

City of Cincinnati

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An Ordinance No. 285

-2022

MODIFYING Chapter 1117, “Housing Code,” of the Cincinnati Municipal Code by amending Section 1117-15, “Fire-Protective Features,” and Section 1117-45, “General Maintenance and Repair”; and **MODIFYING** the provisions of Chapter 1219, “Miscellaneous Regulations,” by enacting new Section 1219-73, “Self-Closing Doors,” all to implement enhanced fire safety measures that promote the containment and suppression of flame and smoke in multi-family residential structures.

WHEREAS, doors providing access to interior corridors or stairs in multi-unit residential structures that are left ajar during fire emergencies constitute a distinct hazard to life, property, and the public welfare by permitting the spread of smoke and flame beyond a unit of origin, which increases the likelihood of occupant and first responder fatalities, as implicated in the death of 30-year Cincinnati Fire Department veteran FAO Daryl Gordon in 2015; and

WHEREAS, recent deadly fires in multiple dwelling structures in Philadelphia, New York City, and Baltimore illustrate the need for proactive action to protect residents and first responders; and

WHEREAS, the City’s Fire Chief has determined that existing multiple-dwelling residential structures without self-closing and automatically latching residential unit doors that access interior corridors or stairs constitute a distinct hazard to life, property, and the public welfare, as they are most susceptible to the rapid spread of smoke and flame, endangering occupants and first responders; and

WHEREAS, doors properly equipped with devices that ensure self-closing and automatic latching after having been opened, otherwise known as self-closing doors, segregate and temporarily confine smoke and flame within the unit of origin during a fire emergency, providing occupants and first responders additional time for emergency exit; and

WHEREAS, the installation of self-closing door hardware is a relatively simple and inexpensive solution that provides substantial benefits toward mitigating the distinct hazard to life, property, and the public welfare posed by multiple-dwelling residential unit doors left ajar during fire emergencies; and

WHEREAS, Council finds that it is in the best interest of the public health, safety, and general welfare to impose a requirement to equip doors that provide access to interior corridors or stairs in existing multiple-dwelling residential structures with approved self-closing door hardware that will ensure closing and latching after having been opened; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 1117-15, "Fire-Protective Features," and Section 1117-45, "General Maintenance and Repair," of Chapter 1117, "Housing Code," of the Cincinnati Municipal Code are hereby amended to read as follows:

Sec. 1117-15. - Fire-Protective Features.

1117-15.1 *General*: Every three-family and multiple dwelling shall be protected with such fire-protective features as may be required for the adequate protection of the occupants thereof. The minimum requirements for such protection are as set out in §§Sections 1117-15.2 through 1117-15.78 CBC.

1117-15.2 *Interior stairways and corridors*: Any interior stairway or corridor serving more than one apartment, rooming unit or dwelling unit shall be enclosed with approved fire-resistive construction. Corridors shall be constructed so as to be effective barriers to resist the passage of smoke. Any doorway in said construction shall be protected by an approved solid core wood door or equivalent, which shall be well-fitted within the opening. An undercut to the door greater than three-fourths (¾) of an inch is prohibited.

1117-15.3 *Use of glass*: No plain glass shall be used in any door or transom opening upon an interior stairway serving more than one apartment, rooming unit or dwelling unit. All such transoms shall be fixed or otherwise made non-openable, and any existing glass in such doors, windows, or transoms shall be replaced with wired glass or an approved equivalent, or covered with an approved material.

1117-15.4 *Fire doors*: All required fire doors shall be equipped with approved self- or automatic-closing devices, latches and keepers.

1117-15.4.1 *Signing of fire doors*: All required fire doors, except for those doors leading directly to apartments, rooming units or dwelling units, shall be designated with an approved sign with letters not less than one-half inch high, "FIRE DOOR KEEP CLOSED."

1117-15.5 *Separation of occupancies*: Residential occupancies shall be separated from other occupancies by approved fire-resistive construction.

1117-15.6 *Smoke Detectors*: Residential occupancies shall be supplied with an early fire warning system (smoke detectors) in accordance with Chapter 1235 (Fire Code) of the Cincinnati Municipal Code.

1117-15.7 *Automatic Fire Detection Systems*: All existing buildings or portions thereof of Group 1-1 (See Section 308.2 OBC) shall be provided with an Automatic Fire Detection System installed in accordance with Section 907.0 OBC or the building code in effect at the time of installation.

1117-15.8 Self-closing doors: By August 1, 2023, all doors providing access to interior stairways or corridors shall be self-closing or equipped with a device that will ensure closing after having been opened and automatic latching. Notwithstanding Section 1117-15.1, this section applies only to multiple dwellings with five or more dwelling units.

