

ORDINANCE 33-2017

AN ORDINANCE TO ADOPTING CHAPTER 1480 OF THE CODIFIED ORDINANCES REGARDING THE HOUSING AND PROPERTY MAINTENANCE CODE OF THE VILLAGE OF MINERVA PARK, OHIO AND DECLARING AN EMERGENCY

WHEREAS, it is necessary from time to time to adopt new ordinances concerning the buildings and maintenance of property in the Village of Minerva Park; and

WHEREAS, the Village of Minerva Park strives to maintain standards of health and welfare for the citizens of the Village; and

WHEREAS, the Planning and Zoning Commission recommended that the ordinance be adopted ;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Chapter 1273 entitled “Establishing a Building and Property Maintenance Code” of the Ordinances of the Village of Minerva Park and Ordinance 02-2007 are hereby repealed in their entirety.

Section 2. Chapter 1480 is hereby adopted to read as follows:

1480.01 GENERAL.

(a) Title. These regulations shall be known as the Housing and Property Maintenance Code of the Village of Minerva Park, hereinafter referred to as "this code."

(b) Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

(c) Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

(d) Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

1480.02 APPLICABILITY.

(a) General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a

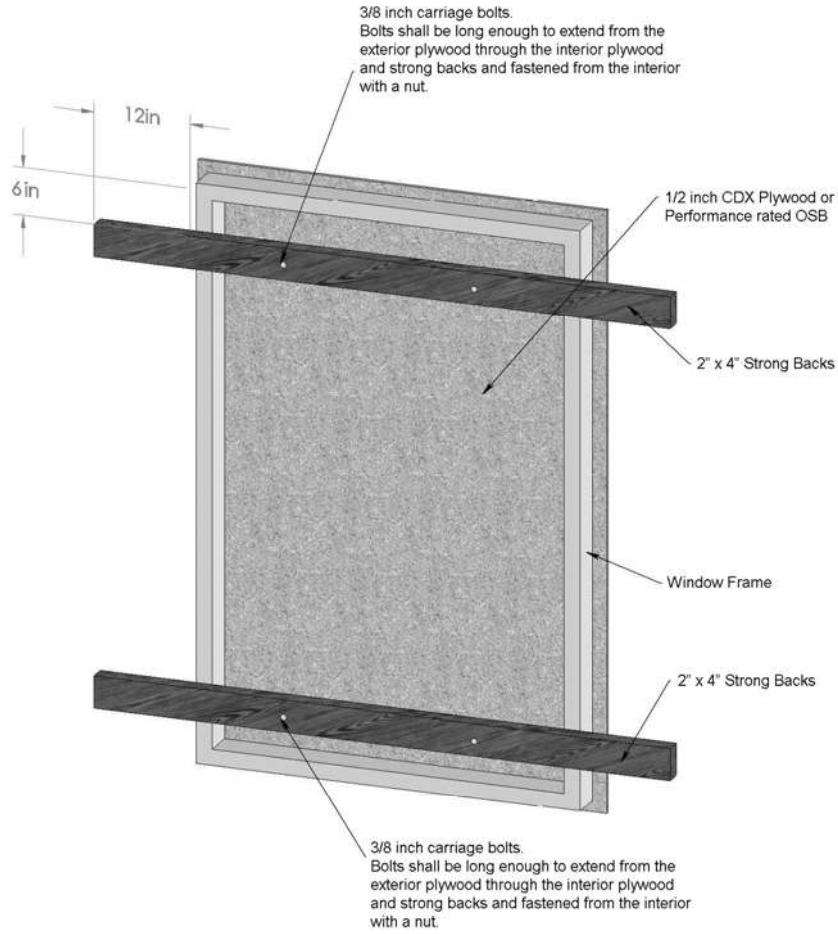


FIGURE A103.1(1)
BOARDING OF DOOR OR WINDOW

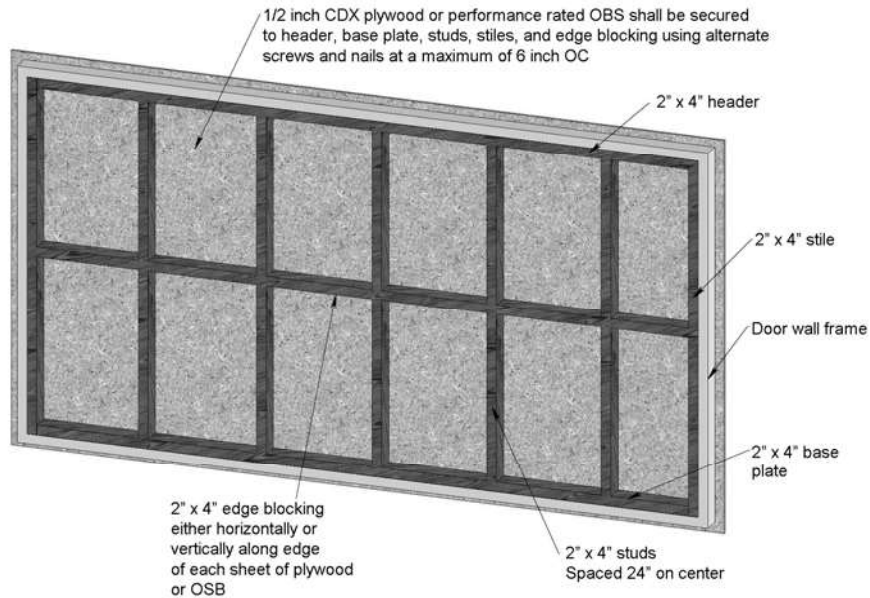


FIGURE A103.1(2)
BOARDING OF DOOR WALL



FactSheet

Extension

Ohio State University Extension Fact Sheet

Horticulture and Crop Sciences

2021 Coffey Road, Columbus, OH 43210

Composting Series

Composting at Home

COM-0001-99

Frederick C. Michel, Jr.,
Joe E. Heimlich,
Harry A. J. Hoitink

Mow your lawn often and let the clippings lie. This is the best use for grass clippings. Composting is another solution. Composting is a practical and convenient way to handle yard trimmings such as leaves, grass, thatch, chipped brush, and plant cuttings. It can be easier and cheaper than bagging or paying to have them removed. Compost also improves your soil and the plants growing in it. If you have a garden, a lawn, trees, shrubs, or even planter boxes, you have a use for compost.

Why Does Compost Make Soil Healthier?

Compost returns organic matter to the soil in a usable form. Organic matter in the soil improves plant growth by: stimulating the growth of beneficial microorganisms, loosening heavy clay soils to allow better root penetration; improving the capacity to hold water and nutrients particularly in sandy soils; and adding essential nutrients to any soil. Improving your soil is the first step toward improving plant health. Healthy plants help clean air, conserve soil, and beautify landscapes.

How Does Composting Help the Environment?

