ORDINANCE NO. 02-2014

AN ORDINANCE TO AMEND THE BUILDING REGULATIONS OF RIVERLEA

Introduced by Mr. McHugh.

WHEREAS, the Council for the Village has determined that updates are needed to Chapter 150 of the Code of Ordinances, and to clarify that the Village has an agreement with Franklin County to perform inspections, and that this will benefit the residents of the Village.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RIVERLEA, STATE OF OHIO:

That Riverlea Code Section 150 is hereby amended in its entirety by deleting all sections and adding the following:

CHAPTER 150. BUILDING REGULATIONS

150.001 CONFORMITY REQUIRED.

No building or structure shall hereafter be constructed, altered, remodeled, razed or removed except in conformity with the provisions of this chapter and all other applicable ordinances and any lawful rule of the Planning Commissioner made hereunder.

§ 150.002 OCCUPANCY REGULATED.

No building, structure or part thereof that has been erected or altered in violation of the provisions of this chapter after its effective date may be maintained, occupied or used.

§ 150.004 STORAGE OF BUILDING MATERIALS; CLEANING PUBLIC STREETS.

- (A) It shall be the duty of the owner of any lot and the duty of any building contractor doing construction work on any lot to store any and all building supplies, materials and equipment on the lot on which work is being done, at least 10 feet from the curb line.
- (B) It shall be the duty of the owner of each lot on which construction work is being performed and the duty of each contractor performing or supervising construction work on any lot in the village, at the end of each work day, to clean and remove all dirt and debris from the streets.

§ 150.005 REMOVAL OF REFUSE REQUIRED.

No property owner shall permit the commencement or continuation of any construction, alteration, remodeling, razing or removal activity regulated by this chapter until this person shall provide adequate trash and refuse dumpsters or containers for the daily deposit of all refuse material created as a result of such regulated activity.

§ 150.020 ADOPTION OF FRANKLIN COUNTY RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS.

With respect to all new construction, remodeling, and renovations in the village, the village requires all permits to be issued and inspections to be conducted pursuant to the village's contract with the Board of County Commissioners of Franklin County, in accordance with the-residential code adopted by Franklin County, with administrative amendments adopted by Franklin County, and with any and all additional amendments or updates thereto as may be adopted and applied in the discretion of the Board and the Franklin County Building Department in its provision of residential building inspections in the village.

Notwithstanding, the Village of Riverlea retains the right to issue and enforce its building and zoning regulations, and contract with another Building Department, if desired.

§ 150.021 FEES FOR PERMITS AND INSPECTIONS FURNISHED BY BOARD OF COUNTY COMMISSIONERS.

The fees to be charged in connection with all permits and all inspections furnished by the Board of County Commissioners of Franklin County, Ohio (the "Board") shall be in an amount determined by the Board and shall be the same as the amount charged to all inhabitants of the townships of Franklin County.

§ 150.051 ALTERATION, ENLARGEMENT OR REPAIR OF EXISTING BUILDINGS.

- (A) No existing building shall hereafter be altered or repaired when the value of such alterations or repairs is equal to or greater than ½ of the value of the building exclusive of the value of the foundation, unless upon completion of such alteration or repair the entire building will meet all the requirements for building hereafter erected.
- (B) Any existing building which may be damaged to an extent of 50% or more of its value, exclusive of the value of the foundation, may be repaired or rebuilt only when upon completion of such repairs or rebuilding the entire building will meet all the requirements for buildings hereafter erected. Any existing building which is damaged to an extent of 50% or more of its value, exclusive of the value of the foundations, and cannot be repaired in such a manner as to meet requirements §151.XXX, must be torn down.
- (C) Under the provisions of this section, the amount and extent of the damage and the value of the building damaged, altered or repaired or rebuilt, shall be determined by the Planning Commissioner, provided, however, that any property owner dissatisfied with the determination of the Planning Commissioner as to such value, may, within 30 days after such determination, file a written notice of appeal from the Planning Commissioner's decision with the Clerk-Treasurer and the Council shall promptly act upon such appeal and shall affirm or reverse the decision of the Planning Commissioner.

(Ord. 229, passed 6-12-1964)

§ 150.054 SEWER LINES AND DRAINAGE OF STORM WATERS.

- (A) No person, firm or corporation shall open or tap any sewer or construct any drain or sewer in any street, alley or public place in the Village or open or dig in any street, alley or public place in the Village for the purpose above mentioned or for the repair of any sewer or sewer connection without first obtaining from the Street Commissioner and Planning Commissioner or designee a special permit to do such work.
- (B) No dwelling shall be hereafter erected, constructed or renovated unless adequate provision is made for the drainage of all storm, rain, or snow waters from the dwelling directly to street gutters or storm sewers.
- (C) No lot owner at the time of construction of any building or thereafter shall change the grade level of his or her lot or any portion thereof so as to cause any appreciable change in the flow of surface water to the detriment of another lot owner. Every proposed appreciable change in grade level shall be submitted for approval to the Planning Commissioner by the lot owner and a permit therefor obtained before such grade level change shall be made.
- (D) Before a permit shall be issued the person applying therefor must furnish to the Street Commissioner and Planning Commissioner or designee the name of the owner of the property, number of the lot for the benefit of which any tap is to be made or which such drain, sewer or sewer connection serves, the street on which same is located, between what streets and the subdivision in which the lot is located, also the name of the owner of the benefitted property or lot.
- (E) The homeowner will hire a contractor to perform a video inspection of the lateral sewer line and its connection with the wye, and will submit a copy of the video report to the Street Commissioner and Planning Commissioner for review and approval before commencing any work.
- (F) No person shall do any of the work herein mentioned except in strict accordance with the provisions of this chapter.
- (G) No permit shall be issued except to a duly licensed sewer tapper or until such sewer tapper has filed with the Street Commissioner and Planning Commissioner or designee a bond in such sum as may be determined by the Street Commissioner and Planning Commissioner or designee and to the satisfaction of the Street Commissioner and Planning Commissioner or designee such bond shall be conditioned on the execution of all work in conformity with all ordinances and laws. The signers of such bond shall be made specifically liable to the Village for all expense of repairs, removal of surplus material, cleaning up and damage incurred by the Village by reason of any work done by the licensee.
- (H) Each building used as a place of residence hereafter connected with the sewer system of the Village shall be connected with the system by a house sewer separately and independently from all other buildings similarly used.
- (I) Any person obtaining a permit as provided in division (A) hereof shall retain the number thereof and must notify the Street Commissioner and Planning Commissioner or designee at least one day before making any tap or laying any pipe. In so reporting the number of the permit must be given. No tap or connection shall be made except in the presence of the Street Commissioner or designee or an authorized Village inspector.

- (J) No private sewer shall be constructed in public highways or property except upon plans approved by the Street Commissioner and Planning Commissioner or designee. Such sewers must be built upon line and grade furnished by the Engineer employed by the Village and under his supervision or that of the Street Commissioner and Planning Commissioner or designee. The expense of such lines and grades and inspection shall be paid by the owner or owners of such private sewer.
- (K) No connection shall be made with any sewer from any vault, cesspool, roof or surface drain. No connection shall be made from any cellar drain, meaning thereby pipe or tile laid for the purpose of intercepting sub-soil water about the foundations of any building except by special permission of the Engineer employed by the Village. No connections shall be made from any other sub-surface drainage system designed to receive and remove sub-soil waters.
- (L) All openings and obstructions in any street, sidewalk, or other dangerous place shall be carefully guarded and protected and lighted during the night with red lights. Excavations shall not be left open longer than absolutely necessary and all other precautions shall be taken to guard against accident and to inconvenience property owners and the public to the least possible extent.
- (M) The homeowner is responsible for all costs of excavation, construction, installation and repair for any lateral sewer lines and sanitary sewer line up to the wye connection in the main sewer line, and any associated costs related to street repairs up to the main sewer line, unless the Village Council determines otherwise. This applies to new home builds and also to repairs to existing lines. If the wye also needs to be replaced, the Village may pay for the wye but not any excavation or resurfacing costs.

