

REPORT ON
PROPOSED HOUSING CODE FOR THE CITY OF PORTLAND
October 17, 1918.

H. M. Esterly

CHARLES HENRY CHENEY
ARCHITECT
CONSULTANT IN
CITY PLANNING
CROCKER BUILDING
SAN FRANCISCO

Housing
REPORT ON PORTION OF PROPOSED ~~BUILDING~~ CODE FOR THE CITY OF PORTLAND

October 17, 1918.

Mr. H. E. Plummer, Inspector of Buildings,
Department of Public Works,
City of Portland, Oregon.

Dear Sir:

In compliance with your request of October 9th for an opinion on the amendments to the draft of the proposed housing code suggested by the Portland Chapter of American Institute of Architects, please be advised as follows:

NOTE -

The original text of the draft furnished me on September 25th is given below doubled spaced.

Additions and corrections, which in my opinion are added as necessary, are given in full caps.

Additions and corrections proposed by the Architect have been underscored and inserted in place.

Sections of the original recommended to be stricken out have been crossed out with a pen.

Section 27, DWELLING (a) General. The term "dwelling" shall apply to any house or building or portion thereof which is occupied in whole or part as the home, residence or sleeping place of one or more human beings either permanently or transiently.

(b) Dwellings Classed. For the purpose of this Code, dwellings are divided into the following classes: SINGLE FAMILY *(private)* dwelling, two family dwelling and multiple dwelling.

pass
A "SINGLE FAMILY dwelling" is a dwelling occupied by but one family alone, HAVING BUT ONE KITCHEN AND WITHIN WHICH NOT MORE THAN FIVE PERSONS ARE LODGED FOR HIRE.

omit
A "two family dwelling" is a dwelling occupied by but two families *(alone)* but the term includes a double building, each half of which is not occupied by more than ~~(2 families)~~ ONE FAMILY.

(Balance of Section no change)

NOTE -

(over)

Substitute flats definition

NOTE -

The term "single family" instead of "private" dwelling should be adopted in this Code, because Portland will shortly be called on to adopt a Zone Ordinance, which will establish in all probabilities large areas of the City for single family dwellings only, as has been done recently in St. Louis, Berkeley and other Cities.

For the same reason a single family dwelling should be completely defined. The above definition is as adopted in the Berkeley Zone Ordinance.

The additional clause in the definition of a two family dwelling is approved, provided each half is to be occupied by not more than one family. Otherwise this clause might prove a joker

Section 31. HEIGHT OF A DWELLING The term "height" as applied to a dwelling is the perpendicular distance measured in a straight line, from the curb level TO THE LOWEST POINT OF THE FINISHED CEILING OF THE TOP STORY. ~~(to the highest point of the roof beams in the case of flat roofs and to the average of the height of the gables in the case of pitched roofs)~~ the measurements in all cases to be taken through the center of the front of the dwelling. When a dwelling is situated on a terrace above OR BELOW the curb level, such height shall be measured from the MEAN level of the adjoining ground.

(Balance of Section no change)

NOTE -

Height measurements should be taken to the ceiling of the top floor. Otherwise you are putting a premium on flat roofs. The California Tenement House and Hotel and Lodging House Acts recognize this. It is recommended that you adopt this change.

Section 37. OCCUPIED SPACES The term "occupied" spaces shall apply to outside stairways, fire escapes, fire doors, porches, platforms, balconies, chimneys exceeding twenty-four inches ^{by} and thirty-two inches in exterior area as a part of the dwelling and not as a part of the yard or court

or unoccupied area.

(Balance of Section no change)

NOTE -

This recommendation of the Architects
is approved.

Section 38. (b) BASEMENT (The following substitute definitions
are recommended)

"BASEMENT" IS ANY STORY OR PORTION THEREOF PARTLY BELOW
THE LEVEL OF THE CURB OR THE ACTUAL ADJOINING GROUND LEVEL, THE CEILING OF
WHICH IN NO PART IS LESS THAN SEVEN FEET ABOVE THE CURB LEVEL OR ACTUAL AD-
JOINING GROUND LEVELS. IF THE ADJOINING GROUND IS EXCAVATED TO OR BELOW THE
CURB LEVEL, OR TO OR BELOW THE ADJOINING NATURAL GROUND LEVEL, SUCH EXCAVATED
SPACE SHALL HAVE NOT LESS THAN THE MINIMUM WIDTH AND LENGTH REQUIRED IN THIS
ACT FOR OUTER COURTS. EVERY BASEMENT IS A STORY.

(c) CELLAR

"CELLAR" IS ANY STORY OR PORTION THEREOF, THE CEILING
OF WHICH IN ANY PART IS LESS THAN SEVEN FEET ABOVE THE CURB LEVEL AND ACTUAL
ADJOINING GROUND LEVELS. If any part of a story is in that part equivalent
of a basement or cellar, the provisions of this Code relative to basements
and cellars shall apply to such part of said story.

NOTE -

There has been a great deal of difficulty, par-
ticularly in San Francisco, with the building of
basements which were really stories. The above pro-
posed definitions were finally adopted in the
California State Housing Laws in 1917 in order to
stop the building of an extra story of wood under
the plea that it was a basement. It is strongly
recommended that you adopt these definitions from
California Law

Section 43. YARDS - FRONT AND REAR. Immediately behind
every dwelling hereafter erected, there shall be a rear yard extending across
the entire width of the lot, PROVIDED HOWEVER THAT WHEN THERE IS A SIDE YARD

MORE THAN EIGHT (8) FEET IN WIDTH AT EVERY POINT FROM THE STREET TO THE REAR LOT LINE, A ONE STORY GARAGE MAY BE BUILT ON THAT PART OF THE REAR YARD IN COMMON WITH THE SIDE YARD. Such yard shall be at every point open and unobstructed from the ground to the sky. Every part of such yard shall be directly accessible from every other part thereof. The depth of such yard shall be measured at right angles from the rear lot line to the extreme rear part of the dwelling. Such depth shall increase proportionately with an increased height of the dwelling and shall be proportionate to the depth of the lot as follows:

(a) In the case of corner lots, no rear yard shall be less than fifteen per cent (15%) of the depth of the lot;

(b) In the case of corner lots with streets on three sides, the rear yard need not extend across the full width of the lot but only to its median line ~~(but in the case of hotels or lodging houses located on such lots, no rear yard need be provided)~~—

NOTE -

The location of private garages is giving building inspectors increasing trouble. There seems no reason why the above provision should not be adopted. It was recommended to me first by the building inspector of Berkeley.

