

**ORDINANCE NO. __ SUPPLEMENTAL
ADDING CHAPTER 115, ELEVATORS**

WHEREAS, the City of Stamford acknowledges that many residents within the city rely on the use of elevators within the buildings in which they dwell; and

WHEREAS, the City of Stamford acknowledges the significant burden inoperable elevators place on residents; and

WHEREAS, the City of Stamford seeks to ensure the appropriate maintenance of elevators in residential buildings; and

WHEREAS, the City of Stamford seeks to establish and enforce standards for the safe and timely restoration of inoperable elevators; and

WHEREAS, the City of Stamford seeks to establish accountability standards for building owners relating to inoperable elevators.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 115 of the Stamford Code of Ordinances, Elevators, Article I, Elevators in Buildings with Residential Dwellings be appended as follows:

CHAPTER 115. ELEVATORS.

ARTICLE I. Elevators in Buildings with Residential Dwellings.

Sec. 115-1. Elevators to be regularly maintained.

Any building containing residential dwellings located above the ground floor **is required to have ADA accessible routes. Therefore, with** at least one (1) elevator as the building's only ~~handicap~~-accessible means of ingress and egress to any floor above the ground floor must conduct scheduled maintenance in accordance with industry standards and the manufacturer's recommended maintenance. An owner of any such building shall provide to the Chief Building Official of the City of Stamford, upon request, records demonstrating the maintenance performed on each elevator in the building for the previous year.

Sec. 115-2. Notice.

The owner of any building containing residential dwellings located above the ground floor **is required to have ADA accessible routes. Therefore, with** at least one (1) elevator as the building's only ~~handicap~~-accessible means of ingress and egress to any floor above the ground floor shall provide twenty-four (24) hours advance written notice of scheduled maintenance on the elevator(s). Such notice shall be prominently posted on the wall adjacent to each set of elevator doors on each floor of the building. A copy of such notice shall also be delivered directly to each dwelling unit, either in paper form or by electronic mail. Such direct notice shall also include a copy of Chapter 115 of the Stamford City Code. The owner shall also provide twenty-four (24) hours advance written notice of scheduled maintenance on the elevator(s) to the Emergency Communications Center of the City of Stamford and to the Chief Building Official of the City of Stamford.

Sec. 115-3. Inoperable Elevators.

Any building containing residential dwellings located above the ground floor is required to have ADA accessible routes. Therefore, with at least one (1) elevator as the building's only ~~handicap~~ accessible means of ingress and egress to any floor above the ground floor which has any of its elevators in inoperable condition must repair the elevator(s) and restore elevator service within three (3) calendar days.

Sec. 115-4. Violations and Penalties.

- (a) A failure to comply with Section 115-1 or Section 115-2 shall be deemed a violation and the owner of the building shall be subject to the penalty set forth in subsection (c) below.
- (b) The owner of any building containing residential dwellings located above the ground floor is required to have ADA accessible routes. Therefore, with at least one (1) elevator as the building's only ~~handicap~~ accessible means of ingress and egress to any floor above the ground floor whose building has none of its elevators in operable condition shall be deemed in violation of Section 115-3 if the elevator(s) is/are out of service for more than three (3) calendar days unless:
 - (1) The owner demonstrates that the delay in repair is due to circumstances beyond its control; and
 - (2) The owner demonstrates that it has offered to pay for suitable alternative housing for all ~~handicap~~ tenants with a disability and their families residing in a dwelling above the ground floor in the building until the repair is complete.
- (c) Any violation of this Article shall subject the building owner to a fine of \$250. Each day such a violation continues shall constitute a separate violation and shall be subject to a separate penalty.
- (d) In addition to other available methods of enforcement, this Article may be enforced through the civil citation process. The recipient of a civil citation shall have a right of appeal as set forth in Chapter 97 of the City Code.
- (e) Notwithstanding any provision herein to the contrary, if the owner of a building which is subject to a fine under any provision of this Article is either a condominium association or a cooperative apartment association and said association employs the services of a property management company, the property management company shall be liable for the fine and the Chief Building Official shall issue the fine to the property management company, except if said association fails to notify the Chief Building Official of the name and mailing address of the property management company, then the association shall be liable for the fine.