(Ord. 7-2013, passed 2-18-2014)

§ 150.077 CERTIFICATE OF APPROPRIATENESS.

- (A) If after examination of the application, the Planning Commission shall determine that the proposed work is prima facie in compliance with the provisions of this chapter and all other applicable ordinances of the village, he or she shall cause a Certificate of Appropriateness to be issued. Applications not in accordance herewith shall be rejected and returned to the applicant.
- (B) If during the prosecution of work under a Certificate of Appropriateness, it shall be necessary to make any changes in the plans, or contract, the Certificate of Appropriateness holder shall notify the Planning Commission in writing of the proposed changes. If approved, the changes shall be added to the original Certificate of Appropriateness file, and if the cost of the work is thereby increased so much as to require a higher fee, such additional sum shall be collected in accordance with the schedule herein after set forth.
- (C) No Certificate of Appropriateness authorizing the removal or razing of a building or structure, or authorizing the construction of a new dwelling, shall be granted until notice of the application therefor shall have been given to the owners of lots adjoining the lot upon which the building or structure is located, and to which the building or structure is to be moved, and to the owners of wires or other impediments the removal of which will be necessary. No Certificate of Appropriateness shall be granted until a bond in the penal sum of not less than \$2,000 shall have

been filed with the Clerk-Treasurer, conditioned upon the full and faithful performance and compliance with all the provisions of these ordinances, and to indemnify the Village for any damages.

§ 150.082 CERTIFICATION OF OCCUPANCY AND COMPLIANCE.

No person shall occupy or permit the use of any building or structure or part thereof hereafter erected, altered or changed in use or construction, until a certificate of occupancy and compliance has been secured from the Franklin County Building Department stating that the building or premises comply with all the provisions of this code and the other ordinances of the village; provided that nothing in this section shall prevent the continuance of any occupancy or use existing at the time of adoption of this code.

§ 150.086 BUILDING PERMITS FOR STRUCTURES ON PROPERTY IN RESERVES A, B, AND C.

- (A) No construction is permitted in Reserves A, B, or C.
- (B) The village will not issue a Certificate of Appropriateness to anyone desiring to build a residence or any other structure over or within 10 feet of any storm lines, sanitary sewer lines or other utility lines running across and under each of Reserves A and C.

§ 150.999 PENALTY.

Any person who violates a provision of this chapter or fails to comply therewith, and any owner upon whose real property the violation occurs, shall severally, for each and every such violation and noncompliance, be fined pursuant to current rates set by the Franklin County Municipal Court. Each 24-hour period during which such violation or noncompliance continues shall constitute a separate violation. The imposition of a penalty for the violation of this chapter shall not excuse the violation or permit it to continue. The application of the above penalty shall not be held to prevent the enforced removal of any prohibited condition.

Section 2. THE STATUTES TO BE AMENDED. That pursuant to the requirements of Sections 731.19, Ohio Revised Code, the existing Riverlea Code Chapter 150, which is amended by Section 1 above, is hereby set forth:

§ 150.001 CONFORMITY REQUIRED.

No building or structure shall hereafter be constructed, altered, remodeled, razed or removed except in conformity with the provisions of this chapter and any lawful rule of the Building Inspector made hereunder.

(Ord. 229, passed 6-12-1964)

§ 150.002 OCCUPANCY REGULATED.

No building, structure or part thereof that has been erected or altered in violation of the provisions of this chapter after its effective date may be maintained, occupied or used.

§ 150.003 AUTHORITY FOR ASSIGNING STREET NUMBERS TO NEWLY-CONSTRUCTED BUILDINGS.

- (A) The Mayor is authorized and directed on behalf of the village, to assign one street number to any newly-constructed residential building within the village, and to execute any and all documents necessary or desirable to notify other governmental or public-service agencies of such action. In determining and assigning any such number, the Mayor shall seek to assign street number(s) that will not likely lead to confusion of persons seeking to locate such dwelling.
- (B) The Mayor is authorized and directed on behalf of the village, upon application of a resident or property owner, and approval of the Planning Commission, to assign a new street number to any existing residential building within the village, and to execute any and all documents necessary or desirable to notify other governmental or public-service agencies of such action. In determining and assigning any such number, the Mayor and Planning Commission shall seek to assign street number(s) that will not likely lead to confusion of persons seeking to locate such dwelling.
- (C) Notwithstanding the foregoing, the Mayor shall only assign a street address to the one principal dwelling or residential building located on any subdivision parcel, and the Mayor shall not assign more than one street number to any single building in the village, except that the Mayor may assign multiple street number(s) to a single building that contains multiple dwelling units and is located upon property within the village to which property an "apartment" or other multifamily use zoning classification has been assigned.

 (Ord. 750, passed 12-15-1997)

§ 150.004 STORAGE OF BUILDING MATERIALS; CLEANING PUBLIC STREETS.

- (A) It shall be the duty of the owner of any lot and the duty of any building contractor doing construction work on any lot to store any and all building supplies, materials and equipment on the lot on which work is being done, at least 10 feet from the curb line.
- (B) It shall be the duty of the owner of each lot on which construction work is being performed and the duty of each contractor performing or supervising construction work on any lot in the village, at the end of each work day, to clean and remove all dirt and debris from the streets.
- (C) Before any building permit is issued for the construction of any dwelling in the village, the owner or contractor shall deposit with the Clerk-Treasurer, the sum of \$100 to secure the faithful performance of divisions (A) and (B) of this section.
- (D) If any owner or contractor shall fail to comply with divisions (A) and (B) of this section, the Mayor shall be hereby empowered to employ such person or persons as are necessary to carry into effect the provisions of this chapter and such person or persons shall be paid from the sum deposited pursuant to division (C) of this section.
- (E) Should the owner or contractor comply with divisions (A) and (B) of this section, the Building Inspector shall so certify upon final inspection of the building and any funds remaining by reason of a deposit required by division (C) of this section shall be refunded to the person making

the deposit.

(Ord. 229, passed 6-12-1964) Penalty, see § 150.999

Cross-reference:

Storage of landscaping and other materials on streets prohibited, see § 94.10

§ 150.005 REMOVAL OF REFUSE REQUIRED.

No property owner shall permit the commencement or continuation of any construction, alteration, remodeling, razing or removal activity regulated by this chapter until this person shall provide adequate trash and refuse dumpsters or containers for the daily deposit of all refuse material created as a result of such regulated activity.

(Ord. 578, passed 12-16-1985) Penalty, see § 150.999

§ 150.006 UNSAFE BUILDINGS.

Upon receipt of information that a building or structure is unsafe, the Building Inspector shall cause an inspection to be made. If it is found that an unsafe condition exists, he or she shall notify the owner to make the building or structure safe or remove it. If the person to whom such notice is addressed cannot be found within the village, a copy shall be sent by registered mail to his or her last known address and a copy posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate notice. If the person served with such notice shall fail within a reasonable time to comply therewith, the Village Solicitor shall be advised and he or she shall institute appropriate action in the courts to compel compliance. (Ord. 229, passed 6-12-1964)

ADOPTION OF STANDARD CODES

§ 150.020 ADOPTION OF CABO ONE- AND TWO- FAMILY DWELLINGS.

With respect to all new construction in the village, the village hereby requires all permits to be issued and inspections to be conducted pursuant to the village's contract with the Board of County Commissioners of Franklin County, and hereby adopts the 1992 version of the CABO One and Two Family Residential Code, with administrative amendments adopted by Franklin County, and with any and all additional amendments or updates thereto as may be adopted and applied in the discretion of the Board and the Franklin County Building Department in its provision of residential building inspections in the village.

(Ord. 711, passed 10-17-1994; Am. Ord. 01-06, passed 5-15-2006)

§ 150.021 FEES FOR PERMITS AND INSPECTIONS FURNISHED BY BOARD OF COUNTY COMMISSIONERS.

The fees to be charged in connection with permits and building and electrical inspections furnished by the Board of County Commissioners of Franklin County, Ohio (the "Board") shall be in an amount determined by the Board and shall be the same as the amount charged to all inhabitants of the townships of Franklin County.

