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Office of the Secretary

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Title 14 - Housing

Chapter 8 Housing Code: Cleanliness, Sanitation, and Safety

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800 GENERAL PROVISIONS

800.1 All premises occupied for residential purposes shall be kept in a clean, safe, and sanitary condition, including, but not limited to, the requirements of this chapter.

800.2 Floors, floor coverings, and other walking surfaces shall be clean and free of dirt, dust, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.

800.3 Walls, ceilings, windows, and doorways shall be clean and free of cobwebs, dirt, dust, greasy film, soot, or any other insanitary matter.

800.4 Plumbing fixtures shall be kept in a clean, sanitary condition, and shall be kept free of dirt, filth, human or animal wastes, or any other insanitary matter. Each occupant shall exercise care in the proper use and operation of plumbing fixtures.

800.5 Areaways, walkways, and yards shall be clean and free of ashes, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.

800.6 Other portions of each premises which are not specifically listed in this section shall be kept clean, and in a safe and sanitary condition.

800.7 The owner, user, or any person having the right to use any private passageway or alley, shall not permit any ashes, debris, dirt, filth, garbage, human or animal waste, litter, refuse, stagnant water, or any other insanitary matter to remain on that passageway or alley.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained at paragraphs 28 and 46 of section 7 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes ("Act of 1902"), Public, 218, 32 Stat. 590, approved July 1, 1902, as amended by: An Act approved July 1, 1932, Public, No. 237, 47 Stat. 550; and by An Act approved July 22, 1947, Public Law 215, 61 Stat. 402.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§ 2602 and 2603, Commissioners' Order 55-1503 (August 11, 1955).

801 RESPONSIBILITIES OF OWNERS AND LANDLORDS

801.1 If there are more than five (5) families residing in any multiple dwelling in which the owner does not reside, the owner(s) or lessee(s) of the building, when required by the Director, shall place in that building a janitor, housekeeper, or some other responsible person who shall reside in, and have charge of, the building.

801.2 In those portions of premises occupied for residential purposes which are vacant, used as common space, or are not under the exclusive control of a tenant, the owner or licensee shall be responsible for the observance of the provisions of this chapter.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§ 1204 and 2601, Commissioners' Order 55-1503 (August 11, 1955).

802 RESPONSIBILITIES OF TENANTS

802.1 In those portions of premises occupied for residential purposes under the exclusive control of a tenant, it shall be the responsibility of the tenant to observe the provisions of this chapter, unless otherwise indicated in this chapter.

802.2 In addition to the tenant's responsibilities under § 800, the tenant shall specifically be responsible for the following:

- (a) Keeping the part of the premises that the tenant occupies and uses as clean and sanitary as the conditions of the premises permit;
- (b) Disposing from the tenant's dwelling unit all rubbish, garbage, and other organic or flammable waste, in a clean, safe, and sanitary manner;
- (c) Keeping all plumbing fixtures as clean and sanitary as the condition of those fixtures permit;
- (d) Properly using and operating all electrical, gas, plumbing, and heating fixtures and appliances.

802.3 A tenant shall not do or permit any person on the premises with the tenant's permission to do any of the following:

- (a) Willfully or wantonly destroy, deface, damage, impair, or remove any part of the structure or dwelling unit; or

(b) Willfully or wantonly destroy, deface, damage, impair, or remove any part of the facilities, equipment, or appurtenances to the dwelling unit.

802.4 The tenant of each dwelling unit in multiple dwellings shall provide as needed for the tenant's own use sufficient, lawful and separate receptacles for the storage of ashes, garbage, and refuse in the tenant's own unit.

802.5 All garbage, refuse, and ashes of each unit shall be placed by the tenant in receptacles and transferred by the tenant to the designated place of common storage on the premises, unless the collection and transfer is provided by the operator.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§ 2601, 2602A and 3205, Commissioners' Order 55-1503 (August 11, 1955).

803 STORAGE OF ASHES, GARBAGE, AND REFUSE

803.1 In each multiple dwelling where the occupants of habitations are responsible for taking the ashes, garbage, or refuse from their respective quarters to a place of common storage or disposal, the place of common storage or disposal shall be readily accessible to all occupants at all times through common space within the premises.

803.2 In multiple dwellings where the owner or licensee is responsible for the collection or removal of ashes, garbage, or refuse from the individual habitations to a place of common storage or disposal, the owner or licensee shall cause sufficient daily collections, at an hour to be specified by the owner or licensee, to be made as may be necessary to keep the common space of the premises free from any accumulation of ashes, garbage, or refuse.

803.3 The principal occupant of a single or two-family dwelling, and the owners or licensees of multiple dwellings, shall provide and maintain water-tight metal receptacles with tight-fitting metal covers sufficient for the separate storage of all ashes, garbage, or refuse accumulating on the premises during the usual interval between collections of the ashes, garbage, and refuse.

803.4 If residential buildings are provided with interior refuse storage bins, the variety and number of those metal receptacles may be modified accordingly.

803.5 Persons required by this section to provide and maintain storage receptacles shall keep them free of accumulated grease, filth, or insect breeding, and shall keep them in a clean condition.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§ 2609 and 2610, Commissioners' Order 55-1503 (August 11, 1955).

804 RATPROOFING

804.1 Every residential building shall be ratproofed and maintained in a ratproof condition by the owner or licensee of that building.

804.2 Ratproofing shall include construction designed to prevent rats from entering a building by blocking off or stopping up all passages by which rats may gain entry.

804.3 Ratproofing shall also include the closing of openings in exterior walls with materials through which rats cannot penetrate.