The reason for requiring rear yards is to give ample light and air to the center of blocks. The rear yards on corner lots furnish the cross draft, and ventilation. Hotels and lodging houses should not be allowed to block this necessary cross draft. Also they require proper light and air just as much as other buildings. See note 8, page 81 of Veiller's Model Housing Law.

(c) In the case of interior lots, no rear yard shall be less than fifteen per cent (15%) of the depth of the lot. The depths above prescribed shall be increased five per cent (5%) ~~(3%)~~ for each story over three (3) stories for a building on a corner lot or for each story over one (1) story for a building on an interior lot.

NOTE (OVER)

NOTE -

The reduction of the percentage of increase of rear yards from five percent to three percent for each story over three stories, suggested by the Architect is not recommended, because it is an encouragement to the building of high dwellings. Every housing law in the country is aimed to curb the building of high dwellings and if any change in the original draft is to be made, it should be to increase the percentage rather than decrease it. See note 10, page 83 of Model Housing Law.

Irrespective of the above provisions, no rear yard under any circumstances shall ~~(ever)~~ be less than fifteen (15) feet in depth, ~~(except for a gore or irregular lot when the average depth shall be not less than fifteen (15) feet and minimum depth at any point not less than seven (7) feet).~~

NOTE -

A rear yard which might be seven (7) feet, at the street side, would give only half the amount of air inlet to the center of the block ventilation considered necessary as an irreducible minimum. See page 82 Model Housing Law. It is recommended that this proposal of the Architects be not adopted.

Section 44.

SIDE YARDS.

~~(No side yard is required for dwellings hereafter erected but they may be built up to the lot line. Of, however, any side yard is left, it)~~ ^{angle + feet} All dwellings except multiple dwellings shall have AT LEAST ONE sideyard. A side yard if provided, shall be at every point open and unobstructed from the ground to the sky. Its width shall be proportionate to the height of the dwelling and no side yard shall be less in width in any part than ~~as follows.~~

NOTE -

This recommendation of the Architects is important and should be adopted to keep Portland an open city and as a preventive to the overcrowding of buildings.. It might be modified in my opinion without harm by permitting side yards on one side only, so that on narrower lots, the side yard could be made wide enough to permit a driveway, an

an entrance to a rear garage, which would not be possible if side yards on both sides of the lot were required. The New York Zone Ordinance of 1916, which embodied a complete housing Code as well, sets aside a large area of the city in E districts where "every residential building there shall be a side yard along the side lot line for the full depth of the lot on at least one side."

~~The minimum width of a side yard measured to the side lot line for a one story dwelling shall be four (4) feet; for a two story dwelling, five (5) feet; for a three story dwelling six (6) feet; for a four story dwelling, seven (7) feet; and shall increase two (2) feet for each additional story above four stories. If one or more apartments have all rooms facing on a side yard, the width to the side lot line shall be not less than that required for a court.~~ THE WIDTH REQUIRED FOR AN OUTER COURT EXCEPT THAT THE PROVISIONS OF THIS ^{ordinance} ACT REGARDING THE MAXIMUM LENGTHS OF AN OUTER COURT SHALL NOT APPLY TO A SIDE YARD; PROVIDED, THAT IF THERE IS A SIDE YARD ON BOTH SIDES OF THE BUILDING, CONNECTED ONE WITH THE OTHER ACROSS THE REAR OF THE BUILDING BY THE REAR YARD, THEN THE WIDTH OF ^{each} THE SIDE YARDS MAY BE REDUCED TWELVE INCHES.

NOTE -

The point made by the Architects is an important one, but their proposal does not in my opinion fully cure the defect. I therefore suggest that you adopt the above recommended section, which is taken from the California Housing Laws. It seems evident that if you permit side yards of smaller requirement than for courts, you have much weakened the Court Provision of your Ordinance, which is probably one of the most important in the whole Code. *Sideyards in lieu of courts are very desirable from a health standpoint and for fire safety.*

Section 45.

COURTS.

The sizes of all courts for dwellings

hereafter erected shall be proportionate to the height of the dwelling *above the bottom of the Court* ~~(depth of the Court)~~ No court shall be less in any part than the minimum sizes prescribed in this Section. The minimum width of a one story court ~~(for a dwelling)~~ shall be ten feet; of a two story court, twelve feet, and of a three story court fourteen feet, and shall increase two feet for each

additional story above three stories. The area of an inner court shall never be less than twice the square of the minimum width prescribed by this Section. THE LENGTH OF AN INNER COURT SHALL NEVER BE LESS THAN TWICE THE MINIMUM WIDTH PRESCRIBED BY THIS SECTION. (The length of an ~~outer~~ court except in the case of a side yard, shall never be greater than four times its width) The width of all courts adjoining the lot line shall be measured to the lot line and not to ^{an} ~~the~~ opposite building.