§ 150.022 DRIVEWAY APPROACH STANDARDS AND SPECIFICATIONS.

Council hereby adopts the *Standard Driveway (Residential) on Public R/W & Specifications*, as published by the City of Columbus, Ohio, Department of Public Service Engineering and Construction Division, Rev. 1/30/98, a copy of which is attached to Ordinance No. 794 and incorporated herein by reference, for mandatory use by persons who undertake or cause the construction, renovation or replacement of any driveway approach in the village; and authorizes and directs the Street Commissioner to utilize such standard and specifications in the review and approval of any application for such construction, and not to approve or permit any construction of a driveway approach in the public rights of way of the village that does not comply with such standard and specifications. The Street Commissioner shall deliver a copy of such standard and specifications to any person who seeks to undertake or cause the construction, renovation or replacement of any driveway approach in the village.

(Ord. 794, passed 3-19-2001)

§ 150.023 DRIVEWAYS AND CURB CUTS.

- (A) No person shall cut or demolish any street curb, or construct any driveway or driveway approach from a public street within the Village, except in accordance with the requirements of §§ 150.022, 151.023 and any other applicable section of the Riverlea Codified Ordinances, or without the prior written permit of the Village Street Commissioner or the prior written permit of the Mayor or his or her designee. As a condition of any such permit, the Street Commissioner, Mayor or designee may require the provision of a bond in accordance with § 150.085.
- (B) Each driveway shall be located and designed in a manner that provides for the safety of motorists and pedestrians.
 - (C) A driveway serving a residential property, parking area or lot shall be regulated as follows:
- (1) *Curb cuts*. The location of curb cuts or points of ingress/egress shall be restricted to promote traffic safety, and limited to 1 per single- or multi-family dwelling located on any lot or parcel of property that contains 100 feet or less of street frontage on the street to which the drive gives access, as measured at the set back line. A second curb cut may be permitted by the Planning Commission for properties containing more than 100 feet of street frontage on the street to which the drive gives access in connection with the issuance of a certificate of appropriateness for such lot or parcel. In the event the lot or parcel for which a second curb cut exists is subdivided or otherwise altered such that it no longer contains more than 100 feet of frontage, the owners thereof shall thereafter remove one drive and curb cut after application therefor to the Planning Commission and the issuance of a certificate of appropriateness for such removal. Any permitted second curb cut shall be subject to the following requirements:
- (a) A maximum of 30% of linear curb distance along the lot frontage may be removed for driveway curb cuts except as otherwise limited in this section.
- (b) The design function and appearance of driveways leading from an additional curb cut shall be compatible with and complimentary to the building it serves as well as the surrounding

neighborhood by the use of consistent paving materials.

- (c) The curb cuts shall be located to provide adequate distance from adjacent properties or intersecting streets to prevent vehicle and pedestrian conflicts. The placement of an additional curb cut shall not conflict with existing safety or utility or infrastructure improvements including but not limited to traffic control devices, curb inlets, manholes, yard drains, meter sets, and valves.
- (2) Setbacks. Driveways shall be set back at least 5 feet from a side lot line. Where a single common drive is provided for 2 adjoining lots no driveway setback is required along the common property line.
 - (3) Pavement width.
- (a) Curb line. All driveways shall have a minimum width of 10 feet and a maximum width of 20 feet, in addition to 2, 3-foot flares, 1 on each side, measured at the curb line.
- (b) Right-of-way line. All driveways shall have a minimum width of 10 feet and a maximum width of 20 feet as measured at the public street right-of-way.
- (4) Design of driveways and landscaping. No curb cut or driveway on land located within the village shall hereafter be constructed, altered, enlarged or modified except after issuance of a certificate of appropriateness therefor in accordance with § 151.070 of the Riverlea Codified Ordinances. In reviewing an application for any such construction, alteration, modification or enlargement the Planning Commission may consider, among other things the materials used and the landscaping to be provided in connection with the improvement. The primary pavement material on driveways and any driveway additions shall be identical. Approved primary pavement materials include asphalt, concrete, brick, concrete pavers, colored and imprinted concrete, or natural stone pavers or flagstones. The use of gravel as a driveway material is not permitted. Secondary materials such as brick or stone may be used for driveway borders or insets.
- (5) Front yard lot coverage. Lot coverage in the yard space between the public street right-of-way, side property lines, and building setback lines shall not exceed 30%.

(Ord. 07-2008, passed 11-17-2008)

GENERAL CONSTRUCTION REGULATIONS

§ 150.040 CONSTRUCTION AND QUALITY OF MATERIALS.

Construction of all buildings or structures shall conform to generally accepted good practice and in so far as possible shall conform to the requirements and recommendations of the National Board of Fire Underwriters. All materials used in the construction of buildings or structures in the village shall be of good quality and shall conform to specifications which the Building Inspector prescribes. The more generally accepted standard specifications for quality of materials are those of the American Society for Testing Materials.

(Ord. 229, passed 6-12-1964) Penalty, see § 150.999

§ 150.041 WORKMANSHIP.

Workmanship in the fabrication, preparation and installation of materials shall conform to generally accepted good practice. The Building Inspector may promulgate rules embodying the requirements of such generally accepted good practice, it being the intent of this requirement that the standards of the federal or state bureaus, national technical organizations or fire underwriters, as the same may be amended from time to time, shall serve as a guide in fixing the minimum rules of practice.

(Ord. 229, passed 6-12-1964)

§ 150.042 ELECTRICAL WORK; CONTRACTORS; GROUNDING.

- (A) All electrical wiring and fixtures installed in the village shall conform to generally accepted good practice. The requirements of the National Electric Code as promulgated by the National Bureau of Fire Underwriters shall be deemed to be generally accepted good practice.
- (B) Only electrical contractors licensed to operate in the city of Columbus, or equal, shall be permitted to install, repair or change electric wiring, appliances or fixtures.
- (C) All electrical grounding of the electric service and appliances shall be connected to outside of the dialectric union on the water service entering the building or structure or a copper rod driven at least 8 feet into the ground or to moisture in the ground.

(Ord. 229, passed 6-12-1964)

§ 150.043 PLUMBING; CONTRACTORS.

- (A) All plumbing installed in the village shall conform to the requirements of the Ohio State Plumbing Code as promulgated by the Public Health Council and State Department of Health and to generally accepted good practice the "Recommended Minimum Requirements for Plumbing" as prepared by the Sub-Committee on plumbing of the Building Code Committee of the U. S. Bureau of Standards and Amendments thereto, shall be deemed to be generally accepted good practice where the Ohio State Plumbing Code does not apply.
- (B) Dialectric or insulation unions shall be used between the joining of all dissimilar metal piping and all pipes (gas, water and oil) entering the building or structure except sewer lines.
- (C) Only plumbing contractors licensed to operate in the City of Columbus, or equal, shall be permitted to install, repair or change gas, water or sewer piping and appliances or fixtures.

(Ord. 229, passed 6-12-1964)

§ 150.044 HEATING; GAS PIPING.

(A) All heating devices shall be installed with adequate clearances to combustible materials and be connected to properly built chimneys or flues as designated in the Building Code of the National

Board of Fire Underwriters. This reference to heating shall include the installation of incinerators, ventilating, air conditioning, blower and exhaust systems and cooking devices.

- (B) Gas piping for lighting or heating purposes in buildings or structures shall be installed to conform to generally accepted good practice. The rule and recommendations of the American Standard Gas Safety Code, approved by the American Standards Association and of the "Requirements for House Piping and Appliance Installation" as adopted and amended from time to time by the American Gas Association, shall be deemed to be generally accepted good practice.
- (C) Incinerators and installation of same shall meet the requirements of the Ohio Fuel Gas Co., or the American Gas Association.

(Ord. 229, passed 6-12-1964) Penalty, see § 150.999

§ 150.045 SEWER INSTALLATION.