Section 1117-45. General Maintenance and Repair.

1117-45.1 *Premises conditions:* All residential buildings, and all parts thereof, together with the premises on which they are located, shall be kept in good repair and free from unsafe, unclean and unsanitary ~~insanitary~~ conditions, so that all parts thereof shall function properly and provide approved conditions of safety and sanitary habitability.

1117-45.2 *Supplied fixtures and equipment:* Every plumbing installation, gutter and downspout, required supplied facility, piece of equipment, or utility shall be so constructed or installed that it will function safely, and shall be maintained in satisfactory working condition.

1117-45.3 *Service or utility not to be shut off:* No owner, person in control, operator, or occupant shall cause any service, facility, equipment, or utility which is required under this Housing Code to be removed or shut off from or discontinued for any occupied dwelling, let or occupied by him except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies.

1117-45.4 *Hardware for fire and self-closing doors:* All automatic and self-closing devices, and other hardware for required fire doors, self-closing doors, or other opening protectives shall be maintained in good working condition.

1117-45.5 *Unrestrained fire and self-closing doors:* No object shall be placed, and no restraining devices shall be installed so as to interfere with the proper functioning of a required fire door, self-closing door, or other opening protective.

1117-45.6 *Unused gas outlets:* Each gas outlet, including a valve or cock outlet, that is not to be used immediately, and each unused gas illuminating fixture shall be removed and the line shall be securely closed gastight with a threaded plug or cap, or, in lieu thereof, the use of a quick-disconnect device that is listed by the American Gas Association, Inc. Laboratories ~~gas association, inc., laboratories~~.

1117-45.7 *Insect and rodent control:* Every owner, person in control, or operator shall exterminate any insects, rodents, or other pests on the premises.

Section 2. That existing Section 1117-15, "Fire-Protective Features," and Section 1117-45, "General Maintenance and Repair," of Chapter 1117, "Housing Code," of the Cincinnati Municipal Code are hereby repealed.

Section 3. That Chapter 1219, "Miscellaneous Regulations," of the Cincinnati Municipal Code is hereby amended by enacting new Section 1219-73, "Self-Closing Doors," to read as follows:

Sec. 1219-73. - Self-Closing Doors.

- (a) The owner of every multiple dwelling which is required to be equipped with self-closing doors pursuant to Section 1117-15.8, or any other applicable law, shall keep and maintain such doors in good working condition.
- (b) No object shall be placed and no restraining devices shall be installed so as to interfere with the proper functioning of a required self-closing door.

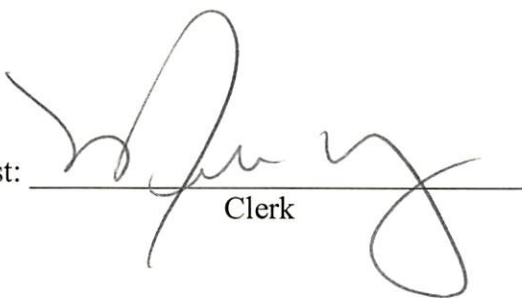
Section 4. That doors providing access to interior corridors or stairs in existing multiple dwelling residential structures with five or more dwelling units that are not self-closing or equipped with a device that, when opened and released, returns the door to the closed position are hereby declared an imminent threat to the public health, welfare, or safety; and further, that, in order to address this imminent threat to the public health, welfare, or safety, Council hereby declares that all such doors, future and existing, must be self-closing or include an approved device that will ensure closing after having been opened as required by this ordinance.

Section 5. That the conditions declared an imminent threat to the public health, welfare, or safety in Section 4 shall not be deemed to be a lawful non-conforming condition and shall be abated consistent with the provisions of this ordinance, regardless of whether they were lawfully established under any provision of the Cincinnati Municipal Code, Ohio Revised Code, or any rule or regulation promulgated thereunder and in existence at the time of adoption of this ordinance.

Section 6. That those multiple dwelling structures existing at the time of the adoption of this ordinance that are not in strict compliance with the provisions and requirements of this ordinance shall have up to and including August 1, 2023 to comply with the provisions and requirements set forth herein.

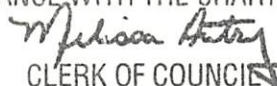
Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: September 14, 2022

Attest: 
Clerk


Aftab Pureval, Mayor

New language underscored. Deleted language indicated by strikethrough.

I HEREBY CERTIFY THAT ORDINANCE NO. 205 2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 9-27-2022

CLERK OF COUNCIL