

64 (H. 1123) CA 1942 HOUSING - CODES 28/11
Ordinance No. _____

An ordinance relaxing in certain particulars the Housing Code and other codes and ordinances relating to buildings during the war emergency, on certain conditions and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that as a result of the national defense emergency and war conditions this City has become a vital center of large scale industrial and other operations in behalf of the national defense and prosecution of the wars; that in consequence a vast influx of population has been experienced with a resulting shortage of housing, particularly lower priced housing; that many employes in shipyards and other industries are required to travel to and from their employment long distances both within and without the city, thereby making traffic more congested and endangering life and limb, and it is believed that the provisions hereof will bring about more housing accommodations within the city and close to places of employment and thus render the streets more convenient and safe for public use, and that an application of the provisions hereof will be more in the interest of public safety, health and welfare than to continue applying the full provisions of the Housing Code and other codes; now, therefore, the provisions hereof wherever applicable shall supersede the provisions of any and all codes and ordinances of the City of Portland insofar as the provisions hereof apply, and, during the time mentioned in Section 16 hereof the alteration of buildings and dwellings and the construction of new buildings arranged to be used as apartments or housekeeping rooms, or as single family dwellings, may be in accordance with the regulations of the following sections, and the regulations of existing Housing, Building and other codes if in conflict with the regulations of this ordinance shall not apply to property which shall have been brought under the provisions hereof. In other particulars, the buildings brought under this ordinance shall comply with the regulations of the Housing, Building and other codes.

Section 2. Minimum floor areas. Minimum floor areas shall be as follows: For a one-room apartment or housekeeping room, one hundred (100)

square feet if for one person occupancy; one hundred fifty (150) square feet if for more than one person; for a kitchen, fifty (50) square feet; for a bedroom in an apartment having two or more rooms, eighty (80) square feet. It is provided that any apartment or housekeeping room unit having more than one room shall have one room with floor area of at least one hundred (100) square feet.

It is provided that in a one-room apartment or housekeeping room having less than one hundred fifty (150) square feet floor area, there shall be not more than one single bed. In a one-room apartment or housekeeping room having one hundred fifty (150) square feet of floor area, there shall be not more than three (3) single beds or equivalent. For each unit of floor area of forty (40) square feet in excess of one hundred fifty (150) square feet, a single bed may be added. For an apartment or housekeeping room unit having more than one room, the number of beds shall be regulated the same as for a one-room apartment or housekeeping room, except the aggregate floor area of the rooms shall be used. It is to be understood that a single bed shall not exceed forty-two (42) inches in width and that a bed exceeding forty-two (42) inches in width shall be considered a double bed. In determining the number of beds permitted, it shall be considered that two single beds equal one double bed.

Section 3. Yards. Yards utilized for the lighting of living rooms or toilet rooms in existing buildings shall have dimensions not less than as follows:

One-story building, from wall to side or rear lot line, three (3) feet.

Two-story-building, from wall to side or rear lot line, three feet six inches (3'6").

A cornice, eave or gutter shall not come closer to a side or rear lot line than six (6) inches less than the foregoing figures.

The distance from such a building to another building on the same lot or on an adjoining lot shall not be less than two (2) times the above figures.

Section 4. Room in which cooking is done. No room in connection with which cooking is done shall have a gas or electric plate or range or any cooking stove in a closet. No electric fan or hood over the cooking stove, plate or range is required.

Section 5. Light and ventilation. All rooms used for living purposes in apartment or housekeeping room units shall have windows as required by the housing code, but a tolerance of ten per cent (10%) will be allowed.

A door opening to the outside, having glass panels, may have the glass area counted as window area.

Section 6. Sanitary Conveniences.

(a) Within each apartment or housekeeping room unit in an existing building, there shall be provided a sink and a water closet; or in apartments or housekeeping room units not so arranged, sinks and water closets shall be provided as given in the following paragraph:

(b) For apartments or housekeeping room units not provided with individual sinks and/or water closets, there shall be provided in each story containing the same for each group of five (5) apartments or housekeeping room units or part thereof over a group, at least one (1) water closet and one (1) sink in a location accessible for each such group.

Section 7. Ceiling Height. In existing buildings, the ceiling height of rooms in apartments or in housekeeping room units and of bath and toilet rooms above the cellar or basement, shall be as required in the Housing Code, but a tolerance of ten per cent (10%) will be allowed.

Section 8. Floors of Bath and Toilet Rooms. Bath and toilet rooms in existing buildings installed for use in connection with apartments or housekeeping room units, shall have floors and base of waterproof material as required by the Housing Code or shall have the floor and base not less than four (4) inches above the floor covered with inlaid linoleum of standard gauge or greater thickness, laid with waterproof cement. The intersection of the floor and base shall be made with a cove with a radius not less than one (1) inch.

Section 9. Frame Building Third Story Rooms. In a dwelling covered by this ordinance, no room above the second story of a frame building shall be used as a living room, bedroom, housekeeping room or for any other living purpose.