150.54 SEWER LINES AND DRAINAGE OF STORM WATERS

- (A) No person, firm or corporation shall open or tap any sewer or construct any drain or sewer in any street, alley or public place in the Village or open or dig in any street, alley or public place in the Village for the purpose above mentioned or for the repair of any sewer or sewer connection without first obtaining from the Street Commissioner and Planning Commissioner or designee a permit to do such work.
- (B) No dwelling shall be hereafter erected, constructed or renovated unless adequate provision is made for the drainage of all storm, rain, or snow waters from the dwelling directly to street gutters or storm sewers.
- (C) Before a permit shall be issued the person applying therefor must furnish to the Street Commissioner and Planning Commissioner or designee the name of the owner of the property, number of the lot for the benefit of which any tap is to be made or which such drain, sewer or sewer connection serves, the street on which same is located, between what streets and the subdivision in which the lot is located, also the name of the owner of the benefitted property or lot.
- (D) The homeowner will hire a contractor to perform a video inspection of the lateral sewer line and its connection with the wye, and will submit a copy of the video report to the Street Commissioner and Planning Commissioner for review and approval before commencing any work.
- (E) No person shall do any of the work herein mentioned except in strict accordance with the provisions of this chapter.
- (F) No permit shall be issued except to a duly licensed sewer tapper or until such sewer tapper has filed with the Street Commissioner and Planning Commissioner or designee a bond in such sum as may be determined by the Street Commissioner and Planning Commissioner or designee and to the satisfaction of the Street Commissioner and Planning Commissioner or designee such bond shall be conditioned on the execution of all work in conformity with all ordinances and laws. The signers of such bond shall be made specifically liable to the Village for all expense

of repairs, removal of surplus material, cleaning up and damage incurred by the Village by reason of any work done by the licensee.

- (G) Each building used as a place of residence hereafter connected with the sewer system of the Village shall be connected with the system by a house sewer separately and independently from all other buildings similarly used.
- (H) Any person obtaining a permit as provided in division (A) hereof shall retain the number thereof and must notify the Street Commissioner and Planning Commissioner or designee at least one day before making any tap or laying any pipe. In so reporting the number of the permit must be given. No tap or connection shall be made except in the presence of the Street Commissioner or designee or an authorized Village inspector.
- (I) No private sewer shall be constructed in public highways or property except upon plans approved by the Street Commissioner and Planning Commissioner or designee. Such sewers must be built upon line and grade furnished by the Engineer employed by the Village and under his supervision or that of the Street Commissioner and Planning Commissioner or designee. The expense of such lines and grades and inspection shall be paid by the owner or owners of such private sewer.
- (J) No connection shall be made with any sewer from any vault, cesspool, roof or surface drain. No connection shall be made from any cellar drain, meaning thereby pipe or tile laid for the purpose of intercepting sub-soil water about the foundations of any building except by special permission of the Village Engineer or designee. No connections shall be made from any other sub-surface drainage system designed to receive and remove sub-soil waters.
- (K) All openings and obstructions in any street, sidewalk, or other dangerous place shall be carefully guarded and protected and lighted during the night with red lights. Excavations shall not be left open longer than absolutely necessary and all other precautions shall be taken to guard against accident and to inconvenience property owners and the public to the least possible extent.
- (L) The homeowner is responsible for all costs of excavation, construction, installation and repair for any lateral sewer lines and sanitary sewer line up to the wye connection in the main sewer line, and any associated costs related to street repairs up to the main sewer line, unless the Village Council determines otherwise. This applies to new home builds and also to repairs to existing lines. If the wye also needs to be replaced, the Village may pay for the wye but not any excavation or resurfacing costs.

(Ord. ---, passed 2-18-2014) Penalty, see § 150.999

§ 150.046 CUTTING CURBS.

- (A) Any owner or contractor when making application for a building permit may also be granted permission to out curbs for driveways or other purposes on the following conditions:
 - (1) All debris remaining after curb has been cut shall be removed at once.
 - (2) Install curbs and aprons of concrete of not less than 6 inches in thickness and aprons shall

extend at least 6 feet from the asphalt portion of the street and not less than 8 feet in width.

- (3) All curbs replaced shall be finished with radial corners.
- (B) In addition to the requirements of division (A) of this section, all curbs shall be finished with asphalt overlay to meet the existing grade of the street.

(Ord. 229, passed 6-12-1964; Am. Ord. 578, passed 12-16-1985) Penalty, see § 151.999

§ 150.047 TESTS AND SPECIFIC RULES.

In addition to the requirements laid down in preceding sections of this chapter, the following tests and rules are considered applicable and good building practice:

(A) Bearing power of soils. The following shall be accepted as allowable bearing power of soils in tons per square foot:

Rock equivalent to the best ashier masonry	25
Rock equivalent to the best brick masonry	15
Rock inferior to the above	5
Clay in thick beds always dry	4
Clay in thick beds moderately dry	2
Clay soft	1

Gravel and course sand, well cemented and confined 8

- (B) *Excavations*. Excavations for foundation walls of all buildings or structures shall be not less than the table in the following paragraphs:
- (1) Excavations for masonry buildings or structure. Excavations for foundation walls of all masonry buildings shall be not less than 36 inches below the established grade of the lot upon which they are to rest.
- (2) Excavations for frame buildings or structures. Excavations for foundation walls of all frame buildings shall be not less than 36 inches below the established grade of the lot upon which they are to rest.
- (C) *Footing course*. The footing course of all buildings or structures shall be so designed as to carry the load as imposed thereon but in no case shall they be less than the following table:

Frame dwellings, 1 and 2 stories in height. Footer: 8" x 16" --- 1-2-4 mix of concrete.

- (D) Foundation walls for frame buildings or structures 1 and 2 stories in height.
- (1) Foundation walls for frame buildings when built of brick must be not less than 12 inches in thickness. Brick foundation walls must be laid in good lime cement mortar.
- (2) Stone foundation walls when laid in good cement lime mortar, shall be not less than 16 inches in thickness, and all stone must form a 3-4 foundation in the wall.
- (3) Concrete block building units walls shall be not less than 8 inches in thickness and shall be laid in good cement lime mortar. (Not more than 10% of lime by volume) (8 x 16 blk.). In unsupported block walls a pilaster shall be incorporated at least every 18 feet.
- (4) Poured concrete walls shall be not less than 8 inches in thickness and the mix shall be not less than 2500 pound concrete 1-2-4 mix.
- (5) Foundation walls for masonry buildings and or 2 stories in height. The minimum allowable thickness of bearing wall foundations, where the clear height does not exceed 8 feet in height.
- (a) Brick foundation walls when laid in good cement-lime mortar shall not be less than 12 inches in thickness (brick to be hard impervious).
- (b) Stone foundation walls when laid in good cement-lime mortar shall not be less than 18 inches in thickness. Concrete block building units when laid in good lime-cement mortar shall be not less than 12 inches in thickness.
 - (6) When cement floors are used in place of wood, foundation requirements shall be doubled.
 - (E) Tests for concrete building units.
- (1) All concrete building units used in the construction of any building, or part thereof. The ultimate compressive strength of 28 days must average not less than 1000 pounds per square inch of gross crosssectional area of the block used in the wall.
- (2) Tests to be placed at concrete building units used in any wall must be subject to compression and absorption tests. All tests must be made in a testing laboratory of recognized standing and shall be paid for by the manufacturer or the contractor.
- (F) *Place*. In no case can any hollow clay tile be used in any foundation of any building unless they have been tested for ground pressure, and of vitrified quality. Tile foundations must be properly drained at the footer of the foundation.
- (G) Bearing walls. No lumber shall be built into or made a part of a masonry bearing wall or parapet wall except for base blocks, wood brick not over 8 inches in length, or nailing strips not over ½ inch by 1 inch, provided, however, that wood lintels having a span not greater than 4 feet may be used over doors and windows on the inside of walls of buildings not exceeding 2½ stories.
 - (H) Wood construction.

