

## Housing ordinance debated

By LISA BRANTLEY  
Staff Writer

The Orange County Commissioners conducted a second public hearing this week on a proposed minimum housing code, postponing a vote on its adoption until their next session on Feb. 6.

The proposed code is designed to improve the quality of renter-occupied dwellings where sub-standard conditions exist and includes minimum requirements for plumbing, heating, electrical equipment, lighting and ventilation, and the use of floor space. Among its articles, if adopted, are provisions for the locking and securing of all windows and doors, the repainting of peeling lead-based paints in dwellings where there are young children, and the maintaining of a temperature of 68 degrees in all habitable rooms whenever the outdoor temperature is 55 degrees or below.

Among other requirements, the ordinance would also ban dirt floors in any habitation and require at least one window in all rooms opening to the outside.

If adopted, the new ordinance, which would take effect in early July, would be complaint-triggered, meaning that inspectors would not check routinely for compliance but would respond only to complaints. Failure of the owners to correct the complaint within 90 days after a hearing would result in a misdemeanor and eventual closure of the rental dwelling.

Sixteen people, including local ministers, representatives for Children's Protective Health Services of Orange County, Orange County Public Health nurses and spokeswomen for the Orange County Commission for Women, spoke in favor of the ordinance during the meeting.

One Chapel Hill rental property owner opposed passage of the ordinance, saying that its standards were not stringent enough and that the county would be spending money to accomplish little unless the requirements were made stiffer. He said local landlords should have had more input in the drafting of the ordinance, a position that was shared by commission member Shirley Marshall. "I

think we should go ahead and pass this ordinance and see how it works for several months and then work out the details with those involved to make it as effective as possible," Marshall said.

The need for immediate implementation was echoed by one of the ordinance's authors, Keith Aldridge. "There's not a one of us here who believes in these standards being adequate, but we must strike a balance between the ordinance and what is now. This minimum code may be added to or changed later."

When the ordinance comes back before the county commission in Feb., several parts will have been clarified in accordance with recommendations by Dorothy Bernholz, Director of Legal Services for Orange County.

"Landlords tend to hang their hats on minimum standards and the ordinance as it is will produce needless litigation because of definitional problems," Bernholz said.

In the meeting Bernholz also added a concern for the unspecified manner in which complaints are to be filed. "If a tenant has to go to Hillsborough to file a complaint, I don't think they'll do it," she said. "Tenants will feel that they'll be met at the door by the landlord's lawyer."

In other decisions reached Tuesday, the county commission denied two separate rezoning requests from landowners James P. Goforth and Dennis Howell. The first request involved a proposal to rezone approximately 45 acres north of the Weaver Dairy Road and south of the I-40 corridor from residential-1 to residential-8 for the purpose of commercial development.

The second denied petition involved a three-acre lot south of Weaver Dairy Road and east of North Carolina 86 which the owner had requested to have changed from residential-1 to community-commercial-3 classification. The arguments for denying the requests centered largely on right-of-way into Weaver Dairy Road and the problem of traffic capacity in the area until the road is widened to four lanes under Chapel Hill's adopted thoroughfare plan.

## Shared risk recommended

# UNC-Duke propose consumer safety plan

By MELISSA HOLLAND  
Staff Writer

A proposal which would eventually lower costs and increase the safety of consumer products has been developed by researchers at UNC in coordination with researchers at Duke University.

Ellen Peirce, a lawyer on the faculty of the UNC School of Business Administration, along with her husband, Daniel Graham, a professor of economics at Duke, devised the plan and presented it at a conference dealing with "policy options for catastrophic losses" at Stanford University in October.

Their proposal challenges current liability laws which often award consumers full compensation in accident cases, even if the consumer contributes to the cause of the accident.

Titled "strict liability" the current liability law fails to

recognize what is known in legal circles as "contributory negligence," which means that the consumer is, at least in part, responsible for an accident involving a manufacturer's product.

Peirce and Graham proposed that a better rule would tax producers for only a percentage of the amount of the cause of the accident.

"Most states hold that if a product injures a consumer and is defective, the manufacturer is liable for the injuries," Peirce said. "So in order to protect himself in case of lawsuit, the manufacturer builds the price of the insurance into the cost of the product. When you buy a lawnmower, you're really buying two things, the lawnmower plus insurance from the manufacturer."

Peirce and Graham also proposed that a better rule would be one that encouraged the consumer and the producer to share the risk of an accident. Instead of the courts assuming that the manufacturer was always at

fault, they would determine to what extent each party contributed to an accident.

"Suppose you were mowing your lawn and cut off a toe on the mower," Peirce said. "Suppose there was a defect in the lawnmower and that you were wearing sandals rather than shoes while mowing. Both of you helped increase the chance of the accident — the manufacturer by creating the defect and you by wearing unsafe footwear."

Thus, the proposal would urge both buyer and seller to use extreme care in operating and manufacturing a product, which in turn would bring down the price of "insuring" a product and increase the safety of the product, added Peirce.

Peirce and Graham are in the process of revising their proposal and plan to publish it in the *Journal of Legal Studies* soon.

## Clinic offers comprehensive, economical care

By HEATHER HAY  
Staff Writer

Wellness and a comprehensive approach to health care are the main concerns of the nurse practitioners who staff the Health Maintenance Clinic, according to the clinic's coordinator.

The Health Maintenance Clinic, run by the UNC School of Medicine, was established in 1980. It is geared toward teaching people how to take care of their health, according to Mary Lyn Fields, the program's coordinator and instructor in the School of Nursing. Treatment is also available for those who have minor acute

or chronic stable illnesses, such as diabetes and hypertension, Fields said. Services, which are primarily paid for by a grant and minor patient charges, are available to anyone.

The services offered by the clinic, located in the North Carolina Memorial Hospital include complete physicals, lab tests, contraceptive and sexuality counseling. "The nurse practitioners here are concerned with the patient's total well-being, not just what diseases he or she may have," Fields said.

Fields said services offered by the clinic that students may be interested in include breast exams, Pap smears, and

pregnancy testing. "We also teach testicular self-examination, which most men don't know how to do," she added. The clinic does not insert IUD's, but it does fit diaphragms and prescribe birth control pills, she said.

A student visiting the center for a physical may need to quit smoking, lose weight, or need to reduce tension, Fields said. "As factors that influence that person's health, all of those things would be important to a nurse practitioner," she said. "An entire visit may consist completely of talking."

The clinic is not affiliated with the Student Health Service but is run by the

Department of Medicine. A 15-minute appointment costs \$15, a half-hour costs \$30, and an hour costs \$40. Those costs do not include lab work, Fields said.

The clinic is staffed completely by women, which distinguishes it from other health care facilities, Fields said.

The clinic is also different from other health care facilities that it is staffed by nurse practitioners who work in consultation with physicians, Fields said. Nurse practitioners are licensed registered nurses who are certified to perform selected medical tasks. "They can also write prescriptions," Fields said.

## fees

From page 1

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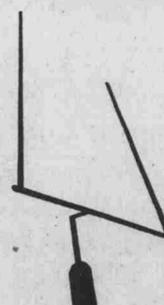
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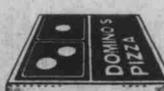
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