Yard trimmings and kitchen scraps use up valuable space in landfills-space that is running out fast! These materials make up 20 to 30 percent of all household wastes. Because of their high moisture content, grass clippings also lower the efficiency of incineration systems. The use of compost can also reduce the use of pesticides and chemical fertilizers in your yard.

What Can I Compost?

All yard trimmings will work as a mulch and for composting, but do not use diseased or infested plants without composting them first. Yard trimmings such as leaves, grass clippings, weeds, thatch, and the remains of garden plants make excellent compost. Other good additions to a compost pile include ground brush, wood ash, and kitchen scraps such as fruit and vegetable peelings, egg shells, and coffee grounds that would otherwise be thrown in the garbage. Care must be taken when composting kitchen scraps. Do not compost meat, bones, and fatty foods such as cheese, salad dressing, and cooking oil. These foods ferment or putrify, cause odors, and can attract rodents and other nocturnal animals that can be pests. Only experts in composting should attempt to compost these materials.

One concern with composting is the fate of lawn care pesticides. Grass clippings and leaves treated with these products should not be used as a mulch immediately after application and mowing, but should be composted. The most widely used pesticides degrade rapidly during composting or become strongly bound to organic matter in the compost. Their degradation is accelerated by the high temperatures and moist conditions that occur in a compost pile.

The Essentials of Composting

With the following principles in mind, everyone can make excellent use of organic wastes.

Biological Process

What happens in a compost pile? Bacteria, the most numerous and effective microbes, are the first to break down plant tissue. Fungi and protozoans soon join the bacteria. Often, a white layer forms just beneath the surface of the compost. This is usually due to fungi and actinomycetes, a class of filamentous bacteria. Springtails, mites, and other small insects, as well as earthworms, also play a role in decomposition once the compost has cooled.

Materials

Anything growing in your yard is potential food for these microbes. Microorganisms use the carbon in leaves or woody wastes as an energy source. Nitrogen provides the microbes with the raw element of proteins and nucleic acids to build their bodies.

Everything organic has a given ratio of carbon to nitrogen (C:N) in its tissues. A C:N ratio of 30:1 is ideal for the activity of compost microbes. This balance can be achieved by mixing. Table 1 can help you judge the ratio of your compost ingredients. Composts often are deficient in nitrogen when wood wastes are added to the mixture. This can be corrected by adding 1 pound of urea per cubic yard of compost mixture.

Table 1. Carbon:Nitrogen Ratio

Food wastes	15:1
Sawdust, wood, paper	400:1
Straw	80:1
Grass clippings	15:1
Leaves	50:1
Fruit wastes	35:1
Rotted manures	20:1
Cornstalks	60:1
Alfalfa hay	12:1

Surface Area

The more surface area the microorganisms have to work on, the faster the materials decompose. Chopping garden wastes with a shovel or machete, or running them through a shredding machine or lawn mower speeds composting.

Volume

A large compost pile insulates itself and holds the heat of microbial activity. Its center will be warmer than its edges. Piles smaller than three feet cubed (27 cu. ft.; 3-4 ft tall) have trouble holding this heat in the winter, while piles larger than five feet cubed (125 cu. ft.; 5-6 ft tall) do not allow enough air to reach the microbes at the center. These proportions are of importance if your goal is fast, high temperature composting. Large piles are useful for composting diseased plants or trees as the high temperatures will kill pathogens and insects.

Moisture and Aeration

All life on Earth, including compost microbes, needs a certain amount of water and air to sustain itself. Microbes function best when the compost heap has many air passages and is about as moist as a wrung-out sponge. Extremes of sun or rain can adversely affect this moisture balance. Generally, the moisture content of the compost should be 50 to 60% on a total weight basis. Wet piles that leach water are deficient in oxygen, and can ferment and cause odor problems. Never cover compost piles with plastic because this does not permit introduction of air. Cured composts can be covered, but this can also cause problems. Compost blankets allow for air exchange but shed rainwater from piles.

The larger the pile, the higher the temperature and the faster the composting proceeds, but only up to a certain point. At temperatures higher than 160 degrees F, composting slows down and charring or burning begins. This can become a problem in dry composts, particularly in the summer.

How to Prepare and Use Compost

Remove grass and sod cover from the area where you construct your compost pile to allow direct contact of the materials with soil microorganisms. The following "recipe" for constructing your compost heap is recommended for best results:

- **1st layer:** 3-4" of chopped brush or other coarse material on top of the soil surface. This material allows air circulation around the base of the heap.
- **2nd layer:** 6-8" of mixed scraps, leaves, grass clippings, etc. Materials should be "sponge damp."
- **3rd layer:** 1" of soil serves as an inoculant by adding microorganisms to the heap.
- **4th layer:** (optional) 2-3" of manure to provide the nitrogen needed by microorganisms. Sprinkle lime, wood ash, and/or rock phosphate over the layer of manure to reduce the heap's acidity. Add water if the manure is dry. Add one pound of urea fertilizer or 10 pounds of composted poultry manure per yard of leaves or ground brush if organic sources of nitrogen are not available. Soak these high carbon materials with water before composting. Manure generally should not be used in cities to reduce the potential for fly problems.
- **5th layer:** Repeat steps 1-4 until the bin is full. Scoop out a "basin" at the top to catch rainwater under summer conditions.

A properly made heap will reach temperatures of about 140 degrees F in four to five days. At this time, you will notice the pile "settling." This is a good sign that your heap is working properly.

After 3-4 weeks, fork the materials into a new pile, turning the outside of the old heap into the center of the new pile. Add water if necessary. It is best to turn your compost a second or third time. The compost should be ready to use within three to four months. A heap started in late spring can be ready for use in the autumn. Start another heap in autumn for use in the spring.

You can make compost even faster by turning the pile more often. Check the internal temperature regularly; when it decreases substantially (usually after about a week), turn the pile.

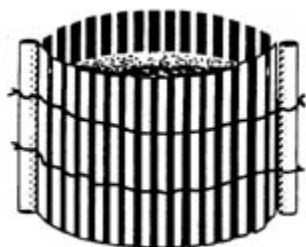
Compost is ready to use when it is dark brown, crumbly, and earthy-smelling. Let it stabilize for a few extra days and screen it through a 1/2" screen if you want the finest product for germination of seedlings. Compost generally should be at least 4-6 months old for use with plant seedlings. Apply a 1-2" layer of compost, and work it in well where you want to grow root crops. Leave it on the surface or work it into the surface 1-2" of the soil for most applications. It is best to keep organic matter near the soil surface. This is known as mulch gardening. It is much easier to control weeds in gardens mulched with compost between rows of plants. Compost used here also does not have to be as decomposed as that worked into seed beds. Have the soil tested for pH and major nutrients (N, P, and K) every two to four years and adjust the amount of lime, ash, fertilizers, etc., added to your compost pile on the basis of feedback from your county agent or Master Gardener. Table 2 is a guide to more efficient composting.