- (1) No building over 2 ½ stories in height, the outside walls of which are constructed of wood, shall hereafter be erected in the village.
- (2) All lumber shall be of good quality, free from rot, large or loose knots, wind shakes or other imperfections whereby the strength or durability may be imperiled.
- (3) All joists resting on masonry or stud walls shall extend into and have a bearing of at least 4 inches on the wall; this is not to be construed as prohibiting the use of approved joist hangers. The butts or ends of all floor beams and rafters entering brick walls shall be cut on a splay of 3 inches in width.
- (4) Roof and floor timbers entering the same wall from opposite sides shall have at least 4 inches solid brick work between the ends of said timbers, except foundation walls in dwelling houses.
- (5) All headers 5 feet or more in length shall be secured to trimmers by means of mortise and tenon or metal hangers. Headers carrying three or more tail-joists and the corresponding trimmers shall be formed of not less than 2 joists.
- (6) Girders of not less than 2 joists shall be installed to carry partitions running parallel with same. Where partitions extend through 2 or more stories and carry floor or roof leads the partition shall be supported by properly designed girders.
- (7) All floor joists shall be cross-bridged by means of wood bridging fitted between the joists and securely nailed to the same. The bridging shall be in rows not over 8 feet apart.
- (8) Wooden beams or joists shall not be cut or bored when the cut is deeper or the center of the bore is below 1/5 of the beam depth below the top, nor at a point beyond 3 times the beam depth from the ends. If in excess of the foregoing and where bore holes exceed 2 inches in diameter, special provision for the framing of such beams shall be made.
- (9) Wherever many wooden or timber floor joists rest on or are carried by beams or girders, they shall have a bearing not less than 1-5/8 inches. In notching joists for bearings or any beam, girder, ribbon or leadger beard, the joists shall not be notched to a depth greater than 1/5 of its vertical dimension when in place.
- (10) All floor beams, joists and headers shall be kept at least 2 inches clear of any wall enclosing a fire flue or chimney breast.
- (11) All walls and partitions formed of studding except as herein after noted shall have sill and place at least 2 inches thick and the full width of the studdings.
- (12) All stud partitions over 9 feet in height shall be horizontally bridged once in the height of each story with materials of the same size as studs cut between and securely nailed to the studding.
- (13) Wherever stud walls or partitions are superimposed, the studding shall either be continuous through 2 stories or else the studding of the upper story shall extend down and rest upon

the plate of the partition below. All sills resting on foundations shall be laid in cement mortar.

- (14) Wherever the studding is continuous through 2 stories and supports the intermediate floor framing, grids not less than 1 inch by 4 inches shall be cut into and securely fastened to the studs to support the joists.
- (15) Studs shall be doubled at the sides of all openings 2 feet or more in width and trusses shall be formed over all openings 5 feet or more in width.
 - (16) The following table shall be used in the framing of all buildings hereafter erected.

MAXIMUM SPAN FOR JOIST

2" x 6"	16" on center	12' span
2" x 8"	16" on center	12' span
2" x 10"	16" on center	14' span
2" x 12"	16" on center	18' span

2" x 4" studs must be placed 16" on center in framing of any building. Excessive span of the above joist schedule not to exceed 6" every 3rd joist shall be doubled. Rafter all buildings.

(17) The following table shall apply to light weight roofing materials. Composition and wood shingles only.

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2" x 6" -- 24" on center 12' span, collar beam for every rafter.
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Collar beam- on every other rafter, and struts shall be placed on each joist and shall be nailed to every other rafter. (Struts to be not less than 4' in length and shall be secured at top by 1 x 8 sheathing board nailed horizontal on struts from and to end of building. Rafters for heavier roof covering. Slate, tile and heavy asbestos.

(18) Rafters shall be braced or trussed and be so designed as to carry the roof load in safety and without sagging. Roof sheathing shall be covered with insulating paper of good quality. Not less than 50 lbs. to the square.

(I) Plaster.

(1) All materials for plaster shall be clean and without objectionable impurities. No lime shall be used unless throughly slaked. All hard or gypsum plaster shall be mixed according to the directions as furnished by the manufacturer thereof. Plastering, including the lath, shall not be less than the following thickness: Hard plaster, 5/8 inch. Lime plaster, 3/4 inch.

^{2&}quot; x 6" -- 16" on center 14' span, collar beam for every rafter.

^{2&}quot; x 6" -- 16" on center 16' span.

- (2) Stud walls and grounds. All stud partitions and joists upon which lath and plaster or plaster board is to be applied, shall be spaced no more than 16 inches on centers. All stud partitions that join masonry walls shall be securely anchored to masonry walls and shall have metal lath or wire cloth in the angle that laps 4 inches on both walls. All openings shall have grounds set 3/4 inch for lime plaster and 5/8 inch for hard plaster.
- (J) *Plaster board*. Plaster board or dry wall, shall be of at least ½ inch in thickness by using 2 laminated 1/4 inch layers.

(K) Chimneys.

- (1) The walls of all chimneys to which this chapter applies, whether the fuel used be wood, coal, gas, or oil shall be built of brick, concrete or stone of such thickness and construction as is hereafter specified, but this shall not preclude the use of a metal smoke-stack when located inside of a vent shaft having walls not less than 8 inches thick, and having an air space between the walls and stack on all sides.
- (2) Chimneys shall be built at least 2 feet above the ridges of peak roofs, and shall be properly capped with stone, terra cotta, concrete, cast iron or other approved materials not less than 2 inches thick; but no such cap or capping shall decrease the required flue area.
- (3) Fire clay flue linings shall be manufactured from suitable refractory clay either natural or compounded, which has a softening point not lower than 1994 degrees Fahrenheit, and shall be adapted to withstand high temperatures and flue gases. They shall be of standard commercial thickness but not less than 3 4 inches. The flue section shall be set in mortar of quality hereafter specified and shall have the joints struck smooth on the inside. The smoke chamber between the flue lining and the opening of the fireplace shall be made smooth on the inside by clipping or corbeling brick and plastering same with cement or fire clay mortar. The masonry shall be built around each section of lining as it is placed, and all spaces between masonry and linings shall be completely filled with mortar. No broken flue linings shall be used. Flue linings shall start at least 4 inches below the bottom of smokepipe intakes of flues or from a point as near the throats of fireplaces as practical, and shall be continuous the entire height of the flue and project at least 4 inches above chimney top to allow for a 2 inch wash and a 2 inch projection of lining. To improve the draft, the wash surface should be concave wherever practical. Instead of the wash, a special chimney cap or coping may be used. Wherever flue linings are specified, fire brick may be substituted if desired.
- (4) Chimneys shall not rest upon or be carried by wooden floors, beams or brackets, nor be hung from wooden rafters. Iron brackets or stirrups attached to wooden construction shall not be used to support chimneys. In frame buildings chimneys shall always be built from the ground up or rest on basement walls.
- (a) Chimneys shall be built upon concrete or masonry foundations properly proportioned to carry the weight imposed without danger of settlement or cracking. The foundation for an exterior chimney shall start below the frost line.
 - (b) The walls of brick buildings may form part of a chimney, but the walls of the chimney

shall be securely bonded into the wall of the building, and the flue shall be lined the dame as an independent chimney. Flues in partitioned walls shall not extend beyond the center of walls, and their location shall be permanently indicated on the exposed side of the wall.

- (5) No wall less than 12 inches thick shall be used to support a corbeled chimney. Such corbeling shall not project more than 6 inches from the face of the wall and in all such cases the corbeling shall consist of at least 5 courses of brick.
- (6) Flues shall be built as nearly vertical as possible, but in no case shall they have an angle greater than 45 degrees from the vertical. Where flues change direction, the abutting at the angle joint shall be chipped to fit closely and at no point shall the cross section area be reduced. There shall be but one connection to a flue.
- (7) No more than 2 flues shall be permitted in the same flue space, and the joints of any 2 adjoining sets of flue linings shall be offset at least 7 inches. When there are more than 2 flues in a chimney at least each third flue shall be separated from the others by a smoke tight width or division wall of brick or concrete at least 3-3/4 inches thick and bonded into the sidewalls. Each flue intended for a heating furnace or boiler connection or for a fire place, shall be separated from other flues by such a width.