NOTE -

The sizes you have agreed upon for minimum width of courts are splendid. It would seem advisable, however, to prescribe a minimum width, ^{length} and the insertion above recommended is the same as in the Model Law. In lieu of your greater minimum width, you might concede a minimum length of one and a half times the minimum width. It is recommended that you keep in the Provision as to maximum length and ratio of courts but this should not apply to outer courts alone in my opinion. See Model Housing Law, pages 91 and 92.

Section 51 WINDOWS IN ROOMS.....

In multiple dwellings the top of at least one window shall be not less than ^{6'-8"} ~~(seven feet)~~ (Six feet eight inches) above the floor.

NOTE -

It is not recommended that this reduction of the top height of the window be made as suggested by the Architects. It should be noted that the Model Law prescribes seven feet six inches for this height.

Section 52 ROOMS - SIZE OF.....

..... Every room shall contain at ^{ok?} least ninety ~~(eighty)~~ square feet of floor area; no room shall have a length greater than four times its width and in no case shall the width be (be in any part) less than seven feet wide.

NOTE -

The proposed reduction of the minimum required area for rooms is not recommended. Portland had better increase the requirement to One Hundred square feet hereafter rather than lower it. The Berkeley Housing Code requires One Hundred square feet minimum for all rooms. It would be advisable to add the proposed clause on ratio of width to length.

.....
..... It is understood that rooms with a minimum of 90 square feet may be used as sleeping porches without restriction as to number and with no requirement that there be windows on two sides of room.

NOTE -

I see no objection to the inclusion of this additional sentence, if you, as building inspector, think it will help in the future to avoid disputes.

Section 53 ROOMS - HEIGHT OF. No room in a dwelling hereafter erected shall be in any part less than the following heights, from the finished floor to the finished ceiling:

(a) In ~~(private)~~ single or two family dwellings eight feet six inches high throughout ninety per centum of the area of the room.

~~(b) (In two-family dwellings eight feet six inches high throughout ninety per centum of the area of the room)~~

~~(c) (b)~~ In multiple dwellings nine feet high throughout ^{90% of} ~~the entire~~ area of the room. ~~(Except that an attic room in a private dwelling or two-family dwelling need be)~~ ^{provided} It is possible however that except in multiple dwellings, attic rooms shall be not less than seven feet six inches in height in but one-half of (its) their respective areas provided there (are) be not less than seven hundred and fifty cubic feet of air space within (said) any such room.

NOTE -

The recommendations of the Architects are approved.

Section 54. ALCOVES AND ALCOVE ROOMS.

NOTE -

(Substitute section below:)

(Section 54. substitute as follows: -)

Every alcove in any room in a dwelling shall be separately lighted and ventilated as provided for rooms in the foregoing Sections. Any such alcove shall have a floor area not less than required for ^Arooms in Section 52 of this Code.

No part of any room in a dwelling hereafter erected shall be enclosed or sub-divided at any time, wholly or in part by a curtain, portiere, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or sub-divided shall contain a separate window as herein required and shall have a floor area not less than that required in Section 52 of this Code.

It is provided that a room or space not exceeding four (4) feet in width NOR HAVING MORE THAN TWENTY-FIVE SQUARE FEET OF FLOOR AREA need not be lighted or ventilated other than by a door opening into the same if it is used only as a closet or for storage.

omit -
(It is further provided that one part of a room may be separated from another part for architectural effect without providing separate light and ventilation for each part, providing, however, the division between the two parts shall not be other than an archway occupying not over fifteen (15) per cent of the area between the two parts and such archway shall not be closed by doors, curtains or in any other way.)

new sentence recommended by C.H.C.
It is further provided that it shall be unlawful to do any cooking or prepare any food in closets or alcoves unless they conform to all the provisions of this Ordinance relative to windows.

NOTE -

The first three paragraphs of the alternate for this section proposed by the Architects are in my opinion much better than the original draft. The fourth proposed paragraph, however, would in my opinion be surely a source of much trouble for the building inspector and should not be included. I have added a new sentence regarding cooking, taken from the Berkeley Housing Code to cover a point that has given building inspectors a good deal of difficulty.

The area limit suggested for closets is as provided in the Berkeley Code.

Section 57

WINDOWS IN PUBLIC HALLS.....

~~(In lieu of the requirement for one window at the end of each hall, there may be windows located at the side of such hall, provided there shall be at least one such window in every (twenty) thirty-six feet of length or fraction thereof of said hall; and each such window shall open directly upon the street or upon a yard or court of the dimensions specified in this Title and located on the same lot).....~~

NOTE -

Instead of increasing the distance between windows, as proposed by the Architects, this whole Alternative Provision should be dropped from the Ordinance. I fully agree with the Model Housing Law, which see on pages 120 and 121.

Section 61.

CELLAR ROOMS

~~In dwellings hereafter erected,~~

~~no room in the cellar shall be occupied for living purposes.~~ IN NO DWELLING SHALL ANY ROOM IN THE CELLAR BE CONSTRUCTED, ALTERED, CONVERTED OR OCCUPIED FOR LIVING OR SLEEPING PURPOSES.

NOTE -

From the health standpoint, you cannot be too precise in this regard. The above proposed substitute is the wording found in the California State Law.

Section 63

CELLARS---WATER-PROOFING AND LIGHTING.

Every

dwelling hereafter erected shall have a basement, celler or excavated space under the entire entrance floor at least three feet in depth or shall be elevated above the ground, so that theree will be a clear air space of at least ~~(twenty-four)~~ fifteen inches between the top of the ground and the lowest portion of any part of the floor cconstruction ~~(and the bottom of said floor)~~ so as to insure ventilation and protection from dampness, but a floor of concrete may be laid directly on the ground and if such floor is used in living rooms, the top shall be covered with a wooden floor attached to wooden sleepers embedded in the concrete. The ENTIRE space above required under floors shall

~~(Such space shall)~~ in all cases be enclosed and provided with ample ventilation and shall be properly drained AND KEPT DRY, CLEAN AND FREE FROM ANY ACCUMULATION OF RUBBISH, DEBRIS OR FILTH.

