their harboring places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods.

(Ord. 356-75; Ord. 859-01 § 10.)

4501.145 - Fee schedule.

"Fee schedule" means the fee schedule adopted pursuant to C.C. [4103.14](#).

(Ord. 1552-01 § 3 (part).)

4501.15 - Garbage.

"Garbage" means animal or vegetable waste resulting from the handling, preparation or serving of food.

(Ord. 356-75.)

4501.155 - Graffiti.

"Graffiti" means any inscription, design, word, figure or mark of any type drawn, marked, painted, tagged, etched, scratched, or written upon any building, bridge, fence, gate, rock, structure, tree, wall or other property that defaces, damages or destroys any public or private, real or personal property, without the privilege to do so.

(Ord. No. 0811-2012, § 1, 4-30-2012)

4501.16 - Habitable room.

"Habitable room" means enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes excluding bathrooms, water closets, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

(Ord. 356-75.)

4501.17 - Health commissioner.

"Health commissioner" means the designated health authority of the City of Columbus or his or her authorized representative.

(Ord. 356-75; Ord. 859-01 § 12.)

4501.173 - Health department.

"Health department" means the health department of the City of Columbus, Ohio.

(Ord. 859-01 § 13.)

4501.177 - Health hazard.

"Health hazard" means that state or condition of the environment, which places, either directly or indirectly, the health or safety of a person in danger or peril.

(Ord. 859-01 § 14.)

4501.179 - Housing appeals board.

"Housing appeals board" means the property maintenance appeals board.

(Ord. 859-01 § 15.)

4501.18 - Housing inspector.

Repealed by Ordinance 1057-94.

4501.19 - Infestation.

"Infestation" means the presence within or around a dwelling or premises of insects, rodents, vermin or other pests. "Other pests" means animals, which cause a threat to the public health including but not limited to bats, pigeons, or raccoons.

(Ord. 356-75; Ord. 859-01 § 16.)

4501.191 - Insanitary condition.

"Insanitary condition" and "unsanitary condition" mean any environmental condition that may produce an unhealthy or unsafe condition.

(Ord. 859-01 § 17.)

4501.192 - Jobs development.

Repealed by Ordinance 1057-94.

4501.193 - Insect.

"Insect" means any member of a class of usually winged invertebrates with three (3) pair of legs and not limited to flies and roaches.

(Ord. 859-01 § 18.)

4501.195 - Interior public area.

"Interior public area" means any area within a dwelling accessible to all occupants such as, but not limited to, the required living room, dining room, and kitchen; and any area through which an occupant must travel to enter a sleeping area.

(Ord. 595-96.)

4501.196 - Keeper.

"Keeper" or "proprietor" includes all persons, whether acting by themselves or as a servant, agent, or employee of a premise or property.

(Ord. 859-01 § 19.)

4501.197 - Materials from construction or demolition.

"Materials from construction or demolition" shall include but not be limited to such materials as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring and insulation.

(Ord. 859-01 § 20.)

4501.20 - Multiple dwelling.

"Multiple dwelling" means any dwelling containing two (2) or more dwelling units including those units sharing bathrooms, but shall not include rooming units as defined under "rooming units," Section [4501.33](#).

(Ord. 356-75; Ord. 859-01 § 21.)

4501.21 - Occupant.

"Occupant" means any person living, sleeping, or cooking in, or having actual possession of a dwelling unit, rooming unit or other building or part or fraction thereof. In the case of vacant structures, buildings or premises, the owner or agent or other person having custody of the building, structure or premises shall have the responsibility of an occupant of same.

(Ord. 1254-75; Ord. 859-01 § 22.)

4501.211 - Occupied structure.

"Occupied structure" means any building, accessory structure, fence, gate, business building, dwelling unit, rooming unit or other building or any portion thereof, to which any of the following applies:

(1) It is legally maintained as a permanent or temporary dwelling, even though it is temporarily unoccupied and whether or not any person is actually present.

(2) At the time, it is occupied as the permanent or temporary habitation of any person who has the legal right to do so, whether or not any person is actually present.

(3) At the time, it is specially adapted for the overnight accommodation of any person who has the legal right to do so, whether or not any person is actually present.

(4) At the time, any person is present or likely to be present in it and has the legal right to do so.

(Ord. No. 0811-2012, § 1, 4-30-2012)

4501.22 - Operator.

"Operator" means any person who has charge, care, or control of a building, or part thereof, in which dwelling units or rooming units are let.

"Operator" also means any person who rents to another or others or who has charge, care or control of a building or part thereof, in which dwelling units, rooming units, or hotel units are let, or who has charge, care or control of any premises or part thereof upon which no structures have been erected or upon which nondwelling structures are present.

(Ord. 356-75; Ord. 859-01 § 23.)

4501.23 - Organization.

"Organization" means a corporation for profit or not for profit, partnership, limited partnership, joint venture, unincorporated association, estate, trust, or other commercial or legal entity. Organization does not include an entity organized as, or by, a governmental agency for execution of a governmental program.

(Ord. 356-75.)

4501.24 - Owner.