(L) Plumbing.

- (1) The installation of all plumbing work shall comply with all requirements of the applicable local code, or the state or local board of health regulations. Where no local or state regulations exist, the requirements contained in *Recommended Minimum Requirements for Plumbing*, published by the National Bureau of Standards shall apply.
- Note Where public sewer and water supply systems are not available the Federal Housing Administration's Property Standards requirements covering installation of private water supply and sewage disposal systems shall apply.
- (2) After final plumbing tests have been made, evidence showing approval by the local plumbing inspector will be required.
 - (3) All materials shall be new sound stock of quality and weight specified.
 - (4) All pipes located in exterior walls shall be throughly insulated against freezing.
- (5) When dry wells are provided for leader drainage, they shall be located at least 8 feet from the building wall.
- (6) Storage equipment for domestic hot water supply with capacity of not less than 30 gallons shall be installed for each family unit. For each additional bathroom over one for each family unit, the capacity shall be increased 10 gallons.
- Note automatic heaters of smaller storage capacity will be accepted when in the opinion of the Chief Building Inspector such heater will furnish an adequate supply of hot water to all fixtures.
 - (7) Auxiliary heaters shall rest on concrete floor or other suitable fireproof base.

- (8) Domestic hot water heaters shall be connected to flues constructed of approved material.
- (9) All piping, except drain lines and soil pipe, when located under concrete slabs on the ground shall be installed to permit access for inspection and repair. Drain and soil lines shall have cleanouts at each turn of the pipe.
- (10) The specifications shall contain descriptions of all plumbing fixtures. Manufacturer's name and catalog plate number will be considered adequate description.

(M) Heating and cooling.

- (1) The installation of the heating and or cooling system shall comply with all rules and regulations of the National Board of Fire Underwriters and with all applicable local laws and ordinances pertaining thereto. All work shall comply with such regulations and any work not conforming to those requirements shall be corrected.
- (2) All gas fired heating and or cooling and domestic hot water equipment shall conform to the standards established by the American Gas Association.
- (3) Heating and or cooling equipment shall be installed in accordance with manufacturer's instructions except when those instructions conflict with local regulations.
- (4) All equipment and materials shall be of standard stock, in sound condition and shall be installed by experienced workmen familiar with the installation of type of heating and or cooling system to be used.
- (5) The heating and or cooling system shall be of such capacity that under normal operation it will produce and maintain a temperature of not less than 70° F. within all habitable rooms when the outdoor temperature is 0° F.
 - (6) The furnace room shall be fireproofed with approved fire-proof material.

(N) *Electric wiring*.

- (1) The installation of all electrical work including equipment shall comply with all laws applying to electrical installations in effect in the local community, or with the regulations of the National Electric Code in the absence of such laws, and with the regulations of the electric utility company.
- (2) After completion of the work, evidence shall be furnished showing compliance with such laws and regulations by a licensed inspection service when required by inspector.
- (3) All material used shall be new and shall conform to the standards established by the Underwriter's Laboratory, Inc.

(Ord. 229, passed 6-12-1964; Am. Ord. 556, passed 4-16-1984)

§ 150.048 INSPECTION OF HEATING, COOLING, GAS PIPING, ELECTRIC WORK

OR PLUMBING.

No persons shall use or permit the use of a new system or the extension or replacement of an old system of heating and or cooling, gas piping, electrical wiring or plumbing in a building until the same has been approved by the Building Inspector. No gas piping, heating and or cooling equipment, electric work or plumbing shall be concealed from view until it has been inspected and permission to cover it has been given by the Building Inspector. If the Building Inspector finds that the gas piping, heating, and or cooling equipment, electric wiring and plumbing have been installed in accordance with the requirements of this chapter, he or she shall issue a certificate to that effect and deliver the same to the owner of the building.

(Ord. 229, passed 6-12-1964)

§ 150.049 REINSPECTION.

The Building Inspector shall make a reinspection of any electric wiring, heating and or cooling equipment, gas piping and or plumbing system whenever he or she deems it necessary in the interest of public health or safety.

(Ord. 229, passed 6-12-1964)

§ 150.050 CERTIFICATE REQUIRED BEFORE SUPPLYING GAS OR ELECTRICITY.

It shall be unlawful to supply gas or electricity to a system of piping or wiring in a building until a certificate from the Inspector for this wiring or piping has been issued.

(Ord. 229, passed 6-12-1964)

§ 150.051 ALTERATION, ENLARGEMENT OR REPAIR OF EXISTING BUILDINGS.

- (A) No existing building shall hereafter be altered or enlarged in such manner as to violate any of the provisions of this chapter.
- (B) No existing building shall hereafter be altered or repaired when the value of such alterations or repairs is equal to or greater than ½ of the value of the building exclusive of the value of the foundation, unless upon completion of such alteration or repair the entire building will meet all the requirements for building hereafter erected.
- (C) Any existing building which may be damaged to an extent of 50% or more of its value, exclusive of the value of the foundation, may be repaired or rebuilt only when upon completion of such repairs or rebuilding the entire building will meet all the requirements for buildings hereafter erected. Any existing building which is damaged to an extent of 50% or more of its value, exclusive of the value of the foundations, and cannot be repaired in such a manner as to meet requirements of this chapter, must be torn down.
- (D) Under the provisions of this section, the amount and extent of the damage and the value of the building damaged, altered or repaired or rebuilt, shall be determined by the Building Inspector, provided, however, that any property owner dissatisfied with the determination of the Building

Inspector as to such value, may, within 30 days after such determination, file a written notice of appeal from the Building Inspector's decision with the Village Council and the Council shall promptly act upon such appeal and shall affirm or reverse the decision of the Building Inspector.

(Ord. 229, passed 6-12-1964)

§ 150.052 PROVISION OF UTILITY SERVICES.

No property owner shall permit the commencement or continuation of any construction, alteration, remodeling, raising or removal activity regulated by this chapter until such person shall provide at the work site adequate utility services for the prompt commencement and completion of the work proposed to be done. Electric power shall not be provided in the form of portable generation facilities, but shall be provided only by taps into utility lines of local utility companies. Adequate supplies of water shall be provided to the work site and may be provided in the form of temporary taps into public utility services or may be transported to the work site by automotive means.

(Ord. 578, passed 12-16-1985)

§ 150.053 ERECTION OF CONSTRUCTION FENCES.

- (A) No building or structure shall hereafter be erected, constructed, razed or removed unless the property owner or contractor first constructs a fence, not less than 4 feet high along the length of all lot lines, other than any lot line fronting along a public street or highway; provided, however that such construction fence shall not extend along any lot line more than 15 feet in front of any dwelling house constructed or to be constructed on said lot. Said fence shall be constructed prior to the commencement of any erection, construction, razing or removal activity, and shall be removed immediately upon the substantial completion of such activity.
- (B) Upon application of the property owner, the Building Inspector may determine that the construction fence required by this section does not contribute to the furtherance of the purpose of this chapter, creates an unsafe or unsuitable hazard or does not provide suitable protection for the general public and workers employed thereon, and thereupon may waive the necessity of compliance with this section of this chapter.

(Ord. 582, passed 1-20-1986)

§ 150.054 DRAINAGE OF STORM WATERS.

No dwelling shall be hereafter erected or constructed unless adequate provision is made for the drainage of all storm, rain or snow waters from the dwelling directly to street gutters or storm sewers.

(Ord. 582, passed 1-20-1986)

§ 150.055 SWIMMING POOLS WITHIN THE VILLAGE LIMITS.

(A) *Definition*. The following definition shall apply in the interpretation and enforcement of this section.

SWIMMING POOL. A body of water of artificial construction used for swimming or recreational bathing, which is over 24" in depth at any point and has more than 150 square feet of area on the water surface when filled to capacity, together with sides and bottom of such pool and equipment and appurtenances thereto.

