

## **NOTICE**

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**CHAPTER 1324**  
**LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS**

1324.01	General	1324.03	Ventilation
1324.02	Light	1324.04	Occupancy Limitations

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**SECTION 1324.01 GENERAL**

1324.01.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation, and space for occupying a structure.

1324.01.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation, and space conditions in compliance with these requirements. An owner shall not occupy as owner-occupant, or permit another person to occupy, any structures that do not comply with the requirements of this chapter.

1324.01.3 Alternative Devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Kettering Building Code shall be permitted.

**SECTION 1324.02 LIGHT**

1324.02.1 Habitable Spaces. Required glazed openings shall open directly onto a street or public alley or a yard or court located on the same lot as the building. All habitable rooms shall have an aggregate glazing area of not less than eight percent (8%) of the floor area of such room.

Exception: Glazed openings need not be installed in rooms where the opening is not a required means of egress and where an approved mechanical system and a means of artificial light meeting Kettering Building Code requirements is provided.

1324.02.2 Common Halls and Stairways. Every common hall and stairway in residential occupancies, other than in one and two-unit dwellings, shall be lighted at all times with at least a 60-watt standard light bulb for each 200 square feet floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, all stairways and means of egress, including exterior means of egress, shall be illuminated with a minimum of 1 foot-candle at floors, landings, and treads at all times the building space served by stairways and the means of egress is occupied.

1324.02.3 Other Spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions and the safe occupancy of the space and utilization of the appliances, equipment, and fixtures.

### SECTION 1324.03 VENTILATION

1324.03.1 Habitable Spaces. Every habitable space shall have at least one openable window. The minimum openable area to the outdoors shall be four percent (4%) of the floor area being ventilated. Natural ventilation shall be through windows, doors, or other approved openings to the outdoor air and such openings shall be readily controllable by the building occupants.

Exception: Windows need not be openable where the opening is not a required means of egress and an approved mechanical system meeting Kettering Building Codes requirements is provided. Use of sunrooms and covered patio areas shall be permitted for natural ventilation if in excess of forty percent (40%) of the exterior sunroom walls are open or are enclosed only by insect screening.

1324.03.2 Bathrooms and Toilet Rooms. Every bathroom shall have at least one openable window, except that a window shall not be required in such spaces equipped with artificial light and a mechanical ventilation system meeting Kettering Building Code requirements. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge directly to the outdoors.

1324.03.3 Process Ventilation. Where injurious, toxic, irritating, or noxious fumes, gases, dusts, or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

1324.03.4 Clothes Dryer Exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and labeled condensing (ductless) clothes dryers.

### SECTION 1324.04 OCCUPANCY LIMITATIONS

1324.04.1 Room Area. Every dwelling unit shall contain at least one habitable room that shall have not less than 120 square feet of gross floor area. Other habitable rooms shall have a floor area of not less than 70 square feet. Habitable areas must meet the requirements of Sections 1324.04.4 through 1324.04.7.

1324.04.1.1 Combined Spaces. Combined living room and dining room spaces shall comply with the requirements of Table 1324.04.1 if the total area is equal to that

required for separate rooms and if the space is located so as to function as a combination living room/dining room.

1324.04.2 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum occupancy area requirements of Table 1324.04.2. If any room used for residential purposes is overcrowded, the Chief Code Official may order the number of persons sleeping or living in said room to be reduced.

TABLE 1324.04.2 MINIMUM OCCUPANCY AREA REQUIREMENTS

Space	Minimum Square Foot Area		
	1-2 occupants	3-5 occupants	6 or more
Living room <sup>a</sup> ,	120	120	150
Dining room <sup>a</sup> ,	No	70	100
Bedrooms	Shall comply with Section 1324.04.3		

- a. See Section 1324.04.1.2 for combined living room/dining room spaces;
- b. See Section 1324.04.2.1 for limitations on determining the minimum occupancy area for sleeping purposes.

1324.04.2.1 Sleeping Area. The minimum occupancy limits required by Table 1324.04.2 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 1324.04.3.

1324.04.3 Bedroom Requirements. Every bedroom shall comply with the requirements of Sections 1324.04.3.1 through 1324.04.3.5.

1324.04.3.1 Area for Sleeping Purposes. Every bedroom occupied by one (1) person shall contain at least seventy (70) square feet of floor area, and every bedroom occupied by more than one (1) person shall contain at least forty (40) square feet of floor area for each occupant thereof.

1324.04.3.2 Access from Bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two (2) bedrooms.

1324.04.3.3 Water Closet Accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every

bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

1324.04.3.4 Prohibited Occupancy. Kitchens and non-habitable spaces shall not be used for sleeping purposes.

1324.04.3.5 Other Requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height, and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 1325; the heating facilities and electrical receptacle requirements of Chapter 1326; and the smoke detector and emergency escape requirements of Chapter 1327.

1324.04.4 Minimum Room Dimensions. Habitable rooms shall be a minimum of seven feet (7') in any plan dimension.

1324.04.5 Minimum Ceiling Heights. Habitable spaces, hallways, laundry areas, bathrooms, toilet rooms, and portions of basements containing these spaces shall have a minimum clear ceiling height of seven feet (7').

1324.04.6 Height Effect on Room Area. Portions of a room with a sloped ceiling measuring less than five feet (5') or a furred ceiling measuring less than seven feet (7') from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

1324.04.7 Basements. Habitable spaces in existing basements shall be permitted to have ceiling heights of not less than 6 feet 8 inches. Obstructions (e.g. beams, girders, ductwork) may project to within 6 feet 4 inches of the finished floor.

1324.04.8 Privacy. Dwelling units, hotel units, and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

1324.04.9 Maximum Occupancy of Non-Residential Premises. No owner or person in control shall permit any non-residential premises to be occupied in excess of the maximum number of occupants allowed for said structure or premises allowed by the certificate of occupancy for the premises as approved by the Chief Building Official.

1324.04.10 Food Preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

1324.04.11 Legal Conformity. No space in a building or structure shall be occupied as habitable space unless it has been legally converted and approved by the Chief Building Official for use as habitable space.

**Legislative History:** Title Five enacted by Ord. 2908-80, passed 8-12-80. Title Five (Chapters 1321-1337) repealed and replaced by Ord. 3853-00 passed 11-28-2000. Title Five (Chapters 1321-1327) amended by Ord. 4328-19, passed 10-08-2019.