(Balance of Section no change)

NOTE -

The recommendations of the Architects are approved, on the assumption that you and they should know from practical experience whether fifteen inches is enough height for the air space under the bottom floor of buildings to afford proper protection from dampness and dry rot. The California Law prescribes eighteen inches. The last clause I have added is taken from the California Law.

Section 66.

WATER CLOSET ACCOMMODATIONS.

In every dwelling hereafter erected, there shall be a separate water-closet. Each such water-closet shall be placed in a compartment completely separated from every other water-closet; such compartment shall be not less than ~~(three)~~ two feet eight inches ~~(feet)~~ wide, and shall be enclosed with partitions which shall extend to the ceiling and which shall not be of wood or other absorbent material, but a partition of wood covered with lath and plaster may be used. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size described by this Code and located upon the same lot. Nothing in this Section shall be construed so as to prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water-closets are supplemental to the water-closet accommodations required by the other provisions of this Section. No water-closet fixtures shall be enclosed with any ^{shall be} ~~woodwork~~. No water-closet, placed in a cellar ~~(except in a single family dwelling)~~ without the written permission of the Health Officer.

note - (over)

NOTE -

The first two recommendations of the Architects are approved but from a health standpoint I do not believe it advisable to except single family dwellings from the control of the Health Officer as to toilets in cellars.

Section 70

FIREPROOF DWELLING - WHEN REQUIRED. No dwelling

shall hereafter be erected exceeding three stories in height, unless it shall be a fireproof dwelling; the building, however, may step up to follow the grade, provided no part of it is over three stories in height. No dwelling hereafter erected shall exceed five (5) stories in height unless it be of fireproof construction (Class 1, 11 or 111 of the Building Code). No dwelling hereafter erected shall exceed four (4) stories in height unless it be of semi-fireproof or fireproof construction (Class 1, 11, 111, 1V of the Building Code) No dwelling hereafter erected shall exceed two (2) stories AND ATTIC in height unless it be of ordinary masonry, semi-fireproof or fireproof construction (Class 1, 11, 111, 1V or VI of the Building Code). It is provided, however, that a building may step up to follow a grade if no part exceeds the above limits. (For other height limits, see Sections 42 and 81)

NOTE -

The substitute provision recommended by the Architects is approved with the addition of the word "and attic" after the two story height limit. Our present survey of the buildings of the city will probably show that ninety percent of all buildings are single family dwellings, not over two story and attic in height. The three and four story dwellings are generally apartments which should be at least semi-fireproof. Denver, I am informed, does not permit any buildings in the city limits that are not semi-fireproof.

Section 71.

MEANS OF EGRESS.

Every multiple dwelling hereafter

erected exceeding one story in height shall have at least two independent ways of egress which shall be located remote from each other and shall extend from the entrance floor to the top floor, and in the case of (~~flat-roofed~~) multiple dwellings exceeding two stories in height, shall extend to the roof. The public corridors or halls and main stairs (~~stairs and public halls~~) shall be at least four feet wide. The auxiliary stairs or stairs other than the first or main stairs shall be not less than three feet six inches in width.

(Balance of section unchanged)

NOTE -

The recommendations of the Architects are approved. *Stairs for safety should reach to the roof of all multiple dwellings, whether flat or not.*

Section 74.

STAIRS

(~~In multiple dwellings hereafter~~

~~erected~~) All stairs shall be constructed in accordance with the requirements of the Building Code. In multiple dwellings hereafter erected exceeding three stories in height, one of the stairways shall be constructed of fireproof materials throughout. The risers, strings, and balusters shall be of metal, concrete or stone. The treads shall be of metal, slate, concrete or stone or of hardwood ^{2.} or fir not less than one and one-half ($1\frac{1}{2}$) inches thick. Wooden handrails to stairs may be used [?] if constructed of hardwood, or fir. When fir is used for treads or handrails, it shall be treated to eliminate pitch.

NOTE - *omit first clause.*

I question whether fir is as fire-resistant as hardwood. However, you, as building inspector, should know better from practical experience. You should, of course, take every precaution against fire hazard in stair construction. No recommendation is made.

Section 80.

ROOMS AND HALLS - LIGHTING AND VENTILATION OF

No dwelling shall be altered or its lot diminished ~~(that any room or public hall or stairs shall have its light or ventilation diminished)~~ in any way ~~(not approved by the Inspector of Buildings)~~ that will reduce the light and ventilation of any room, stairs, public corridor or hall below that required for a dwelling.

NOTE -

The recommendation of the Architects should be adopted. The hand of the building inspector is always strengthened by avoiding the leaving of the interpretation of the law to arbitrary discretion.

Section 114.

BAKERIES AND FAT BOILING. No bakery

and no place of business in which fat is boiled shall be maintained in any non-fireproof multiple dwelling of Class A hereafter erected, and no bakery and no place of business in which fat is boiled shall hereafter be installed in any ~~(non-fireproof)~~ multiple dwelling of Class A.

NOTE -

From a safety standpoint, in my opinion you should not even permit such businesses to be maintained in multiple dwellings at all. The least you can do is to prohibit them in the future. The new Zone Ordinance will probably take care of the matter to a certain extent but this Code should cover them. We have had a good deal of trouble with such businesses in tenement houses in San Francisco.

Respectfully submitted,

Chas. H. Cheney
Consultant.

(addenda-over)

ADDENDA -

Section 15.

PERMITS TO BE OBTAINED.....