"Owner" means the owner of record as shown on the current tax list of the county auditor; the mortgage holder of record, if any, as shown in the mortgage records of the county recorder; and any purchaser under a land contract. "Owner" also means any person who has a freehold or lesser estate in the premises; a mortgagee or vendee in possession; or any person who has charge, care or control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian or lessee.

(Ord. 1692-98 § 8.)

4501.25 - Person.

"Person" means any individual, firm, corporation, association, partnership, agent, operator, business trust, estate, syndicate, cooperative, or any entity recognized by law, or anyone in control of a premise or property.

(Ord. 356-75; Ord. 859-01 § 24.)

4501.26 - Plumbing.

"Plumbing" means all of the following supplied facilities and equipment: water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connection to water and sewer lines.

(Ord. 356-75.)

4501.27 - Premise or premises.

"Premise" or "premises" means land(s) and everything of a permanent nature attached thereto as part of the realty, a platted lot or part thereof or unplatted lot or parcel of land or plot of land either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure or other structure thereon.

"Premise" or "premises" shall, for purposes of this code, include all land(s) to the centerline of the street, alley, or right-of-way which this code designates certain responsibilities to a person.

(Ord. 356-75 ; Ord. 859-01 § 25.)

4501.271 - Property.

(a) "Property" means real and personal property.

(b) "Personal property" includes all property except real property.

(c) "Real property" includes lands, tenements and hereditaments.

(Ord. 859-01 § 26.)

4501.273 - Property maintenance appeals board.

"Property maintenance appeals board" includes the term housing appeals board.

(Ord. 859-01 § 27.)

4501.274 - Property maintenance inspector.

"Property maintenance inspector" or "property maintenance inspector trainee" means a "code enforcement officer," and is a duly authorized representative of the director.

(Ord. 859-01 § 28.)

4501.275 - Public nuisance.

"Public nuisance" means any structure or vehicle, which is permitted to be or remain in any of the following conditions:

(A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or

(B) A fire hazard; or

(C) Any vacant building that is not secured and maintained in compliance with [Chapter 4513](#); or

(D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure, vehicle, or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

"Public nuisance" means any of the following:

1. Any building, premises, or real estate, including vacant land, or any appurtenance thereto which is not in compliance with any building, housing, nuisance abatement, air pollution, sanitation, health, fire, zoning, or safety code of the City of Columbus;

2. Any building, premises, or real estate, including vacant land, or any appurtenance thereto upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment;

3. Any building, premises, or real estate, including vacant land, or any appurtenance thereto on, which a felony violation of Ohio Revised Code Chapters 2925 or 3719 has occurred;

4. Any building, premises, or real estate, including vacant land, or any appurtenance thereto as defined as a nuisance or public nuisance in Ohio Revised Code Chapter 3767.

5. Any building, premises, or real estate, including vacant land, or any appurtenance thereto that is used or occupied by a criminal gang (as defined in RC 2923.41) on more than two (2) occasions within a one (1)-year period to engage in a pattern of criminal gang activity (as defined in RC 2923.41).

6. Any building, premises, or real estate, including vacant land, or any appurtenance thereto used in violation of Ohio Revised Code Chapter 2915.

(Ord. 1692-98 § 9; Ord. 859-01 § 29; Ord. 374-06 § 12.)

4501.28 - Rain carrier.

"Rain carrier" means a drainage device such as gutters or downspouts used to remove drainage water from roof surfaces of any building or structure.

(Ord. 356-75.)

4501.283 - Refuse.

"Refuse" means all putrescible and nonputrescible solids, except body wastes, including but not limited to garbage, rubbish, ashes and dead animals.

(Ord. 859-01 § 30.)

4501.285 - Refuse container.

"Refuse container" means a watertight, insect-proofed container that is constructed of metal or other durable material impervious to rodents, and that is capable of being serviced without creating insanitary conditions, or such other acceptable refuse containers that may be used for acceptable waste disposal as determined by the director of public service or his or her duly authorized representative. Openings into the container, such as covers and doors, shall be tight fitting.

(Ord. 859-01 § 31.)

4501.29 - Rat harborage.

Repealed by Ordinance 859-01.

4501.30 - Ratproofing.

Repealed by Ordinance 859-01.

4501.305 - Regulations.

Repealed by Ordinance 859-01.

4501.31 - Repair.

"Repair" means to restore to sound condition. The term "repair" here includes renewal, replacement, or reinforcement, of an existing part of a structure but excludes additions made to, or remodeling of a structure.

(Ord. 356-75; Ord. 859-01 § 32.)

4501.315 - Rodent harborage.

"Rodent harborage" means any space where rodents live, nest or seek shelter, any condition which provides shelter or protection for rodents in, under, or outside of a structure of any kind or an accumulation of any type of material which might provide such rodent shelter or protection.

(Ord. 859-01 § 33.)

4501.317 - Rodent-proofing.

"Rodent-proofing" means a form of construction which will prevent the egress of rodents to or from a given space or building, or gaining access to food, water or harborage. This construction consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rodents by climbing, burrowing or other methods, by the use of materials impervious to rat gnawing and other methods approved by the appropriate authority.

(Ord. 859-01 § 34.)