Section 10. Cellar or Basement Rooms. In a dwelling covered by this ordinance, any room used for living purposes shall have a ceiling height not less than seven (7) feet. No room, whether in an apartment, housekeeping unit or an independent sleeping room, in a basement or cellar, shall be used for living purposes of any kind if the floor of said room is below the level of the adjoining ground, unless each apartment, housekeeping unit or independent sleeping room has a door not less than two feet six inches (2'6") in width and six feet eight inches (6'8") in height, opening directly to the outside of the building, and there is a stair or ramp of wood or concrete extending from the space outside the door up to the grade. Any such ramp shall have a slope not greater than one (1) foot vertical to five (5) feet horizontal. Any such housekeeping unit, apartment or independent sleeping room shall be lighted and ventilated as required by Section 5 hereof, and no independent sleeping room or room of such apartment or housekeeping unit shall have the floor more than three (3) feet below the level of the adjoining ground.

The waterproof membrane called for in Section 1300 of the Housing Code will not be required for rooms in existing buildings, when such rooms are used for living purposes or are changed from other uses to living purposes or as bath or toilet rooms, provided such rooms are not damp in wet weather.

Section 11. Means of Egress. In a dwelling covered by this ordinance there shall be for each story above the first, at least two (2) means of egress available for each apartment or housekeeping unit. These means of egress shall be separated as widely as is practicable. Where the number of apartments or housekeeping units above the first story does not exceed ten (10), one means of egress shall be by stair not less than three (3) feet in width and the second means of egress shall be a stair not less than two feet six inches (2'6") in width, an exterior wood stair not less than two (2) feet in width, or a fire escape. Under other conditions, the regulations for egress and stairs contained in the Building Code and in the Housing Code, shall govern. The arrangement of the means of egress shall be made satisfactory to the Fire Marshal, who shall approve same if reasonably safe, and disallow if not reasonably safe, under the particular circumstances.

Section 12. Basement or Cellar Ceiling Protection. In dwellings coming under this ordinance, if there are more than two (2) apartments or housekeeping room units above the first story, the basement or cellar, if there is a basement or cellar, shall have its entire ceiling covered with metal lath and plaster or plaster board and plaster not less than three-fourths ($3/4$) of an inch in thickness. Any stair running from the first story to the basement or cellar shall have at the head of such stair a door covered with metal on the cellar or basement side. In place of metal there may be used a hard asbestos board having a thickness of not less than one-eighth ($1/8$) of an inch. Where metal or asbestos board is attached to panel doors, the panels shall be filled up to a flush surface before the metal or board is attached.

Section 13. Corridor Protection. In any dwelling covered by this ordinance, any corridor used by the public in the first story or in any story above, shall have its walls and ceiling covered with wood lath and plaster or other covering of equal or better fire resisting value. The spread of fire along the corridor, as well as into or from the corridor, shall be taken into consideration in determining fire resisting value.

Section 14. New Buildings. A new building, if constructed under the regulations of the existing

Building and Housing Codes, in full compliance with the regulations for a hotel or lodging house, may be used for housekeeping room purposes, if such rooms comply with Sections 2, 4 and 6 hereof.

Section 15. Zoning Regulations. No new building coming under the regulations of this ordinance shall be located in a Class I residential district or in a Class I special two-family residential district, as designated in the zoning ordinance.

An existing building in a Class I residential district or in a Class I special two-family residential district may be altered and used under the regulations of this ordinance, provided there is filed with the Bureau of Buildings on forms supplied by the Bureau, the written consent of the owners of at least sixty per cent (60%) in area of all privately owned property within a radius of two hundred (200) feet of the property on which the building which is proposed to be altered is located.

Section 16. Limit of Time. The owner of any building coming under the regulations of this ordinance shall sign an agreement approved by the City Attorney as to form, that within six (6) months after the war is over and a declaration of peace has been made, the owner will change the building and its use to comply with the Housing, Building and other codes applying to existing or new buildings, as the case may be, or that he will cause the building to be torn down, or removed beyond the city limits. The provisions of the agreement shall be made covenants running with the land. The agreement of the owner shall be filed with the County Clerk and recorded and the fee for recording shall be paid by the owner of the building. In case a mortgage has been placed upon the property, the mortgagee shall sign his name to said agreement, indicating that he approves the agreement, before the agreement is filed with the County Clerk. No permit for a building coming under the terms of this ordinance shall be issued until said agreement has been filed with the County Clerk.

Section 17. Penalty. Any person violating any provision of this ordinance shall upon conviction be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) or by imprisonment in the city jail not to exceed six (6) months, or by both such fine and imprisonment. Each day a violation of this ordinance continues shall be considered a separate offense.

Section 18. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That due to the vast influx of population, there is a shortage of housing accommodations and it is necessary that existing housing standards be lowered; therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council

Mayor of the City of Portland

Attest

Auditor of the City of Portland

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