

WAIMATE DISTRICT CONSOLIDATED BYLAW 2008**CHAPTER 16****16 APARTMENT BUILDINGS AND BOARDING-HOUSES****Scope**

The purpose of this chapter of the Bylaw is to enable Council to meet its statutory duties and responsibilities and to monitor accommodation buildings to ensure that conditions do not arise that may threaten the health and safety of tenants, neighbours or the community at large.

With regular monitoring it is intended that Council Officers should consult with and advise Owners and tenants with the aim of minimising sub standard living conditions in Waimate District.

1601 Compliance

1601.1 No Person shall permit the use of any building within the district as an Apartment Building or Boarding-house which does not comply with this chapter of the Bylaw.

1602 Compliance with statutory requirements

1602.1 Nothing in this chapter of the Bylaw shall dispense with or supersede any requirements in any statutory provisions, regulating existing buildings, the erection of new buildings, or the alteration of or addition to existing buildings.

1603 Keeper to provide facilities for inspection

1603.1 Every Keeper shall at all reasonable times afford free access to every part of his/her Boarding-house or Apartment Building, as the case may be, to any Council Officer and every Person other than the Keeper residing in such Boarding-house or Apartment Building shall at all such times afford free access to every part of such Boarding-house or Apartment Building occupied by him/her to any such Council Officer, and shall not wilfully obstruct or hinder that Officer.

1604 Inspecting Officer not to be obstructed

1604.1 No Person shall wilfully hinder, delay, or obstruct any Council Officer who has lawfully entered any Boarding-house or Apartment Building for the purpose of inspecting the Premises, or, without reasonable excuse, neglect or refuse to render him/her such assistance as they may reasonably require for the purpose of inspection.

1605 Overcrowding

1605.1 No Person shall cause or permit to be occupied any room in a Boarding-house or Apartment Building wholly or partly as a sleeping room unless such room has at least the area specified in the first column of the Second Schedule to the Housing Improvement Regulations 1947 for the number of Persons sleeping in such room calculated in accordance with the second column of such schedule.

1606 Cleansing and maintenance of Boarding-house and Apartment Buildings

1606.1 The Keeper of every Boarding-house shall:

- (a) Maintain all walls, floors, ceilings, and yards of the Premises in a clean and sanitary condition at all times and the building generally in a good state of repair;
- (b) Maintain all utensils, fixtures, fittings, furniture, bedding, and receptacles they provide in a clean and sanitary condition at all times;
- (c) At least once in each year cause to be removed from every chimney all accumulations of soot;
- (d) Clearly identify the rooms that are to be separately occupied by affixing a number to the outer side of the doors;
- (e) Cause all floors and yards to be thoroughly swept each day and washed or otherwise thoroughly cleansed once in each week;

- (f) Cause all refuse to be removed from all rooms daily and cause all receptacles for such refuse to be cleansed at least once daily;
- (g) Provide sanitary facilities in accordance with relevant legislation.
- (h) Provide sufficient laundry facilities to the satisfaction of Council for the use of all Boarders or Lodgers; and
- (i) Where any meals are served or prepared, set aside a room as a kitchen to be used solely for the preparation and storage of food. The use of such kitchens shall comply with either an approved food safety programme as defined by Section 4A of the Food Act 1981, or the following provisions:
 - (i) All floors, walls and ceilings in the kitchen shall be properly constructed, kept in good repair, and finished to provide smooth, impervious, easily cleanable surfaces. All walls and ceilings shall be finished in a light colour to facilitate cleaning and inspection;
 - (ii) All parts of the kitchen and dining room shall be adequately lighted by daylight and artificial lighting as the circumstances require, to facilitate cleaning and inspection;
 - (iii) All parts of the kitchen and dining room shall be adequately ventilated;
 - (iv) All parts of the kitchen and dining room shall be maintained in a clean, hygienic and tidy condition, free from foul odours and vermin;
 - (v) The kitchen shall be provided with a sufficient number of sinks and other sanitary fittings reasonably necessary for the cleansing of crockery, utensils and appliances used in the preparation, service and consumption of food. Every such sink shall be supplied with a piped supply of hot and cold water;