Table 2. Guide to More Efficient Composting

Symptoms	Problem	Solution
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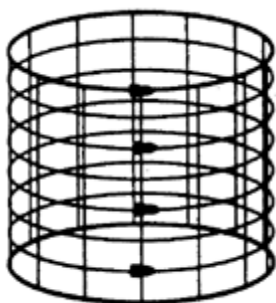
The compost has a bad odor.	Not enough air.	Solution Turn it. Add dry material if the pile is too wet.
The center of the pile is dry.	Not enough water.	Moisten and turn the pile.
The compost is damp and warm only in the middle.	Too small.	Collect more material and mix the old ingredients into a new pile. Turn the pile.
The heap is damp and sweet-smelling, but still will not heat up.	Lack of nitrogen.	Mix in a nitrogen source like fresh grass clippings, manure, composted poultry manure, bloodmeal, or urea fertilizer.

Compost Bins That Can Be Used at Home



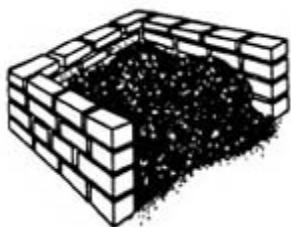
Snow Fence Bin

Bins made with prefabricated snow fencing are simple to make and easy to move and store. To build this bin, buy the appropriate length of prefabricated fencing, and fasten two-by-fours as corner posts to the bottom to form a circle.



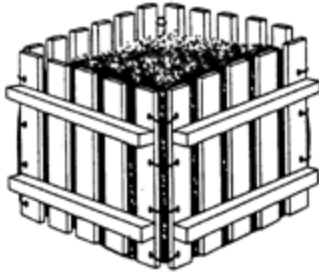
Woven Wire Bin

One easy to make, economical container requires only a length of woven wire fencing. Multiply the diameter you want for the compost heap by 3.2 for the length of fencing to purchase. Fasten the ends with wire or three or four small chain snaps (available at any hardware store) to make a circle.



Block Bin

Compost bins can be made with cement blocks or rocks. Just lay the blocks without mortar; leave spaces between each block to permit aeration. Pile them up to form three sides of a square container or a three-bin unit. This bin is sturdy, durable, and easily accessible. Keep the bin at least 3 inches away from the walls of your house to prevent deterioration of siding.



Wooden Pallet Bin

Covered bins allow convenient protection from pests and heavy rains. Construct bins with removable fronts or sides so that materials can be easily turned. Old wooden pallets can be used for construction. Wire mesh can be substituted for wooden sides to increase air flow.

Turning Bins



This is a series of three or more bins that allows you to make compost in a short time by turning the materials on a regular schedule. Turning bins are most appropriate for gardeners with a large volume of yard trimmings and the desire to make a high-quality compost. You can also turn your compost with only one bin by removing the bin from around the heap, setting up the empty bin nearby, and forking the material into the now empty bin.



Rotating drum bins, which turn using a hand crank, are also commercially available. If your own kitchen, yard, and garden do not generate enough material to fill your bin, ask your neighbors for their clippings and leaves, or start a neighborhood composting project.

Simple heaps

Yard trimmings can easily be composted in open heaps. Bins are not required. When food wastes are added, however, the compost may have to be confined in bins that keep out animals such as raccoons, skunks, etc. City ordinances against backyard composting were passed in many areas of the United States decades ago because these pests and flies were not controlled. Food wastes and manures can easily cause fly problems unless great care is taken to cover all such materials with a foot-thick layer of cured compost, wood, or other yard trimmings. Always bury food scraps deep in the compost pile.

Other options

Prefabricated plastic compost bins can also be purchased at hardware stores and gardening stores, and from catalogs. These are sometimes available from your town or city at below market cost.

Mulching

Woody yard trimmings, leaves, and grass clippings can be used as a mulch for weed control and water retention by simply spreading them beneath plants. For woody materials up to 1" in diameter, rent or purchase a chipper/shredder, or cut with hand tools. Tree services, if they are in your neighborhood, often will deliver wood chips free. Chips can also be used for informal garden paths. Make sure that the chipped wood has been stored in a heap tall enough to reach temperatures of 110-160 degrees F so that the pathogens and pests are killed by heat treatment. The addition of one pound of urea or 10 pounds of composted poultry manure per cubic yard of shredded wood with lots of water speeds the process.



Don't Bag It-The Lawn Maintenance Plan

The "Don't Bag It" lawn care plan can save the homeowner time, energy, fertilizers, pesticides, and money, and can reduce the amount of waste going to our landfills. The principle is simple: return clippings to your lawn. By leaving your clippings on the lawn and allowing them to work their way back into soil, you will improve soil health and reduce pesticide and fertilizer use.

In fact, grass clippings contain valuable nutrients that can generate up to 25 percent of your lawn's total fertilizer needs. A hundred pounds of grass clippings can generate and recycle as much as three to four pounds of nitrogen, one-half to one pound of phosphorus, and two to three pounds of potassium back to the lawn. These are the three most important nutrients needed by lawns, and are commonly supplied in lawn fertilizers. Also, grass clippings do not contribute to thatch (an organic debris layer between the soil and live grass) since grass clippings are 75-85 percent water and decompose readily.

Why, then, do many homeowners bag grass clippings? Basically, it is a personal preference and habit most homeowners have acquired. Proper lawn care practices will usually eliminate surface clipping debris and ensure a successful "Don't Bag It" program.

In summary, by composting at home, you can help protect the environment, save money, and improve your soil at the same time.

All educational programs conducted by Ohio State University Extension are available to clientele on a nondiscriminatory basis without regard to race, color, creed, religion, sexual orientation, national origin, gender, age, disability or Vietnam-era veteran status.

Keith L. Smith, Associate Vice President for Ag. Adm. and Director, OSU Extension.

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specific case, different sections of this code specify different requirements, the most restrictive shall govern.

(b) Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

(c) Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of all other codes adopted by the Village of Minerva Park.

(d) Existing Remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

(e) Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

(f) Historic Buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the Code Enforcement Officer to be safe and in the public interest of health, safety and welfare.

(g) Requirements Not Covered by Code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the Code Enforcement Officer.

(h) Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

(i) Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. In the event of a conflict, the stricter law shall apply.

1480.03 ADMINISTRATION AND ENFORCEMENT.

(a) The Code Enforcement Officer shall oversee the Housing and Property Maintenance Code.

(b) Code Enforcement Officer. The Code Enforcement Officer shall be appointed by the Mayor/Administrator.

(c) Duties and Powers of the Code Enforcement Officer.

(1) General. The Code Enforcement Officer is hereby authorized and directed to enforce the provisions of this code. The Code Enforcement Officer shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the

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application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

(2) Inspections. The Code Enforcement Officer shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Enforcement Officer is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(3) Identification. The Code Enforcement Officer shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

(4) Notices and orders. The Code Enforcement Officer shall issue all necessary notices or orders to ensure compliance with this code.