- (B) Construction, equipment and appurtenances.
- (1) Any material which will provide a tight tank with smooth easily cleanable surface may be used.
- (2) Facilities, equipment and appurtenances shall be provided so that the pool water shall be of a safe, sanitary quality.
 - (3) If recirculation equipment is used, the following items of sanitation shall be observed.
- (a) Runways and overflow gutters shall drain into a storm sewer or shall be disposed of in such a manner that is approved by the Health Commissioner.
- (b) Suitable pumping and piping equipment shall be provided for recirculation of the pool water, adequate hair catchers shall be provided.
- (c) Suitable filtration equipment shall be provided for the proper clarification of the pool water (county or state regulations).
- (d) Suitable disinfection or chlorination apparatus shall be provided to disinfect the filtered water continuously prior to its return to the pool.
- (e) Above appurtenances, divisions (c) and (d), shall be adequately housed or obscured from view.
- (C) *Electric wiring*. All electric wiring, appliances, switches and outlets shall be installed in such a manner that there will be no possibility of shock hazards to bathers.
- (D) Swimming pool fencing. All swimming pools within the village are required to be fenced. The owner, or agent of the owner, of such a permanent swimming pool is required to completely enclose such pool by a fence of sturdy construction of not less than 42 inches nor more than 72 inches in height, measured from the level of the ground where located. Such fence shall be of such design and construction as to effectively prevent a child from crawling or otherwise passing through or under such fence. Each gate in such fence shall be provided with a secure lock and shall be kept locked at all times when pool is not in use, or is not under the immediate observation of a responsible person. No part of such fence shall be located between the front building line and the street on which the lot or parcel containing the swimming pool abuts. Nor shall such fence be located closer than 5 feet to either adjoining lots to the sides and rear.
- (E) *Permit.* The owner or agent of the owner must secure a permit for the erection of such fence required and also for construction of a swimming pool either permanent or temporary from the Building Inspector. Application for such permit shall contain the plan of construction, location of

said pool and the following information: Owners name and address, contractor, ground area of lot site of pool, ground area of fenced area and of pool proper. Width of walk area around pool, distance in feet of north, south, east, and west sides of such areas, height of pool above lot grade in feet, and volume of water of pool, type of construction, type size and location of filter system, and where located. Information on the pool drain and where drained.

- (F) *Construction*. Construction can be either cement or steel. If concrete block is used, the construction must be reinforced with steel rods and cores filled with cement and shall also be constructed in accordance with § 150.040et seq.
- (G) Portable above ground pools. Portable above ground pools shall be assembled according to manufacturer's specification and when not in use shall be covered in such a manner to prevent a person from entering the pool. Location of such a pool shall comply with that of permanent pools covered by this chapter and in addition shall be located in such a manner that the gravity discharge from the pool will enter the storm sewer within the confines of owner's lot, directly from the owner's lot without traversing adjacent properties.

(Ord. 229, passed 6-12-1964)

Cross-reference:

Swimming pool fencing, see § 151.046

§ 150.056 SATELLITE GROUND STATIONS OR ANTENNAS.

- (A) Within the village, the following provisions shall apply to satellite ground stations or other antennas designed to transmit or receive radio or television signals to or from earth satellites:
- (1) Such ground stations or antennas shall be for the personal use of residents and their guests only.
 - (2) Such ground stations or antennas shall contain no graphic message or advertising.
- (3) Ground-mounted stations or antennas shall be considered accessory structures and shall comply with the following conditions and requirements:
- (a) Such stations or antennas not mounted on the roof of a primary or accessory structure shall be located to the rear of the principal building or structure and shall not exceed an above grade height of 12 feet.
- (b) Such stations or antennas shall not be located closer than 10 feet to a rear lot line, 8 feet from a side lot line, or 1 foot from any easement.
- (c) Such stations or antennas shall be mounted in a concrete base in line with grade and only metal supports of galvanized construction shall be utilized.
 - (d) Wiring between such station and any other structure shall be placed underground.
- (e) Such stations or antennas shall be designed to withstand a wind force of up to 70 miles per hour without the use of supporting guy wires.
- (4) Roof mounted stations or antennas shall be considered accessory structures and shall comply with the following conditions and requirements.
 - (a) Such stations or antennas shall be mounted directly on the roof of a primary or accessory

structure and shall not be mounted on appurtenances such as chimneys, towers or spires.

- (b) Such stations or antennas mounted on the roof of a primary or accessory structure shall not exceed a height of greater than 3 feet above the roof on which it is mounted. The height shall be measured vertically from the point at which such station or antenna is mounted on the roof.
- (c) The diameter of any dish antenna mounted upon the roof of a primary or accessory structure shall not exceed 3 feet.
- (d) Such stations or antennas shall be designed to withstand a wind force of up to 70 miles per hour without the use of supporting guy wires.
- (B) A building permit must be obtained before construction showing a site and grade installation. The permit shall carry a fee of \$10. Periodic inspections will be required according to existing building codes.

(Ord. 558, passed 6-20-1984)

§ 150.057 SUBSTANTIAL IMPROVEMENTS; BOND, COMPLIANCE WITH REGULATIONS REQUIRED.

- (A) No permit to construct a substantial improvement to an existing dwelling shall be granted until the owner of the lot for which the permit is sought shall provide to the village a cash deposit or a bond in the penal sum of not less than \$2,000, conditioned upon the full and faithful performance and compliance with all the provisions of this chapter, and to indemnify the village for any damage to the streets or curbs of the village occasioned by the construction activity.
- (B) As used in this chapter, *SUBSTANTIAL IMPROVEMENT* shall mean any improvement to the exterior of an existing building where the total cost of all improvements to the building, together with the cost of all other improvements to or on the building or lot constructed at substantially the same time, is reasonably determined by, or is estimated by an applicant to, the Village Planning Commission to equal or exceed \$20,000, or any improvement to an existing building or on a lot that requires a curb cut or some other construction activity within the street right-of-way to which such property abuts.

(Ord. 740, passed 2-18-1997)

PERMITS

§ 150.075 APPLICATION FOR PERMIT.

Before any building or structure or any piping or wiring therein or sewer construction is constructed, made, altered, removed or demolished an application shall be made in writing to the Building Inspector by the owner, or a duly authorized agent, and a permit secured. Such application shall be in such form as the Building Inspector may prescribe and shall be accompanied by such scale plans, specifications, plots, and drawings as may be required by him or her.

(Ord. 229, passed 6-12-1964)

§ 150.076 SINGLE-FAMILY DWELLINGS ONLY PERMITTED; SPECIFICATIONS.

Only single family dwellings shall be hereafter erected within the limits of the village and no single family dwelling house shall hereafter be erected unless it shall have a minimum net floor area for living quarters of 1700 square feet above ground, exclusive of garage, porches or breezeways. No single family dwelling house shall hereafter be erected which shall contain less than 4 rooms including a bathroom, and no sleeping room thereof shall contain less than 125 square feet. It is the purpose of this section to prevent the construction of dwellings containing cramped living conditions.

(Ord. 229, passed 6-12-1964; Am. Ord. 571, passed 4-18-1985) Penalty, see § 150.999

§ 150.077 ISSUANCE OF PERMIT.

If after examination of the application, the Building Inspector shall determine that the proposed work is prima facie in compliance with the provisions of this chapter and other ordinances of the village, he or she shall cause a permit to be issued. Applications not in accordance herewith shall be rejected and returned to the applicant.

(Ord. 229, passed 6-12-1964)

§ 150.078 AMENDMENT OF PERMIT.

If during the prosecution of work under a permit, it shall be necessary to make any changes in the plans, or contract, the permit holder shall notify the Building Inspector in writing of the proposed changes. If approved, the changes shall be added to the original permit file, and if the cost of the work is thereby increased so much as to require a higher permit fee, such additional sum shall be collected in accordance with the schedule herein after set forth. (Ord. 229, passed 6-12-1964)

§ 150.079 PERMIT FOR REMOVAL.