With such statement there shall be submitted a plat of the lot or plot of ground on which such building is to be erected or placed, showing the location and outside dimensions of such proposed dwelling or building; also the location and outside dimensions of other existing buildings, if any, on such lot or plot of ground, together with size of all yards and courts in connection therewith, ~~provided that when alterations affect only the interior of a dwelling, the plat need not be filed unless required by the Bureau of Buildings,~~ SAID PLAT OR BLOCK PLAN OF THE LOT AND BUILDINGS SHALL BE DRAWN TO A SCALE OF SIXTEEN FEET TO THE INCH AND SHALL BE ACCOMPANIED BY A SWORN STATEMENT AS TO THE USE, HEIGHT AND AREA OF THE BUILDING OR ALTERATION APPLIED FOR.

NOTE -

You will, I believe, find it very advantageous to have this block plan filed always at the same scale. You have a good many old buildings in Portland requiring alterations and in my opinion you should require a plat plan in every case in order to avoid trouble.

Respectfully submitted,

Chas. H. Cheney
Consultant.

(2nd addenda-over)

SECOND ADDENDA -

Section 41.

PERCENTAGE OF LOT OCCUPIED

~~(The provisions of this Section shall not apply to hotels or lodging houses)~~
PROVIDED HOWEVER THAT IN THE CASE OF HOTELS THE MEASUREMENTS MAY BE TAKEN AT
THE FLOOR LEVEL OF THE LOWEST BEDROOM STORY; AND IN THE CASE OF OTHER MULTIPLE
DWELLINGS WHERE THERE ARE STORES OR SHOPS ON THE ENTRANCE STORY, THE MEASURE-
MENTS MAY BE TAKEN AT THE TOP OF SUCH ENTRANCE STORY.

*Note - I suggest that you adopt
this provision, from the Berkeley Code.*

Respectfully submitted,

Chas. H. Cheney
Consultant.

Section 48. COURTS. The sizes of all courts for dwellings shall be proportionate to the depth of the court. No court shall be less in any part than the minimum sizes prescribed in this Section. The minimum width of a one story court shall be ten (10) feet, of a two story court twelve (12) feet, of a three story court fourteen (14) feet and shall increase two (2) feet for each additional story above three stories, except that in the case of hotels such increase shall be one (1) foot for each additional story above three stories. The area of an inner court shall never be less than twice the square of the minimum width prescribed in this Section. The width of all courts adjoining the lot line shall be measured to the lot line and not to the opposite building.

Section 51. WINDOWS IN ROOMS. In every dwelling hereafter erected the total window area in each room shall be at least one-eighth ($1/8$) of the superficial floor area of the room and the whole window shall be made so as to open in all its parts. At least one such window shall be not less than twelve (12) square feet in area between stop beads. In multiple dwellings the top of at least one window shall be not less than six (6) feet and eight (8) inches above the floor. Provided, however, that where an open porch adjoins a room, one-half of the window opening upon such porch may be considered as part of the total window area required for each room.

Section 57. WINDOWS IN PUBLIC HALLS. In every two-family dwelling and multiple dwelling hereafter erected, every public hall shall have at each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this Code and located on the same lot. Such windows shall be at the end of said hall with the natural direction of the light parallel to the hall's axis. In lieu of the requirement for one window at the end of each hall, there may be windows located at the side of such hall, provided there shall be at least one such window in every thirty-six (36) feet of length or fraction thereof of said hall; and each such window shall

open directly upon the street or upon a yard or court of the dimensions specified in this Title and located on the same lot. The above requirement shall not apply to that portion of the entrance hall between the entrance and the nearest flight of stairs provided the entrance door contains not less than ten (10) square feet of glass area. Any part of a public hall which is offset or recessed more than three (3) feet or shut off from any other part of said hall shall be deemed a separate hall within the meaning of this Section and shall be separately lighted and ventilated.

SECTION 52. ROOMS - SIZE OF. In every dwelling hereafter erected, all rooms, except water-closet compartments and bathrooms, and under special conditions, sleeping porches and sun parlors, shall be of the following minimum sizes:

Every room shall contain at least eight (80) square feet of floor area; no room shall have a length greater than four times its width and in no case shall the width be less than seven (7) feet in any part.

In multiple dwellings of Class A in each apartment, group or suite of rooms, there shall be at least one room containing not less than one hundred and fifty (150) square feet of floor area. Any apartment containing not less than three rooms each of a minimum floor area of ninety (90) square feet may have not to exceed one sleeping porch of a minimum floor area of seventy (70) square feet. Any such sleeping porch shall have window openings on two (2) sides, the total area of which shall not be less than one-half (1/2) the floor area of such sleeping porch.

It is to be understood that rooms with a minimum floor area of ninety (90) square feet may be used as sleeping porches without restriction as to number and with no requirement that windows be on two (2) sides of the room.

Section 57. OCCUPIED SPACES. The term "occupied space" shall apply to outside stairways, fire escapes, fire doors, porches, platforms, balconies, chimneys exceeding twenty-four (24) by thirty-two (32) inches in exterior area, and other projections and the same shall be considered as a part of the dwellings and not as a part of the yard or

court or unoccupied area. When a cornice projects more than two (2) feet into a side yard or court, that portion in excess of two (2) feet shall be considered as a part of the dwelling.

Section 63. CELLARS - WATERPROOFING AND LIGHTING.

Every dwelling hereafter erected shall have a basement cellar or excavated space under the entire entrance floor at least three (3) feet in depth or shall be elevated above the ground so that there will be a clear space of at least fifteen (15) inches between the top of the ground and the lowest portion of any part of the floor construction so as to insure ventilation and protection from dampness but a floor of concrete may be laid directly on the ground and if such floor is used in living rooms, the top shall be covered with a wooden floor attached to wood sleepers embedded in the concrete. The space above required under floors shall in all cases be enclosed and provided with ample ventilation and shall be properly drained.