- (vi) A wash-hand basin supplied with piped hot and cold water, or tempered water at a minimum temperature of 38°C, shall be located within the kitchen or within close proximity to the kitchen. The wash-hand basin shall be supplied with soap, a nail brush and single-use hand-drying equipment;
- (vii) All benches, shelves, tables, cupboards, appliances and equipment shall be constructed and finished so that they are capable of being easily cleaned;
- (viii) Adequate means of preparing food and of cooking food, both by boiling and by baking, sufficient for the numbers of guests, shall be provided in the kitchen;
- (ix) Adequate refrigerated and frozen storage shall be provided sufficient for the numbers of guests, for the storage of perishable and readily perishable foods. All refrigerated storage shall operate at 4°C or below and frozen storage at minus 17°C or below;
- (x) Adequate space for the storage of food shall be provided, so placed, fitted and ventilated as to protect the food from flies, dust, and other contamination and from the direct rays of the sun;

1606.2 The Keeper of every Apartment Building shall:

- (a) Maintain all walls, floors, ceilings, and yards of those parts of the Premises used in common by two or more families in a clean and sanitary condition at all times, and the building generally in a good state of repair;
- (b) Maintain all utensils, fixtures, fittings, furniture and receptacles in common use in a clean and sanitary condition at all times;
- (c) At least once in each year cause to be removed from every chimney all accumulations of soot;

- (d) Cause all floors and yards of those parts of the Premises in common use to be thoroughly swept each day and washed or otherwise thoroughly cleansed once in each week.

1606.3 In carrying out the duties imposed on him/her by clauses 1606.1 and 1606.2, the Keeper shall comply with any requirements made by Council.

1607 Lighting of common passages, etc

1607.1 The Keeper of every Apartment Building and Boarding-house shall maintain adequate artificial lighting for use whenever natural lighting is not sufficient in all common hallways, stairways, passages, lifts, and all rooms used in common.

1608 Ventilation

1608.1 The Keeper of every Boarding-house or Apartment Building shall cause all such means of ventilation as are provided for any room, vestibule, lobby, passage, hallway, or staircase in his/her Boarding-house or Apartment Building, or for any water closet or urinal compartment belonging to such Premises, to be maintained at all times in good order.

1608.2 The Keeper of every Boarding-house shall cause the window of every room in his/her Boarding-house, and the Keeper of every Boarding-house or Apartment Building shall cause every window in every part of the Premises in common use in his/her Boarding-house or Apartment Building, to be kept sufficiently open for such time every day as may be necessary for the purposes of ventilation.

1609 Furniture

1609.1 Every bedroom in a Boarding-house shall be provided with beds, wardrobe, and clothes storage space which shall be adequate for the requirements of the number of Persons authorised to be accommodated in such room.

1609.2 Every dining-room shall be provided with adequate seating and tables to allow all guests to take their meals without undue delay within the times such meals are offered.

1610 Beds and bedclothes to be aired

1610.1 The Keeper of every Boarding-house shall cause all beds, bedclothes, and bedding to be kept clean and wholesome, and clean bed linen and towels to be furnished to each Boarder or Lodger of a Boarding-house at least once in each week and to every newly arrived Boarder and Lodger. They shall cause the bedclothes of every bed in such Boarding House to be removed from such bed as soon as convenient after every bed shall have been vacated and shall cause all such bedclothes and the bed from which such bedclothes have been removed to be fully cleaned.

1611 Right of appeal

1611.1 Any Keeper of a Boarding-house or Apartment Building who considers him/her self aggrieved by any decision, order or direction given by any Authorised Officer of Council in the exercise of any discretionary authority vested in that Officer by any provision of this chapter of the Bylaw shall have the right of appeal to Council and to a hearing before the Council or a Committee of Council which may reverse, confirm, or modify any such decision, order, or direction.