(5) Department records. The Code Enforcement Officer shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

(6) Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Code Enforcement Officer shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided the Code Enforcement Officer shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

(d) Alternative Materials, Methods and Equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the Code Enforcement Officer finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

(1) Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Code Enforcement Officer shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

(2) Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Code Enforcement Officer shall be permitted to approve appropriate testing procedures performed by an approved agency.

(3) Test reports. Reports of tests shall be retained by the Code Enforcement Officer for the period required for retention of public records.

(4) Used material and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused

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unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the Code Enforcement Officer.

(5) Approved materials and equipment. Materials, equipment and devices approved by the Code Enforcement Officer shall be constructed and installed in accordance with such approval.

(6) Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

1480.04 VIOLATIONS.

(a) Unlawful Acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

(b) Notice of Violation. The Code Enforcement Officer shall serve a notice of violation or order in accordance with Section **1480.05**.

(c) Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section **1480.05** shall be prosecuted in accordance with Section **1480.99**.

1480.05 NOTICES AND ORDERS.

(a) Notice to Person Responsible. Whenever the Code Enforcement Officer determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections **1480.05**(b) and (c) below to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section **1480.06**(i).

(b) Form. Such notice prescribed in Section **1480.05**(a) shall be in accordance with all of the following:

- (1) Be in writing;
- (2) Include a description of the real estate sufficient for identification;
- (3) Include a statement of the violation or violations and why the notice is being issued;
- (4) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code;
- (5) Inform the property owner of the right to appeal as set forth in Section **1480.09**;
- (6) Include a statement of the right to file a lien;
- (7) Inform the person responsible that if another violation of the same or similar nature of any provisions of this code is committed within a year of the date of the original notice, the Village will proceed with the prosecution of said violation without further notification.

(c) Method of Service. Such notice shall be deemed to be properly served if a copy thereof is:

- (1) Delivered personally;
- (2) Sent by certified or first-class mail addressed to the last known address; or,
- (3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(d) Unauthorized Tampering. Signs, tags or seals posted or affixed by the Code Enforcement Officer shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Enforcement Officer.

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(e) Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section **1480.99.**

(f) Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Enforcement Officer and shall furnish to the Code Enforcement Officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

1480.06 UNSAFE STRUCTURES AND EQUIPMENT.

(a) General. When a structure or equipment is found by the Code Enforcement Officer to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

(b) Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(c) Unsafe Equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(d) Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the Code Enforcement Officer finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

(e) Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

(f) Dangerous Structure or Premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

(1) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.

(2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

(3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to

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such an extent that it is likely to partially or completely collapse, or to become detached or is lodged.

(4) Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

(5) The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

(6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

(7) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

(8) Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

(9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the Code Enforcement Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

(10) Any building or structure, because of a lack of sufficient or proper fire- resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the Code Enforcement Officer to be a threat to life or health.

(11) Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

(g) Closing of Vacant Structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Enforcement Officer is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Code Enforcement Officer shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

(h) Authority to Disconnect Service Utilities. The Code Enforcement Officer shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the other adopted codes of the Village of Minerva Park in case of emergency where necessary to eliminate an immediate hazard to life or property or when such

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utility connection has been made without approval. The Code Enforcement Officer shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

(i) Notice. Whenever the Code Enforcement Officer has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 1480.05(c). If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section **1480.05**(b).

(j) Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the Code Enforcement Officer shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

(k) Placard Removal. The Code Enforcement Officer shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Enforcement Officer shall be subject to the penalties provided by this code.

(l) Prohibited Occupancy. Any occupied structure condemned and placarded by the Code Enforcement Officer shall be vacated as ordered by the Code Enforcement Officer. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

(m) Abatement Methods. The owner, operator or occupant of a building, premises or equipment deemed unsafe by the Code Enforcement Officer shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

(n) Record. The Code Enforcement Officer shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

(o) Permit Required Prior to Repair or Rehabilitation. Prior to repairing or rehabilitating a building, premises, or equipment deemed unsafe by the Code Enforcement Officer, the owner, operator, or occupant of the building, premises or equipment shall apply for a Condemnation Reversal Permit and pay a fee as adopted by Council. The Condemnation Reversal Permit does not take the place of other permits required by the Zoning Administrator, Chief Building Official, or other outside agencies.

1480.07 EMERGENCY MEASURES.

(a) Imminent Danger. When, in the opinion of the Code Enforcement Officer, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Enforcement Officer is hereby authorized and empowered to order and require the occupants to

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vacate the premises forthwith. The Code Enforcement Officer shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Enforcement Officer." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(b) Temporary Safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Enforcement Officer, there is imminent danger due to an unsafe condition, the Code Enforcement Officer shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Code Enforcement Officer deems necessary to meet such emergency.

(c) Closing Streets. When necessary for public safety, the Code Enforcement Officer shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

(d) Emergency Repairs. For the purposes of this section, the Code Enforcement Officer shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

(e) Costs of Emergency Repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction and then charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(f) Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

1480.08 DEMOLITION.

(a) General. The Code Enforcement Officer shall order the owner of any premises upon which is located any structure, which in the Code Enforcement Officer judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the Code Enforcement Officer shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one (1) year, unless approved by the building official.

(b) Notices and Orders. All notices and orders shall comply with Section **1480.05.**

(c) Failure to Comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the Code Enforcement Officer shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

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(d) Salvage Materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

1480.09 MEANS OF APPEAL.

(a) Appeals Body. The Planning and Zoning Commission is designated as the appeals body for all persons directly affected by a decision of the Code Enforcement Officer or a notice or order issued under this Code.

(b) Application for Appeal. Any person directly affected by a decision of the Code Enforcement Officer or a notice or order issued under this code shall have the right to appeal to the Planning and Zoning Commission, provided that a written application for appeal is filed within five (5) business days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

(c) Stays of Enforcement. Appeals of notices and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Planning and Zoning Commission.

1480.10 STOP WORK ORDER.

(a) Authority. Whenever the Code Enforcement Officer finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the Code Enforcement Officer is authorized to issue a stop work order.

(b) Issuance. A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

(c) Emergencies. Where an emergency exists, the Code Enforcement Officer shall not be required to give a written notice prior to stopping the work.

(d) Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than two hundred and fifty dollars (\$250.00) or more than five hundred dollars (\$500.00). Every day the work continues shall be considered a separate violation and subject to a separate fine.

(e) Removing a Stop Work Order. Any person who removes a properly posted stop work order shall be liable for a fine of not less than two hundred fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

1480.11 DEFINITIONS.

(a) Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

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(b) Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

(c) Terms Defined in Other Codes. Where terms are not defined in this code and are defined in other chapters of the Village of Minerva Park Codified Ordinances, such terms shall have the meanings ascribed to them as in those codes.