When necessary to prevent dampness, the Bureau of Buildings may require that all walls below the ground level and the floor of the cellar or lowest story shall be made damp-proof and waterproof. When necessary to make such walls and floors damp-proof and waterproof, the damp-proofing and waterproofing shall run through the walls and up the same as high as the ground level and shall be continued throughout the floor, and said cellar or lowest story shall be properly constructed so as to prevent dampness or water from entering. All cellars and basements in dwellings hereafter erected shall be properly lighted and ventilated.

Section 66. WATER-CLOSET ACCOMMODATIONS. In every dwelling hereafter erected there shall be a separate water-closet. Each such water-closet shall be placed in a compartment completely separated from every other water-closet; such compartment shall be not less than two (2) feet eight (8) inches in width and shall be enclosed with partitions which shall extend to the ceiling and which shall not be of wood or other absorbent material but a partition of wood covered with lath and plaster may be used. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size described

by this Code and located on the same lot.

Nothing in this Section shall be construed so as to prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air as above provided and that such water-closets are supplemental to the water-closet accommodations required by the other provisions of this Section. No water-closet fixtures shall be enclosed with any woodwork. No water-closet shall be placed out of doors. No water-closet shall be placed in a cellar except in a single family dwelling, without the written permission of the Health Officer.

In two family dwellings and in multiple dwellings of Class A hereafter erected, there shall be for each family a separate water-closet constructed and arranged as above provided and located within each apartment, suite or group of rooms. In multiple dwellings of Class B hereafter erected, there shall be provided at least one water-closet for every fifteen occupants or fraction thereof.

Every water-closet compartment hereafter placed in any dwelling shall be provided with proper means of lighting the same at night. In multiple dwellings hereafter erected, the floor of every water-closet compartment shall be made waterproof with asphalt, tile, stone, terrazzo or some other non-absorbent waterproof material, and such waterproofing shall extend at least six inches above the floor so that said floor can be washed or flushed out without leaking.

Section 44. SIDE YARDS. All dwellings except multiple dwellings shall have side yards. Side yards, if any are provided, shall be at every point open and unobstructed from the ground to the sky. Its width shall be proportionate to the height of the dwelling and no side yard shall be less in width in any part than as follows:

The minimum width measured to the side lot line for a one (1) story dwelling shall be four (4) feet; for a two (2) story dwelling five (5) feet; for a three (3) story dwelling six (6) feet, for a four (4) story dwelling seven (7) feet, and shall increase two (2) feet for each additional story above four (4) stories. If one or more apartments have all rooms facing on a side yard, the width to the side lot line shall be not less than that required for a court.

Section 43. YARDS - FRONT AND REAR. Immediately behind every dwelling hereafter erected there shall be a rear yard extending across the entire width of the lot. Such yard shall be at every point open and unobstructed from the ground to the sky. Every part of such yard shall be directly accessible from every part thereof. The depth of such yard shall be measured at right angles from the rear lot line to the extreme rear part of the dwelling. Such depth shall increase proportionately with an increased height of the dwelling and shall be proportionate to the depth of the lot as follows:

(a) In the case of corner lots, no rear lot shall be less than fifteen (15) per cent of the depth of the lot.

(b) In the case of corner lots with streets on three (3) sides, the rear yard need not extend across the full width of the lot but only to its median line, but in the case of hotels or lodging houses on such lots no rear yard need be provided.

(c) In the case of interior lots, no rear yard shall be less than fifteen (15) per cent of the depth of the lot.

The depths above prescribed shall be increased (3) per cent for each story over three (3) stories for a building on a corner lot or for each story over one (1) story for a building on an interior lot. Irrespective of the above provisions no rear yard shall be less than fifteen (15) feet in depth, except for a gore or irregular lot when the average depth shall be not less than fifteen (15) feet and the minimum depth at any point shall be not less than seven (7) feet.

A front yard may be any depth.

Any portion of a corner lot distant more than eighty (80) feet from the corner line shall be treated as an interior lot.

Section 50. ROOMS AND HALLS - LIGHT AND VENTILATION OF. No dwelling shall be so altered or its lot diminished in any way that will reduce the light and ventilation of any room, stairs, public corridor or hall below that required for a new dwelling.

Section 71. MEANS OF EGRESS. Every multiple dwelling hereafter erected exceeding one (1) story in height shall have at least two (2) independent ways of egress which shall be located remote from each other and shall extend from the entrance floor to the top floor, and in the case of flat-roofed multiple dwellings exceeding two (2) stories in height shall extend to the roof.

The public corridors or halls and main stairs shall be not less than four (4) feet in width. The auxiliary stairs or stairs other than the first or main stairs shall be not less than three (3) feet and six (6) inches in width.

The two ways of egress shall be flights of stairs, either inside or outside, constructed and arranged as provided in Sections 74 and 75 of this Code. In multiple dwellings of Class A, except in buildings where the apartments consist of not more than four (4) rooms and bath each, the second way of egress shall be directly accessible to each apartment, group or suite of rooms without having to pass through the first way of egress. In multiple dwellings of Class B and in apartments consisting of not more than four (4) rooms each, the second way of egress shall be directly accessible from a public hall.

Section 74. STAIRS. All stairs shall be constructed in accordance with the requirements of the Building Code. In multiple dwellings hereafter erected exceeding three (3) stories in height, one of the stairways shall be constructed of fireproof materials throughout.

The risers, strings, and balusters shall be of metal, concrete or stone. The treads shall be of metal, slate, concrete or stone or of hardwood or fir not less than one and one-half (1-1/2) inches in thickness. Wooden handrails for stairs may be used if of hardwood or fir. When fir is used for treads or handrails, it shall be treated to eliminate pitch.