4501.32 - Rooming house.

"Rooming house" means and includes every dwelling, other than hotels and motels, kept, used or held out to be a place where sleeping or lodging rooms are offered for pay to three (3) or more persons and shall include but not be limited to uses defined in the Zoning Code at Chapter C.C. [3303](#) as "apartment hotel," "boarding home," "residential care facility," "rooming house" and "shared living facility."

(Ord. 2856-91.)

4501.33 - Rooming unit.

"Rooming unit" means any room or group of rooms in a rooming house which are used or intended to be used for living and sleeping, but not for cooking and eating purposes.

(Ord. 356-75.)

4501.34 - Rubbish.

"Rubbish" means combustible and noncombustible waste materials including such items as paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin can, metals, mineral matter, glass, crockery, dust, and the residue from the burning of wood, coal, coke and other combustible material.

(Ord. 356-75; Ord. 859-01 § 35.)

4501.35 - Safe load.

"Safe load" means the minimum live load indicated in the Building Code.

(Ord. 1254-75.)

4501.36 - Safety.

"Safety" means the condition of being free from danger and hazards which may cause accidents or disease.

(Ord. 356-75.)

4501.365 - Semi-solid.

"Semi-solid" means that material while cohesive and viscous, flows slowly or loses its shape when unconfined, but does not readily release liquids under normal climatic conditions.

(Ord. 859-01 § 36.)

4501.37 - Service walk steps.

"Service walk steps" mean any steps which are part of the service walk, the sidewalk connecting a dwelling with the public sidewalk.

(Ord. 356-75.)

4501.377 - Solid waste.

"Solid waste" means residual solid or semi-solid material as results from industrial, commercial, agricultural or residential operations, including but not limited to garbage, rubbish, furniture, appliances, yard waste, liquid waste, animal waste, chemical waste, hazardous waste, construction debris, demolition debris, scrap lumber, tires, scrap metal, vegetable waste, boxes, cartons, paper, ashes, tin cans, bottles, broken glass, metals, rubber, plastics and all other nauseous or offensive materials resulting from human habitation or business or manufacturing enterprises.

(Ord. 859-01 § 37.)

4501.378 Source of Income

"Source of Income" means any lawful source of income which can be verified and substantiated, including but not limited to, income derived from wages, social security, supplemental security income, public or private sources, all forms of federal, state or local assistance payments or subsidies, including rent vouchers, child support, spousal support, and public assistance.

4501.38 - Space heater.

"Space heater" means a room heater which is a self-contained above-the-floor device for furnishing heated air through openings in its casing directly into the space in which the device is located or immediately adjacent to it. The device may be freestanding or recessed in a wall or partition.

(Ord. 356-75.)

4501.383 - State.

"This state" or "state" means the state of Ohio.

(Ord. 859-01 § 38.)

4501.387 - Street.

"Street" includes avenues, boulevards, lanes, roads, highways, viaducts and all other public thoroughfares within the city.

(Ord. 859-01 § 39.)

4501.39 - Structure.

"Structure" means anything constructed to serve any purpose.

(Ord. 356-75.)

4501.40 - Supplied.

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

(Ord. 356-75.)

4501.405 - Tenant.

"Tenant," as applied to premises, includes any person holding a written or oral lease, or who actually occupies the whole or any part of such premises, alone or with others.

(Ord. 859-01 § 40.)

4501.41 - Total habitable room area.

"Total habitable room area" means the total floor space of all habitable rooms having a ceiling height of five (5) or more feet.

(Ord. 356-75.)

4501.415 - Unsanitary condition.

"Unsanitary condition" and "insanitary condition" mean an environmental condition that may produce an unhealthy or unsafe condition.

(Ord. 859-01 § 41.)

4501.42 - Vacant building.

"Vacant building" means; (1) a dwelling or dwelling unit which is not being occupied as a home, residence, or sleeping place for one or more persons under a lease, rental agreement or permission of the owner; or (2) any building or structure that is not being used for any purpose; or (3) dwelling or dwelling unit that has been ordered vacant or becomes vacant by virtue of being declared unfit for habitation by a code enforcement officer.

(Ord. 356-75; Ord. 1741-97 § 1 (part).)

4501.43 - Ventilation.

"Ventilation" means the supply and removal of air to and from a space by natural or mechanical means.

(Ord. 356-75.)

4501.44 - Vermin.

"Vermin" includes but is not limited to insects, lice, spiders, mites, ticks, rats and mice which threaten human health and safety.

(Ord. 859-01 § 42.)

4501.45 - Weeds.

"Weeds" shall mean those plant species including but not limited to, brush, vines or shrubs as listed in Chapter 901:5-37-01 of the Ohio Administrative Code, titled "Noxious Weeds," and Chapter 901:5-37 of the Ohio Administrative Code, titled "Other Prohibited Noxious Weeds," and thistles, burdock, jimson weed, ragweed, milkweed, mullein, poison ivy, poison oak, grass or other plant species of rank growth which may potentially create, directly or indirectly, an unhealthy or unsafe condition.

(Ord. 859-01 § 43; Ord. 1132-2008 Attach. (part).)