No permit to remove or raze a building or structure shall be granted until notice of the application therefor shall have been given to the owners of lots adjoining the lot upon which the building or structure is located, and to which the building or structure is to be moved, and to the owners of wires or other impediments the removal of which will be necessary; nor until a bond in the penal sum of not less than \$50 nor more than \$500, as fixed by the Mayor, shall have been filed with the Clerk-Treasurer to indemnity the village for damages.

(Ord. 229, passed 6-12-1964)

§ 150.080 CONDITIONS OF PERMIT.

All work done under a building permit shall conform to the approved application and plans and specifications and approved amendments thereto and to all provisions of this chapter and other ordinances of the village applicable thereto. A copy of the permit shall be kept on the premises, open to public inspection during the prosecution of the work. The Building Inspector shall be given at least 12 hours notice of the starting of work under a permit. A permit under which no work is

commenced within 6 months after its issuance shall be void.

(Ord. 229, passed 6-12-1964)

§ 150.081 REVOCATION OF PERMIT.

The Building Inspector may revoke a permit issued under the provisions of this chapter in case there has been any false statement or misrepresentation as to a material fact in the application or plans and specifications on which the permit was based, or any wilful disregard of the conditions of the permit.

(Ord. 229, passed 6-12-1964)

§ 150.082 CERTIFICATION OF OCCUPANCY AND COMPLIANCE.

No person shall occupy or permit the use of any building or structure or part thereof hereafter erected, altered or changed in use or construction, until a certificate of occupancy and compliance has been secured from the Building Inspector stating that the building or premises comply with all the provisions of this code and the other ordinances of the village; provided that nothing in this section shall prevent the continuance of any occupancy or use existing at the time of adoption of this code.

(Ord. 229, passed 6-12-1964) Penalty, see § 150.999

§ 150.083 FEES.

The following schedule of fees shall be used in computing the amount to be charged applicants for permits under this chapter:

- (A) An applicant for the issuance of a permit under this chapter for the construction of a new dwelling shall be charged a fee of \$500.
- (B) For the remodeling, alteration or reconstruction of dwellings and other buildings, or for the installation of gas piping, electric wiring or plumbing;

One room addition \$15.00

In excess of one room \$7.50 additional

Enclosed porch \$5.00

Non-attached building \$10.00

Electric wiring \$15.00 Plumbing \$15.00

(C) All fees shall be paid to the Clerk-Treasurer for the general revenue fund of the village.

(Ord. 229, passed 6-12-1964; Am. Ord. 578, passed 12-16-1985)

§ 150.084 VALIDITY OF BUILDING PERMITS.

A permit issued pursuant to this chapter shall expire within 12 months after the commencement of

the work contemplated by the permit and, in any event, shall expire no later than 18 months following its issuance. When a permit is issued for the construction of a new dwelling or other building, said dwelling or building shall be substantially completed and ready for a final inspection within 12 months from the commencement of work under the initial building permit issued for the dwelling or other building. The term "substantially completed" shall include, but not be limited to, the completion of all exterior work and landscaping.

(Ord. 578, passed 12-16-1985)

§ 150.085 BOND REQUIRED.

No permit to remove or raze a building or structure, or to construct a new dwelling, shall be granted until the owner of the lot for which the permit is sought shall provide to the village a cash deposit or a bond in the penal sum of not less than \$2,000, conditioned upon the full and faithful performance and compliance with all the provisions of this chapter, and to indemnify the village for any damage to the streets or curbs of the village occasioned by the construction or demolition activity.

(Ord. 578, passed 12-16-1985)

§ 150.086 BUILDING PERMITS FOR STRUCTURES ON PROPERTY IN RESERVES A, B, AND C.

- (A) The village will not issue a building permit to anyone desiring to build a residence or any other structure over said storm line running diagonally across and under Reserve B. (Ord. 549, passed 12-19-1983)
- (B) The village will not issue a building permit to anyone desiring to build a residence or any other structure over or within 10 feet of any of said storm lines, sanitary sewer lines or other utility lines running across and under each of Reserves A and C.

(Ord. 561, passed 11-19-1984)

ADMINISTRATION AND ENFORCEMENT

§ 150.100 CREATION OF RESIDENTIAL BUILDING DEPARTMENT; AUTHORITY.

- (A) The Residential Building Department is hereby established and created.
- (B) The Residential Building Department shall have full authority to enforce all laws, statutes and regulations applicable to the design and construction of buildings, structures and other improvements to land as provided in the Ohio Revised Code and the Ohio Administrative Code, pursuant to the certification of the Department approved by and the certification rule adopted by the Ohio Board of building standards. To the extent not inconsistent with the foregoing or otherwise prohibited by state law, the Residential Building Department shall have the authority to enforce all the provisions of this chapter.

- (C) The authority granted to the Residential Building Department by the foregoing division (B) is intended to be the broadest permitted to a local municipality by applicable Ohio law, and is intended to include all authority granted to a certified Building Department, including with respect to the construction, alteration, removal, demolition, location and maintenance of buildings and structures within the village.
- (D) The Mayor of the village shall be responsible for the administration of this chapter. The Mayor is authorized to appoint and to delegate the duties required under this chapter to a suitable qualified person, and to contract for the administration of the services and duties under this chapter to a qualified certified building department with, in such latter case, the approval of Council.
- (E) Whenever the term *BUILDING INSPECTOR* is used in this chapter, such term shall mean the person whom the Mayor has appointed or to whom the Mayor has delegated the duties required under this chapter, if any, as well the person or persons appointed or employed by the certified building department who is responsible for performing services pursuant to a contract for the administration of such services and duties within the village; or, in the event there is no such person other than the Mayor, then to the Mayor of the village.

(Ord. 02-2007, passed 5-21-2007)

§ 150.101 PERSONAL NON-LIABILITY.

No officer charged with the enforcement of this chapter acting in the discharge of his or her duties shall be liable personally and he or she is hereby relieved from all personal liability for any damage that may occur to persons or property as the result of any act permitted in the discharge of his or her duties. Any suit brought against any officer or employee because of any act performed by him or her in the enforcement of any provision of this chapter shall be defended by the Village Solicitor.

(Ord. 229, passed 6-12-1964; Am. Ord. 02-2007, passed 5-21-2007)

§ 150.999 PENALTY.

Any person who violates a provision of this chapter or fails to comply therewith, and any owner upon whose real property the violation occurs, shall severally, for each and every such violation and noncompliance, be fined pursuant to current rates set by the Franklin County Municipal Court. Each 24-hour period during which such violation or noncompliance shall continue shall constitute a separate offense. The imposition of a penalty for the violation of this chapter shall not excuse the violation or permit it to continue. The application of the above penalty shall not be held to prevent the enforced removal of any prohibited condition.

(Ord. 229, passed 6-12-1964; Am. Ord. 578, passed 12-16-1985)

Section 3. EFFECTIVE DATE. That this Ordinance shall take effect from and after the earliest date permitted by law.

Section 4. OPEN MEETINGS. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken

in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with law.

Section 5. PUBLICATION. That pursuant to Ohio Revised Code Section 731.25, the Council of the Village of Riverlea hereby determines that publication of this Ordinance in a newspaper is unnecessary and does hereby determine that this Ordinance shall be published by posting copies hereof in the five following places which are determined to be the five most public places in the Village of Riverlea, Ohio:

- 1. The Circle on West Riverglen Drive.
- 2. The Ravine Park on West Riverglen Drive.
- 3. The Northwest corner of Beverly Place and Dover Court.
- 4. Lot 75 on West Riverglen Drive.

(15) days.

5. Lot 7 on West Southington Avenue.

Copies of this Ordinance shall be posted continuously in the above-mentioned places for a period of fifteen (15) days and at the expiration thereof this Ordinance shall become effective.

Passed this _____ day of ______, 2014.

President of Council

ATTEST:

Joshua Mehling, Clerk-Treasurer

Kirk McHugh, Mayor

I hereby certify that on the ____ day of ______, 2014, I posted a copy of the above Ordinance in each of the five places heretofore designated by Council as the most public

places in the Village of Riverlea and that the same remained there posted continuously for fifteen

Joshua Mehling, Clerk-Treasurer