Section 70. CONSTRUCTION REQUIRED. No dwelling hereafter erected shall exceed five (5) stories in height unless it be of fireproof construction (Class I, II or III of the Building Code). No dwelling hereafter erected shall exceed four (4) stories in height unless it be of semi-fireproof or fireproof construction (Class I, II, III or IV of the Building Code). No dwelling hereafter erected shall exceed two (2) stories in height unless it be of ordinary masonry, semi-fireproof or fireproof construction (Class I, II, III, IV or VI of the Building Code). It is provided, however, that a building may step up to follow a grade if no part exceeds the above limits. (For other height limits, see Sections 42 and 51.)

Section 54. ALCOVE AND ALCOVE ROOMS. Every alcove in any room in a dwelling shall be separately lighted and ventilated as provided for rooms in the foregoing sections. Any such alcove shall have a floor area not less than required for rooms in Section 52 of this Code.

No part of any room in a dwelling hereafter erected shall be enclosed or sub-divided at any time, wholly or in part by a curtain, partition, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or sub-divided shall contain a separate window as herein required and shall have a floor area not less than that required in Section 52 of this Code.

It is provided that a room or space not exceeding ~~four~~ ^{3'-6"} feet in width need not be lighted or ventilated other than by a door opening into the same if it is used only as a closet or for storage.

It is further provided that one part of a room may be separated from another part for architectural effect without providing separate light and ventilation for each part, providing, however, the division between the two parts shall not be other than an archway occupying not over fifteen (15) per cent of the area between the two parts and such archway shall not be closed by doors, curtains or in any other way.

and the depth shall not more than 15% of exceed 4'-0"

Section 55. ROOMS - HEIGHT OF. No room in a dwelling hereafter erected shall be in any part less than the following heights, from the finished floor to the finished ceiling:

(a) In single or two family dwellings, eight (8) feet six (6) inches high throughout ninety (90) per cent of the area of the room.

(b) In multiple dwellings nine (9) feet high throughout ninety (90) per cent of the area of the room.

It is provided, however, that except in multiple dwellings, attic rooms shall be not less than seven (7) feet six (6) inches for not less than one-half of their respective areas, provided there be not less than seven hundred and fifty (750) cubic feet of air space within any such room.

Section 27. DWELLINGS.

(a) General. The term "dwelling" shall apply to any house or building or portion thereof which is occupied in whole or in part as the home, residence or sleeping place of one or more human beings, either permanently or transiently.

(b) Dwellings Classified. For the purpose of this Code, dwellings are divided into the following classes: Single dwelling, two family dwelling and multiple dwelling.

A single dwelling is a dwelling occupied by but one family alone.

A two family dwelling is a dwelling occupied by but two families but the term includes a double building, each half of which is occupied by not more than two families.

A multiple dwelling is a dwelling occupied otherwise than as a single or two family dwelling.

(c) Classes of Multiple Dwellings. All multiple dwellings are dwellings and for the purpose of this Code are divided into two classes, Class A and Class B.

Class A. Multiple dwellings of Class A are dwellings which are occupied more or less permanently for residence purposes by several families and in which the rooms are occupied in apartments, suites or groups. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, studio apartments, kitchenette apartments, and all other dwellings similarly occupied whether specifically enumerated herein or not.

Class B. Multiple dwellings of Class B are dwellings which are occupied, as a rule transiently, as the more or less temporary abiding place of individuals who are lodged, with or without meals, and in which as a rule the rooms are occupied singly. This class includes hotels, lodging houses, boarding houses, furnished-room houses, lodgings, club houses, convents, asylums, hospitals, jails and all other dwellings similarly occupied whether specifically enumerated herein or not.

PURPOSE OF HOUSING CODE

The housing code is a system of rules insuring the health, safety and privacy of people who live in dwellings. All modern cities in America and Europe find it necessary to establish minimum standards which no one is permitted to transgress.

Portland, following the lead of other large cities in the world, finds it necessary to protect those who live in dwellings from conditions that might affect their health and safety.

HOUSING CONDITIONS IN PORTLAND PRIOR TO 1919

A survey made by the Consumers' League and the Housing Assn. between 1913 and 1919 showed what the absence of a housing code means. The results of the study made by these local organizations; the pictures taken of the house-building in pre-code days shocked the public conscience. A movement was started for the immediate adoption of a good housing code.

This movement received considerable impetus from an investigation made of local conditions by the U.S. Government. The survey confirmed the reports of the Consumers' League and Housing Assn. The threat of the Federal Government that it would withdraw war industries from Portland unless housing conditions were immediately remedied, resulted in the immediate adoption of a housing code, early in 1919.

INTRODUCTION OF AN ADVISORY BOARD NULLIFIES HOUSING CODE

Letter — Had the original 1919 Code provisions been enforced, Portland would today be leading the cities of the country in guaranteeing ideal housing conditions.

However, speculative builders representing the same group that were opposed to the adoption of the code, sought to undo it. This was accomplished by ~~the~~ securing the passage of a provision which called for establishing an Advisory Board. The obvious purpose of the Board was to permit deviations from the Code.

An Advisory Board is entirely out of spirit with the American system of law, which is One Law for All. These speculative builders, thru the Advisory Board, by a slow whittling-away process, have brought about conditions that have almost restored the pre-code days.

This result was effected by the public being inadequately represented on the Advisory Board. The Advisory Board provided for a single representative for the public in the person of a social worker; the Builders were to have a single representative and the Architects, another. Through manipulation, the architects' place on the Board was given to another builder; thus, the builders were given two representatives and the public, one.

intended
(leaving info. to the Code to)
The public found itself in a situation where the class which the Code was to check, was in control of the enforcement of the code provisions. This state of affairs (of having the code enforced) by a group hostile to it has continued down until the present day.