(d) Terms Not Defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

(e) Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

(f) Definitions.

(1) Anchored. Secured in a manner that provides positive connection.

(2) Approved. Approved by the code enforcement officer.

(3) Basement. That portion of a building which is partly or completely below grade.

(4) Bathroom. A room containing plumbing fixtures including a bathtub or shower.

(5) Bedroom. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

(6) Code Enforcement Officer. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

(7) Condemn. To adjudge unfit for occupancy.

(8) Detached. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

(9) Deterioration. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

(10) Dwelling unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(11) Easement. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

(12) Equipment support. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

(13) Exterior property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

(14) Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(15) Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

(16) Habitable space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

(17) Housekeeping unit. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

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(18) Imminent danger. A condition which could cause serious or life-threatening injury or death at any time.

(19) Infestation. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

(20) Inoperable motor vehicle. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

(21) Labeled. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

(22) Let for occupancy or let. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

(23) Neglect. The lack of proper maintenance for a building or structure.

(24) NFPA 25. Standard For The Inspection, Testing, And Maintenance Of Water-Based Fire Protection Systems published by the National Fire Protection Association.

(25) NFPA 70. National Electric Code published by the National Fire Protection Association.

(26) Occupancy. The purpose for which a building or portion thereof is utilized or occupied.

(27) Occupant. Any individual living or sleeping in a building, or having possession of a space within a building.

(28) Openable area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

(29) Operator. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

(30) Owner. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

(31) Person. An individual, corporation, partnership or any other group acting as a unit.

(32) Pest elimination. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

(33) Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.

(34) Public way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

(35) Rooming house. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

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(36) Rooming unit. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

(37) Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

(38) Sleeping unit. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

(39) Strict liability offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

(40) Structure. That which is built or constructed or a portion thereof.

(41) Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

(42) Toilet room. A room containing a water closet or urinal but not a bathtub or shower.

(43) Ultimate deformation. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to eighty percent (80%) or less of the maximum strength.

(44) Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

(45) Village. Village of Obetz, Ohio.

(46) Workmanlike. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

(47) Yard. An open space on the same lot with a structure.

1480.13 EXTERIOR PROPERTY AREAS.

(a) General. No owner or occupant of any premises shall maintain or permit to be maintained the exterior property areas of such premises in a condition that deteriorates or debases the appearance of the neighborhood; reduces property values in the neighborhood; adversely alters the appearance and general character of the neighborhood; creates a fire, safety or health hazard; or is a public nuisance. Such violations include, but are not limited to the following:

(1) Broken or dilapidated fences, walls or other structures;

(2) Motor vehicles, trailers, boats and/or other motorized vehicles parked in grass or upon any premises except upon driveways, parking lots, in garages or on areas improved for vehicular use and in accordance with other Codified Ordinances;

(3) The storage of building materials or materials such as earth, sand, or dirt upon any premises when such materials are not currently being used for work on the property;

(4) Out of use or non-usable appliances or automobile parts;

(5) Rugs, rags or other materials hung on lines or in other places on such premises in such a manner or for such period of time as to be unsightly or offensive; broken, dilapidated or unusable furniture or outdoor use of furniture intended for indoor use, mattresses or other household furnishings; plastic materials, paints, miscellaneous coverings and/or any other materials,

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including those described in this section, placed at or on the premises in such a manner as to be unsightly, grotesque or offensive;

(6) Improperly disposed of materials, materials collected for salvage, unkempt garbage, trash, litter, and yard waste including brush, tree limbs, leaves and weeds. Improperly disposed of materials include those materials set out for collection by the waste haulers that do not meet the waste hauler's guidelines for collection.

(b) Grading and Drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.

(c) Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

(d) Weeds. Regulated by Chapter **665** of the Codified Ordinances.

(e) Rodent Harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

(f) Exhaust Vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(g) Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

(h) Motor Vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

(i) Defacement of Property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair, within 7 days of being notified of the presence of such graffiti.

(j) Swimming Pools, Spas, and Hot Tubs. Swimming pools, spas, and hot tubs shall be maintained in a clean and sanitary condition, and in good repair. All swimming pools, spas, and hot tubs that do not contain water must be covered at all times. All swimming pools must be covered between the months of November through April except for routine maintenance. All hot tubs and spas must be covered when not in use.

1480.14 EXTERIOR STRUCTURE.

(a) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(b) Unsafe Conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein or the Residential Code of

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Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein as required for existing buildings:

- (1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
- (3) Structures or components thereof that have reached their limit state;
- (4) Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
- (5) Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
- (6) Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
- (7) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
- (8) Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
- (9) Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
- (10) Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
- (11) Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
- (12) Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or
- (13) Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. Exceptions: When substantiated otherwise by an approved method; Demolition of unsafe conditions shall be permitted when approved by the Code Enforcement Officer.

(c) Protective Treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall

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be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(1) Tarps of any color may be used to temporarily weather-proof a structure pending permanent repair for up to two weeks. Tarps remaining in place longer than two weeks must receive approval by the Code Enforcement Officer or other official designated by the Mayor. Tarps used to cover items for longer than two weeks may only be brown, dark green or dark camouflage.

(d) Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches high with a minimum stroke width of five-tenths (0.5) inch.

(e) Structural Members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(f) Foundation Walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

(g) Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

(h) Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

(i) Decorative Features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(j) Overhang Extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(k) Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(l) Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

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(m) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(n) Window, Skylight and Door Frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

(1) Glazing. All glazing materials shall be maintained free from cracks and holes.

(2) Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(o) Insect Screens. At all times, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition. Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(p) Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section **1480.23(b)(2)**.

(q) Basement Hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

(r) Guards for Basement Windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

(s) Building Security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

(1) Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

(2) Windows. Operable windows located in whole or in part within 6 feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

(3) Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

1480.15 INTERIOR STRUCTURE.

(a) General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the

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structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

(b) Unsafe Conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein as required for existing buildings:

(1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;

(2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;

(3) Structures or components thereof that have reached their limit state;

(4) Structural members are incapable of supporting nominal loads and load effects;

(5) Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

(6) Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(7) Demolition of unsafe conditions shall be permitted when approved by the Code Enforcement Officer.

(8) Exception: When substantiated otherwise by an approved method.

(c) Structural Members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

(d) Interior Surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

(e) Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

(f) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(g) Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

(h) Window Treatments. Every window opening having interior window treatment shall be maintained in good working order without broken, torn, or disheveled materials. Window treatments of temporary materials, clothing items, or bedding are not permitted.