804.4 Ratproofing shall also include such interior rat stoppage, harborage removal, and cleanup as may be necessary to reduce or eliminate rat-breeding places.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 2606, Commissioners' Order 55-1503 (August 11, 1955).

805 EXTERMINATION

805.1 The occupant of any single-family dwelling shall keep the premises free from vermin, rodents, and rodent harborage.

805.2 The occupant of any habitation in a two-family or multiple dwelling shall be responsible for the extermination of vermin and rodents whenever his or her habitation is the only one infested, except as provided otherwise in § 805.3.

805.3 If an infestation of a single habitation is caused by failure of the owner or licensee to maintain a residential building in a rodent-proof or reasonably insect-proof condition, the exterminating shall be done by the owner or licensee.

805.4 The owner or licensee of a two-family or multiple dwelling shall keep the common space in that residential building free from vermin and rodents, and rodent harborages.

805.5 The extermination of vermin and rodents shall be done by the owner or licensee whenever infestation exists in two (2) or more of the habitations in two-family or multiple dwellings.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 2607, Commissioners' Order 55-1503 (August 11, 1955).

806 SCREENING

806.1 The owner or licensee of each residential building shall provide screens for all openings to the external air from March 15th through November 15th (both dates inclusive) of each year; provided, that effective means other than screens may be substituted for screens when specifically approved by the Director.

806.2 Screens shall have a minimum of sixteen (16) meshes to the inch or the equivalent effectiveness of sixteen (16) meshes to the inch.

806.3 Screens shall be maintained to prevent effectively the entrance of flies and mosquitoes into the building.

806.4 All hinged screen doors shall open outwardly and be self-closing.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 2608, Commissioners' Order 55-1503 (August 11, 1955), as amended by Commissioners' Order 60-529 (March 15, 1960).

807 RADIO AND TELEVISION ANTENNAS

807.1 The owner or tenant of any premises shall not permit the horizontal members of radio and television antennas on the premises to be less than eight feet (8') in the clear above the roof.

807.2 No parts of any radio or television antenna shall be attached to or strung across any fire escape or ladder.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 1208, Commissioners' Order 55-1503 (August 11, 1955).

808 INSANITARY OR UNSAFE SHEDS AND FENCES

808.1 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Fire Chief finds constitutes a fire hazard to any nearby structure.

808.2 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Director of the Department of Consumer and Regulatory Affairs finds constitutes a safety hazard.

808.3 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Director of Human Services finds is dilapidated, and which facilitates the accumulation of or interferes with the collection of trash, garbage, ashes or other materials which constitute a health hazard; or which harbors or provides harborage for rodents.

808.4 No person who is the owner, owner's agent, or manager of any property in the District of Columbia shall allow to remain on that property any fence or shed which the Chief of Police determines interferes with the performance of the duty of members of the Metropolitan Police force or constitutes a menace to the public safety.

808.5 Whenever an official listed in §§ 808.1 through 808.4 or any designated agent of that official finds that any fence or shed is hazardous as set forth in this section, he or she shall give the owner, owner's agent, or manager written notice to remove the hazard.

808.6 The written notice provided under § 808.5 shall state the following:

- (a) The reason or reasons for ordering the removal of the fence or shed; and
- (b) That the person receiving the notice shall comply with the requirements of the notice not later than thirty (30) days after the date of receipt of the notice, unless within that period of time he or she has appealed under § 808.7.

808.7 Any owner, owner's agent, or manager receiving notice to remove a shed or fence under this section shall have thirty (30) calendar days in which to comply or to appeal in writing to the Board of Appeals and Review.

808.8 If within the time allowed, the owner, owner's agent, or manager files an appeal, he or she shall be given opportunity to appear at a hearing before the Board of Appeals and Review.

808.9 The decision of the Board of Appeals and Review shall be final. If the decision is adverse to the appellant, the appellant shall comply with the provisions of the order appealed from (as that order may have been sustained or modified by the Board) within ten (10) calendar days after receipt of notice of the decision of the Board. Failure to comply shall constitute a violation of the order.

808.10 Any shed removed in compliance with a notice issued pursuant to the authority herein contained may be replaced only by a shed constructed in accordance with the Building Code.

808.11 Whenever any fence or shed is ordered removed, a copy of the notice ordering the removal shall be forwarded to the responsible official who shall issue permits for the construction of fences and sheds in accordance with the provisions of the order and who shall maintain a file of all notices.

808.12 Any fence removed in compliance with a notice issued pursuant to the authority of this section may be replaced only by one of the following:

(a) An open-pattern, noncombustible fence which is not more than seven feet (7') in height; or

(b) A combustible fence which is not more than three feet six inches (3'6") in height, constructed of pickets, palings, or boards, each of which is not more than four inches (4") in width and is separated from the immediately adjacent pickets, palings, or boards by spaces that are not less than two inches (2") in width.

808.13 Notwithstanding any of the provisions of this section, if there is a change in the ownership of any property affected by this section, or if that property is substantially improved or renovated, any fence or shed ordered removed from the property may be replaced by a fence or shed constructed in accordance with applicable laws and regulations.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 1205, Commissioners' Order 55-1503 (August 11, 1955).

EDITOR'S NOTE: See D.C. Law 6-216, Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987, 36 DCR 1072. See also Title 12 DCMR Construction Codes Supplement of 1999, 46 DCR 9412—9672 wherein the Director, Department of Consumer and Regulatory Affairs, adopted the 1996 edition of the Building Officials and Code Administrators International, Inc. ("BOCA") National Building Code.

899 DEFINITIONS

899.1 The provisions of section 199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

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