While the number of exemptions granted was offensively large, the number of builder beneficiaries was disproportionately small.***

***According to Advisory Board minutes re illegality of its own proceedings.

cause numerous editorial protests
point in spec. provision
The activity of the Advisory Board in granting special permits, permitting Code deviations, (has drawn a storm of protest). Most of the apartment houses built in the last ten years have been exempted from Code requirements (in specifications) covering yard space, light, ventilation and fire protection.

to prepare a committee proposed revision
numerous public attacks
In response to objections emanating from (a multitude of) organizations through the city, a committee was appointed by Mayor Baker to study the Code and its method of enforcement and full authority was given this group (of representative men and women) to (completely revise) the Code. *omit in lib*

MAYOR'S COMMITTEE FOR REVISION OF CODE

The Committee appointed by Mayor Baker in 1928 consisted of 21 representative men and women chosen from the builders, architects, contractors, ^{and} civic and social organizations. This committee has made a thorough and critical study of local and national housing conditions. The information upon which the present code was based, was gleaned by a comparative study of codes from other cities; from information furnished by the National Housing Assn.; from the National Chamber of Commerce; the National Realty Board; the U.S. Dept. of Commerce and from other authoritative sources.

The Code drawn up is not extreme in any way. ~~THE COMMITTEE~~ It is considerably below the Code requirements of many cities, but it is higher than code requirements in low standard cities. The Committee has chosen a middle path. The committee found in general that the older, thriving, eastern cities have high housing standards.

con't.

REVISION OF THE CODE

Perhaps the outstanding feature of the new code is the abolition of the Advisory Board. This does not operate to prevent exemptions from the Code when these are found to be absolutely necessary, but it places the determination in the hands of the City Council itself, a representative public body responsive to the interests of all. *and I direct responsibility to the voters* This change, moreover, is in harmony with the standard of practice in other American municipalities.

under A notable feature of the new Code is the provision made for graduated ~~yard~~ yard space. One of the architect members of the Commission is responsible for this plan. Increased depth of rooms *and* length and height of building calls for increases in yard space, any apparent decrease in space at the rear of the building being made up by an increase at the side.

The new Code also provides for adequate fire protection to patients in hospitals and inmates in jails. The recent tragedies elsewhere due to inadequate fire protection has brought this matter forcibly to the attention of the committee. *though many*

trial possible The Code under consideration has been adopted to meet local conditions. Every (possible) objection has been taken into consideration in the framing of its provisions. *to the code* Most of the objections that have come to the attention of the committee on Revision have been ~~in~~ based more or less on insufficient information.

the Proponents of low standards claim *that they said standards are* ~~low standards~~ are made necessary by the kind of lots in Portland for building purposes. The Committee reports that Housing experts in America and the National Realty Board show lot size considered best and one toward which American cities are working is the size most commonly found in Portland, namely 50x100. Detailed facts concerning this and other matters in this report are on ~~file~~ file in the Public Library of Portland.

Moreover, it should be noted that the unusual small blocks in Portland, 200x200 provide an unusually large number of corner lots and these are most desirable for building developments. Furthermore the small blocks are found mainly in the center of the city ~~and~~ further out where the large building developments can be expected, larger lot sizes prevail.

2
1 The commonly accepted belief that Portland's small sized blocks and resultant unusual area devoted to streets is an antedote to the development of slums, is fallacious to this degree. This fact is only true of the downtown section. Residential parts of the city and the sections where most of the apartment houses have been erected do not show this condition.

A careful investigation by the National Realty Board shows that building costs in Portland are lower than in most other cities and will readily permit the ~~existing~~ instituting of good housing standards.

(independent or installation)

In recent years proper housing has come to be considered so vital a factor in the maintenance of our rapidly increasing city population that large model housing projects are being carried out in this country, and abroad, to lead the way to better housing conditions. To illustrate: the Portland housing code permits 85% of the lot area to be occupied, and the Advisory Board and City Council have frequently permitted 100% to be covered. The Metropolitan Life Insurance Co. has built 54, five-story apartments in New York City, covering only 52% of the lot area. The City Housing Corporation of New York has completed an extensive housing project in New York City, building on but 28% of the lot area. The Corporation is now working on a much larger project, Radburn, on the New Jersey side of the Hudson. Fairbanks-Morse, Marshall-Field, the Amalgamated Clothing Workers, the United Workers, and many other groups here and abroad are setting far higher standards than have formerly been thought necessary or possible. All of these projects are for families of moderate means and are paying reasonable dividends. Julius Rosenwald recently completed an extensive apartment house project for negroes, in a thickly populated part of Chicago, building on less than 50% of the ground area. Lawns, gardens and play spaces are provided. Mr. Rosenwald waited to undertake the project until he was convinced that it would pay good dividends, pecuniary as well as human.

Topics for concentration in Portland Housing

Code Situation

1. Housing for the transient worker
 - a. Scrutiny of housing code to see what improvements can be made to insure adequate sanitary, air, sunlight, and safety arrangements.
 - b. The need for adequate inspection forces to see that code is fully observed.
2. Housing for apartment house dweller
 - a. Lot space
 - b. Fire hazards
 - c. Height of buildings as related to congestion and lot space and safety from fire hazard.
 - d. Basement apartments.
3. Single family detached dwelling
 - a. Lot space - the creation of area districts under our zoning law similar to those proposed in the ordinance defeated in 1920
 - b. Need to change many No. 2 districts of present zoning act to No. 1 districts, so as to give working people same residential protection from alien uses that well-to-do people enjoy.
4. Elimination of special exceptions to the code provisions
 - a. Requirement of unanimous vote of advisory board to recommend special exceptions to the code.
 - b. Cessation of practice of public works department in granting exceptions where precedents are created by Advisory Board.
 - c. More careful scrutiny by Council of ordinances granting exceptions.
5. More adequate enforcement staffs in public works department in health department to see that codes are observed.
 - a. Health department to be placed on merit system of appointment.

abolition
of
Advisory
Board