1480.16 COMPONENT SERVICEABILITY.

(a) General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

(b) Unsafe Conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and

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shall be repaired or replaced to comply with the Residential Code of Ohio or Ohio Building Code, whichever applies, as well as the codes and provisions adopted therein as required for existing buildings:

(1) Soils. Soils that have been subjected to any of the following conditions:

- A. Collapse of footing or foundation system;
- B. Damage to footing, foundation, concrete or other structural element due to soil expansion;
- C. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
- D. Inadequate soil as determined by a geotechnical investigation;
- E. Where the allowable bearing capacity of the soil is in doubt; or
- F. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

(2) Concrete or Asphalt Concrete or Asphalt that has been subjected to any of the following conditions:

- A. Deterioration;
- B. Ultimate deformation;
- C. Fractures;
- D. Fissures;
- E. Spalling;
- F. Exposed reinforcement; or
- G. Detached, dislodged or failing connections.

(3) Aluminum. Aluminum that has been subjected to any of the following conditions:

- A. Deterioration;
- B. Corrosion;
- C. Elastic deformation;
- D. Ultimate deformation;
- E. Stress or strain cracks;
- F. Joint fatigue; or
- G. Detached, dislodged or failing connections.

(4) Masonry. Masonry that has been subjected to any of the following conditions:

- A. Deterioration;
- B. Ultimate deformation;
- C. Fractures in masonry or mortar joints;
- D. Fissures in masonry or mortar joints;
- E. Spalling;
- F. Exposed reinforcement; or
- G. Detached, dislodged or failing connections.

(5) Steel. Steel that has been subjected to any of the following conditions:

- A. Deterioration;
- B. Elastic deformation;
- C. Ultimate deformation;
- D. Metal fatigue; or
- E. Detached, dislodged or failing connections.

(6) Wood. Wood that has been subjected to any of the following conditions:

- A. Ultimate deformation;

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- B. Deterioration;
- C. Damage from insects, rodents and other vermin;
- D. Fire damage beyond charring;
- E. Significant splits and checks;
- F. Horizontal shear cracks;
- G. Vertical shear cracks;
- H. Inadequate support;
- I. Detached, dislodged or failing connections; or
- J. Excessive cutting and notching.

(7) Demolition of unsafe conditions shall be permitted when approved by the Code Enforcement Officer.

(8) Exception: When substantiated otherwise by an approved method.

1480.17 HANDRAILS AND GUARDRAILS.

The standards of the Residential Code of Ohio or Ohio Building Code, whichever applies, shall govern the standards for handrails and guardrails.

1480.18 RUBBISH AND GARBAGE.

(a) Accumulation of Rubbish or Garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

(b) Disposal of Rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

(c) Rubbish Storage Facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

(d) Refrigerators. Refrigerators and similar equipment shall not be discarded, abandoned or stored on the exterior of the premises.

(e) Disposal of Garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. Properly maintained compost bins or piles are acceptable as per Appendix B.

(f) Garbage Facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

(g) Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

1480.19 PEST ELIMINATION.

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(a) Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

(b) Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

(c) Single Occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

(d) Multiple Occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for extermination.

(e) Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

(f) Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

1480.20 LIGHT, VENTILATION AND SPACE CONDITIONS.

(a) Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this Section.

(b) Alternative Devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein shall be permitted.

(c) Light.

(1) Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent (8%) of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent (8%) of the floor area of the interior room or space, but not less than twenty-five (25) square feet. The exterior glazing area shall be based on the total floor area being served.

(2) Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times to one foot-candle or more. In the past a 60-watt standard incandescent light bulb for each 200 square feet of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than thirty (30) feet. In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by

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the means of egress is occupied with a minimum of one (1) foot-candle at floors, landings and treads.

(3) Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

(d) Ventilation.

(1) Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least forty-five percent (45%) of the minimum glazed area required in Section **1480.20(c)(1)**. Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight-percent (8%) of the floor area of the interior room or space, but not less than twenty-five (25) square feet. The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

(2) Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section **1480.20(d)(1)** except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

(3) Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit. For purposes of these regulations, coffee pots and microwave ovens shall not be considered cooking appliances. Exception: Where specifically approved in writing by the Code Enforcement Officer.

(4) Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

(5) Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions. Exception: Listed and labeled condensing (ductless) clothes dryers.

(e) Occupancy Limitations.

(1) Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

(2) Minimum room widths. Minimum room widths shall be defined by the Residential Code of Ohio or Ohio Building Code, whichever applies.

(3) Minimum ceiling heights. Minimum ceiling heights shall be defined by the Residential Code of Ohio or Ohio Building Code, whichever applies.

(4) Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Sections **1480.20(e)(5)**-through **1480.20(e)(9)**.

(5) Room area. Every living room shall contain at least 120 square feet and every bedroom shall contain at least seventy (70) square feet.

(6) Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exception: Units that contain fewer than two (2) bedrooms.

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(7) Water closet accessibility. Every bedroom shall have access to at least one (1) water closet and one (1) lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

(8) Prohibited occupancy. Kitchens and non-habitable spaces shall not be used for sleeping purposes.

(9) Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of Section **1480.20** herein; the plumbing facilities and water-heating facilities requirements of Section **1480.21**; the heating facilities and electrical receptacle requirements of Section **1480.22**; and the fire safety requirements of Section **1480.23**.

(10) Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the Code Enforcement Officer, endanger the life, health, safety or welfare of the occupants.

(11) Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

A. A unit occupied by not more than two (2) occupants shall have a clear floor area of not less than 220 square feet. A unit occupied by three (3) occupants shall have a clear floor area of not less than 320 square feet. These required areas shall be exclusive of the areas required Sections **1480.20**(e)(11)(B) and (C)-herein.

B. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than thirty (30) inches in front. Light and ventilation conforming to this code shall be provided.

C. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

D. The maximum number of occupants shall be three.

(12) Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

1480.21 PLUMBING.

(a) Scope. The provisions of Section **1480.21** herein shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

(b) Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

(c) Required Facilities.

(1) Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

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(2) Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four (4) rooming units.

(3) Hotels. Where private water closets, lavatories and baths are not provided, one (1) water closet, one (1) lavatory and one (1) bathtub or shower having access from a public hallway shall be provided for each ten (10) occupants.

(4) Employees' facilities. A minimum of one (1) water closet, one (1) lavatory and one (1) drinking facility shall be available to employees.

(5) Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

(6) Public toilet facilities. Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the Ohio Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

(d) Toilet Rooms.

(1) Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

(2) Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one (1) flight of stairs and shall have access from a common hall or passageway.

(3) Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one (1) story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet. Employee facilities shall either be separate facilities or combined employee and public facilities. Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet from the employees' regular working area to the facilities.

(4) Floor surface. In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

(e) Plumbing Systems and Fixtures. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

(1) Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

(2) Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the Code Enforcement Officer shall require the defects to be corrected to eliminate the hazard.

(f) Water System. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and

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showers shall be supplied with hot or tempered and cold running water in accordance with the Ohio Plumbing Code.

(1) Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

(2) Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

(3) Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

(g) Sanitary Drainage System. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

(1) Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

(2) Grease interceptors. Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer's instructions, an approved interceptor monitoring system shall be provided or a maintenance program shall be established with documentation submitted to the Code Enforcement Officer.

