

(C) MINIMUM LIVABILITY CODE REQUIRED.

THE DEPARTMENT SHALL ADOPT BY REGULATION A MINIMUM LIVABILITY CODE.

(D) APPLICABILITY OF MINIMUM LIVABILITY CODE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE MINIMUM LIVABILITY CODE APPLIES TO RESIDENTIAL STRUCTURES USED FOR HUMAN HABITATION.

(2) THE MINIMUM LIVABILITY CODE DOES NOT APPLY TO:

(I) AN OWNER-OCCUPIED HOUSING UNIT;

(II) ANY HOUSING IN A POLITICAL SUBDIVISION THAT HAS ADOPTED A LOCAL HOUSING CODE THAT SUBSTANTIALLY CONFORMS TO THE MINIMUM LIVABILITY CODE; OR

(III) ANY HOUSING EXEMPTED BY THE DEPARTMENT.

(E) CONTENTS OF MINIMUM LIVABILITY CODE.

THE MINIMUM LIVABILITY CODE SHALL:

(1) SET MINIMUM PROPERTY STANDARDS FOR HOUSING IN THE STATE;

(2) ALLOW FOR EXCEPTIONS AND VARIATIONS BETWEEN POLITICAL SUBDIVISIONS:

(I) TO REFLECT GEOGRAPHIC DIFFERENCES; OR

(II) IF THE DEPARTMENT DETERMINES THAT UNIQUE LOCAL CONDITIONS JUSTIFY EXCEPTIONS OR VARIATIONS RECOMMENDED BY POLITICAL SUBDIVISIONS; AND

(3) INCLUDE MINIMUM STANDARDS FOR:

(I) BASIC EQUIPMENT AND FACILITIES USED FOR LIGHT, VENTILATION, HEAT, AND SANITATION; AND

(II) SAFE AND SANITARY MAINTENANCE OF RESIDENTIAL STRUCTURES AND PREMISES.

(F) ENFORCEMENT.

(1) THE POLITICAL SUBDIVISION IN WHICH THE HOUSING IS LOCATED SHALL ENFORCE THE MINIMUM LIVABILITY CODE.

(2) UNLESS ALTERNATIVE HOUSING IS PROVIDED, AN INDIVIDUAL MAY NOT BE DISPLACED BY ENFORCEMENT OF THE MINIMUM LIVABILITY CODE.

(3) A POLITICAL SUBDIVISION MAY CHARGE A PROPERTY OWNER A FEE FOR AN INSPECTION MADE TO ENFORCE THE MINIMUM LIVABILITY CODE.