

May 10, 2005

Dear Sir or Madam:

This letter is to inform you that, with warm weather approaching, pursuant to **Title 18** of the Newark Municipal Housing Code, the following ordinance, as it pertains to window guards, require the following:

18:3-1.65(a) Responsibility of Owner. The owner of any rented dwelling unit shall be required to install and maintain window guards on each window in every apartment and in the public hallways of the rented dwelling in which a child who is at least six (6) months of age but not older than the (10) years to age resides.

Attached herewith, please find the section of the ordinance that relates to window guards as well as the ordinance for specifications and installation requirements.

This letter serves as an official notice that you have been served and have all intentions of complying with the City's request to install window guards as needed and required by law. An inspection will be conducted within three (3) days of receipt of this notice.

We thank you for your cooperation in this matter as the safety of our children is of paramount importance.

Should you have any additional questions, please feel free to contact us.

Sincerely,

Director

CBW:em

18:3-1.57. Lighting and Electrical Receptacle Outlets.

a. *Lighting.* Every habitable room, bathroom, hall, water closet, compartment, laundry, and communicating corridor shall be equipped with lighting and every pantry, foyer, closet, and storage space shall be sufficiently illuminated by or equipped with safe artificial lighting service. All wiring and electrical facilities shall conform to all the regulations of the State Uniform Construction Code.

b. *Electrical Receptacle Outlets.* In every kitchen, dining room, breakfast room, living room, parlor, library, den, sun room, recreation room, and bedroom or sleeping room, receptacle outlets shall be installed so that no point along the floor line in any wall space is more than six(6) feet, measured horizontally, from an outlet in that space including any wall space two (2) feet wide or greater and the wall space occupied by sliding panels in exterior walls. The receptacle outlets shall, insofar as practicable, be spaced equal distances apart. Receptacle outlets in floor shall not be counted as part of the required number of receptacle outlets unless located close to the wall. At least one (1) outlet shall be installed for the laundry.

Outlets in other sections of the dwelling for special appliances such as laundry equipment, shall be placed within six (6) feet of the intended location of the appliance. (R.O. 1966 C.S. § 15:4-24)

**ARTICLE 7
Doorbells and Intercoms**

18:3-1.58. Doorbells, Intercoms, Signaling Devices; When Required. Every dwelling consisting of more than ten (10) dwelling units shall be equipped with doorbells, intercoms or other signaling device attached to the front exterior of the dwelling accessible to all visitors to the dwelling. The devices shall be installed and maintained so that a visitor may audibly signal each individual dwelling unit.

(Ord. 6 S+FC, 11-21-94 § 11)

18:3-1.59-18:3-1.64. Reserved.

**ARTICLE 8
Window Guards**

18:3-1.65. Window Guards; When Required; Definitions.

a. *Responsibility of Owners.* The owner of any rented dwelling unit shall be required to install and maintain window guards on each window in every apartment, and in the public hallways of the rented dwelling in which a child who is at least six (6) months of age but no older than teen (10) years of age resides.

b. *Exclusion.* This requirement shall not require the owner to install the window guards on fire escapes, patios and other areas where a person may exit without falling more than six (6) feet.

c. *Definition.* As used in this Article: Owner shall mean, the owner, lessee, agent or other person who manages or controls any rented dwelling.

d. *Standard.* The Director of the Department of Neighborhood and Recreational Services shall be charged with establishing uniform standards for the type of window guards to be installed.

e. The owner, lessee, agent or other person who manages or controls a multiple dwelling shall not be held liable for having violated the provisions of this Article when:

1. The tenant of an apartment fails to respond to a notice sent in a form approved by the Director of the Department of Neighborhood and Recreational Services inquiring whether or not a child between six (6) months and ten (10) years of age resides in the subject apartment.

on fire escapes, patios and other areas where a person may exit without falling more than six (6) feet.

c. **Definition.** As used in this Article:

Owner shall mean, the owner, lessee, agent or other person who manages or controls any rented building.

d. Standard

1. General Installation Requirements.

(a) Window guards shall be installed in accordance with all applicable requirements of the State Uniform Construction Code, N.J.A.C 5:23 and with manufacturer's instructions.

(b) Any window guard installed on an emergency egress window shall be releasable or removable from the inside without use of a key, tool, or excessive force. An emergency egress window is any window in a sleeping room located on the second or third floors, other than a window providing access to a fire escape.

(c) Any window guard installed on a window that is not an emergency egress window, including any window in a unit located above the third floor and any window in a room on the second or third floor that is not a sleeping room, shall be designed, constructed and installed so that it cannot be removed, opened or dislodged without the use of a key or tool.

2. Specifications for Window Guards.

(a) Window guards shall be so constructed as to reject the passage of a solid four (4) inch sphere at every space and interval.

(b) Window guards shall bear a one hundred fifty (150) pound load at a center span when extended to maximum width.

(c) Window guards shall be constructed of metal or of other material of comparable strength and durability. In order to avoid obstruction of light and air, the diameter or width of metal rods used in window guards shall

not exceed one-half (1/2) inch.

(d) Window guards shall be designed constructed and installed so as to serve their intended protective purpose without any risk of collapse, breakage, spreading of the bars or other malfunction.

(e) In a room, window guards shall be of at least a height sufficient to allow a total openable window area, for all windows in the room, of not less than four (4%) percent of the floor area of the room. In a public hallway, window guards shall protect the full openable area of each window.

(f) Window guards shall be securely fastened in order to bear the required load.

(g) All window guards shall be so designed and installed as to prevent the lower window from being raised four (4) inches or more above the lowest section of the top horizontal bar of the window guard. Where necessary, rigid metal stops shall be installed securely in the upper tracks of each side of the bottom window.

(h) Screws used to mount window guards and stopping devices should be:

(1) Minimum Size No. 10 and long enough to penetrate one (1) inch into a wooden window frame: or

(2) Of an adequate type, size, and length to be securely fastened to a metal window frame.

(I) The coating of window guards shall be unleaded.

(j) Window guards shall be installed only in sound (non-rotting) mountings or tracks.

(k) Window guards installed prior to the passage of this section shall be accepted as being in conformity with the specifications contained in this paragraph d,2 if they were installed in accordance with paragraph d,1 above.