(h) Storm Drainage. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

1480.22 MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT.

(a) Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

(b) Heating Facilities. Heating facilities shall be provided in structures as required by this Section.

(1) Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this Section.

A. Heat supply. Every owner and operator of any building who rents, leases or lets one (1) or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to May 31 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

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B. Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

(2) Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from September 1 to May 31 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied. Exceptions: Processing, storage and operation areas that require cooling or special temperature conditions; Areas in which persons are primarily engaged in vigorous physical activities.

(3) Room temperature measurement. The required room temperatures shall be measured three (3) feet above the floor near the center of the room and two (2) feet inward from the center of each exterior wall.

(c) Mechanical Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

(1) Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

(2) Clearances. All required clearances to combustible materials shall be maintained.

(3) Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

(4) Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

(5) Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

(d) Electrical Facilities. Every occupied building shall be provided with an electrical system in compliance with the requirements of Section **1480.22**—herein.

(1) Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the most current edition of NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than sixty (60) amperes.

(2) Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the Code Enforcement Officer shall require the defects to be corrected to eliminate the hazard.

(3) Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water. Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

- A. Enclosed switches, rated 600 volts or less;
- B. Busway, rated 600 volts or less;

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- C. Panelboards, rated 600 volts or less;
- D. Switchboards, rated 600 volts or less;
- E. Fire pump controllers, rated 600 volts or less;
- F. Manual and magnetic motor controllers;
- G. Motor control centers;
- H. Alternating current high-voltage circuit breakers;
- I. Low-voltage power circuit breakers;
- J. Protective relays, meters and current transformers;
- K. Low- and medium-voltage switchgear;
- L. Liquid-filled transformers;
- M. Cast-resin transformers;
- N. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
- O. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
- P. Luminaires that are listed as submersible;
- Q. Motors; and,
- R. Electronic control, signaling and communication equipment.

(4) Abatement of electrical hazards associated with fire exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein. Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

(e) Electrical Equipment.

(1) Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(2) Receptacles. Every habitable space in a dwelling shall contain at least two (2) separate and remote receptacle outlets. Every laundry area shall contain at least one (1) grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one (1) receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. Each dwelling unit shall be provided with a branch circuit panel board with branch circuit over current protection devices. A minimum of two (2) 20 ampere appliance branch circuits shall be provided to the kitchen area and any receptacles adjacent to the sink area shall be GFCI protected in accordance with National Electric Code 210-8 and 210-52 requirements. A separate branch circuit shall be provided to the bathroom area and the GFCI requirements shall be followed. The remaining habitable rooms shall be provided with at least one (1) wall switch controlled light fixture outlet or switched receptacle and two other separate wall type electric convenience outlets.

(3) Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

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(4) Additional Requirements for Multiple-Family Dwellings. In all multiple family dwellings, all sub panels and switching for full time lighting shall be located in areas not accessible to the public.

(f) NFPA 70. The most current edition of NFPA 70 is incorporated and made part of this code.

(g) Elevators, Escalators and Dumbwaiters. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the Code Enforcement Officer. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied. Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

(h) Duct Systems. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

1480.23 FIRE SAFETY.

(a) Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

(b) Means of Egress. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Ohio Fire Code. There will be a minimum of two unobstructed forms of egress (doors) from all residential structures. The minimum requirement cannot be met by having all means of egress on the same side of the structure.

(1) Aisles. The required width of aisles in accordance with the Ohio Fire Code shall be unobstructed.

(2) Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein.

(3) Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

(c) Fire-resistance Ratings.

(1) Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

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(2) Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

(d) Fire Protection Systems. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the Ohio Fire Code.

(1) Automatic sprinkler systems. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with the most current edition of NFPA 25

(2) Smoke alarms. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

A. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

B. In each room used for sleeping purposes.

C. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

D. Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the Ohio Fire Code.

(3) Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place or buildings that are not served from commercial power source.

(4) Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Exception: Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind. (Ord. 36-10. Passed 11-8-10.)

1480.24 BOARDING STANDARDS.

(a) General. All windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

(b) Materials.

(1) Boarding sheet material. Boarding sheet material shall be minimum 1/2- inch thick wood structural panels complying with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein.

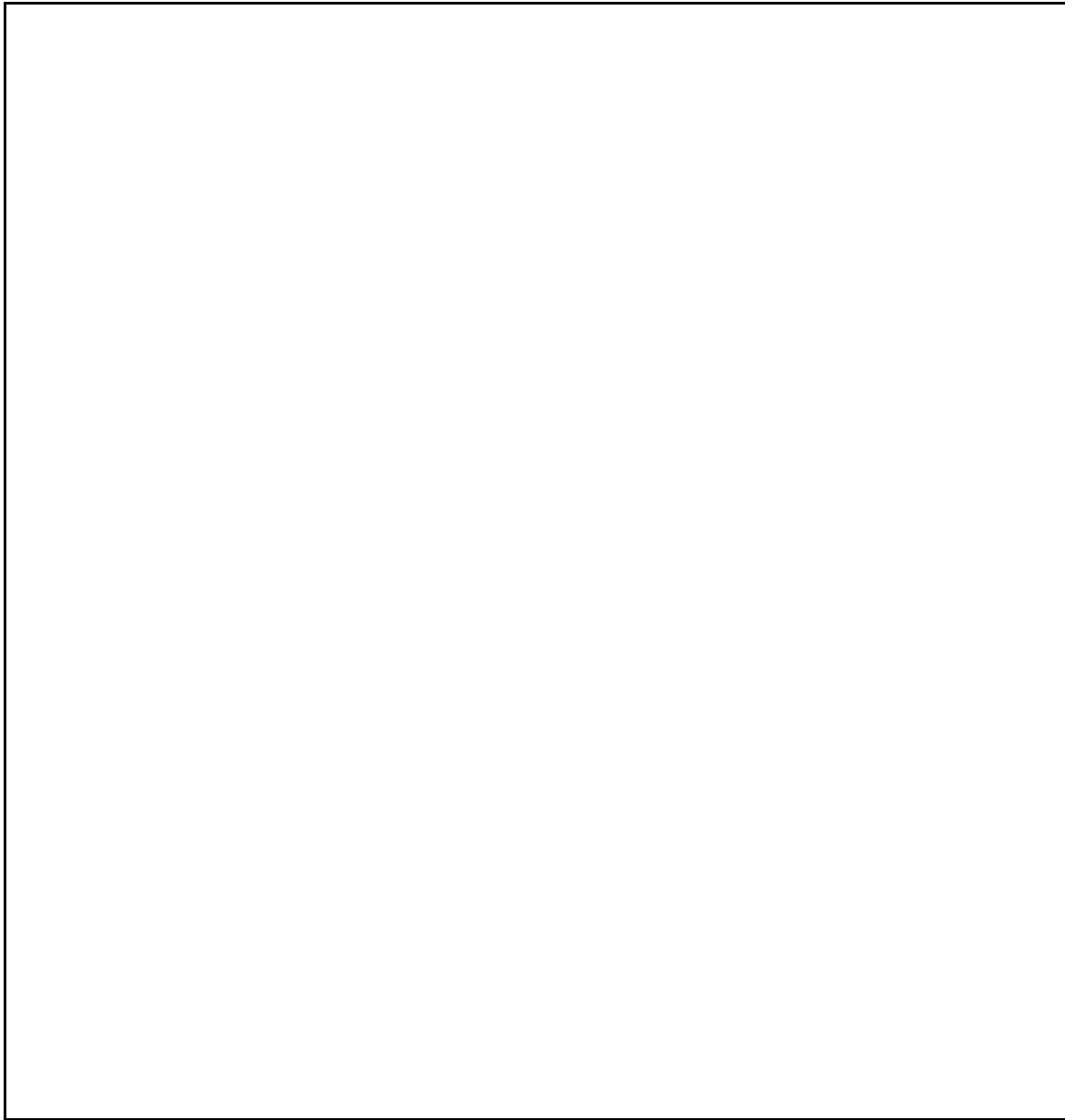
ORDINANCE 33-2017
(continued)

(2) Boarding framing material. Boarding framing material shall be minimum nominal 2-inch by 4-inch solid sawn lumber complying with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein.

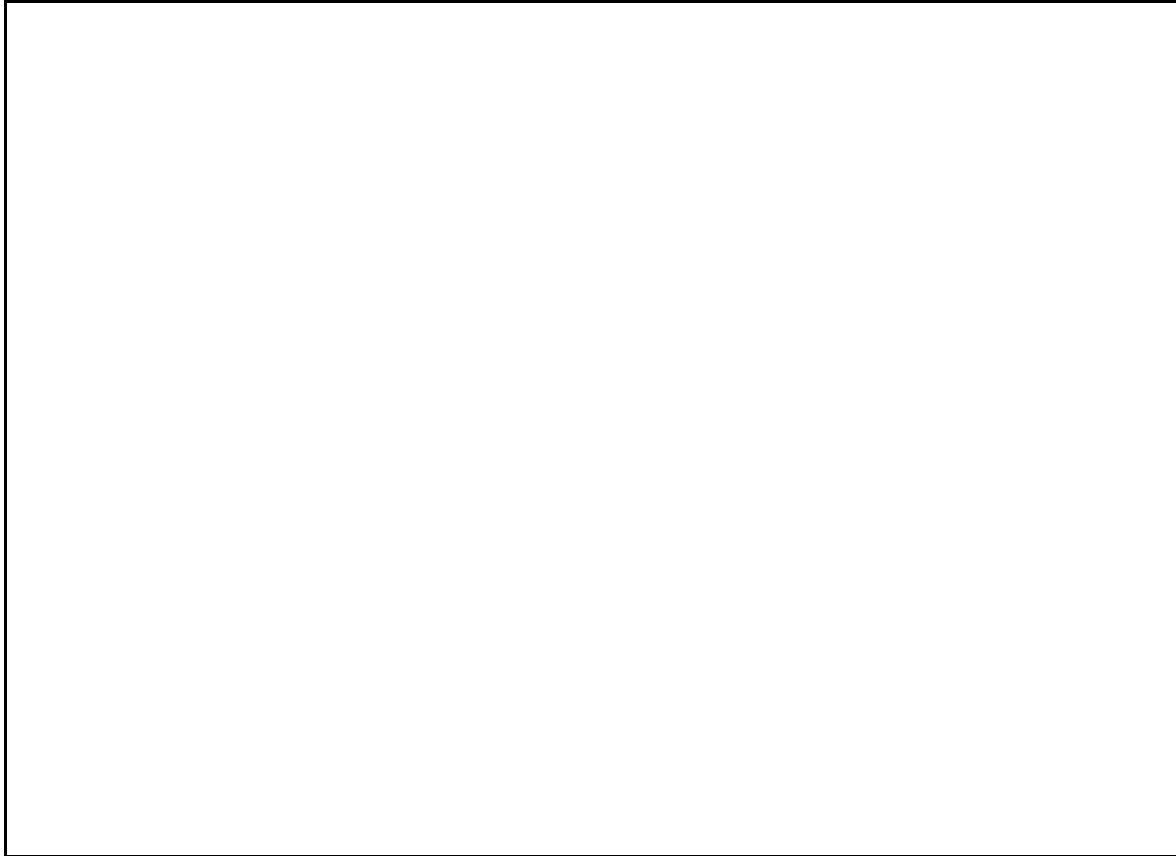
(3) Boarding fasteners. Boarding fasteners shall be minimum 3/8-inch diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the Residential Code of Ohio or Ohio Building Code, whichever applies as well as the codes and provisions adopted therein.

(c) Installation. Boarding installation shall be in accordance with Figures A and B below and Section **1480.24** herein.

Figure A. Boarding of Door or Window.



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(continued)



(d) Boarding Sheet Material. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

(e) Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch strong back framing material shall be cut minimum 2 inches wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

(f) Door Walls. The door opening shall be framed with minimum 2-inch by 4-inch framing material secured at the entire perimeter and vertical members at not more than 24 inches on center. Blocking shall also be secured at not more than 48 inches on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches on center.

(g) Doors. Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

1480.99 PROSECUTION OF VIOLATIONS AND PENALTIES.

(a) Prosecution of Violation. Any person who violates or fails to comply with a provision of this Ordinance shall be prosecuted within the limits provided by state and local laws. After

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(continued)

notice of the violation has been served, pursuant to Section 1361.05, each day a violation continues shall be deemed a separate offense.

(b) Violation Penalties. A first violation shall be classified as a minor misdemeanor. All subsequent violations of any kind shall be classified as a fourth degree misdemeanor. Whoever violates any provision of this Ordinance shall be fined as prescribed in Section 698.02 of the Codified Ordinances. Organizations found in violation of this Ordinance shall be fined as prescribed in section 698.04 of the Codified Ordinances.

(c) Abatement of Violation. The imposition of the penalties herein prescribed shall not preclude the Village Administrator from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

Section 4. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

Section 5. Council declares this to be an emergency measure necessary for the health, safety and welfare of the residents of Minerva Park, such emergency arising out of the immediate need for approval so that safety of new buildings is considered. Wherefore, this Ordinance shall take effect and shall be in force immediately upon passage by Council.

/S/ Lynn Eisentrout

Lynn Eisentrout, Mayor

First Reading: November 13, 2017
Second Reading: November 27, 2017
Third Reading: December 11, 2017
Passed: December 11, 2017

ATTEST

APPROVED AS TO FORM

/S/ Kimberly Pulley

Kimberly Pulley, Fiscal Officer

/S/ Eugene Hollins

Solicitor