

ORDINANCE NO. 2025-6

AN ORDINANCE AMENDING PART THIRTEEN, BUILDING CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HUNTING VALLEY, REPEALING CERTAIN ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, Part Thirteen of the Codified Ordinances regulates the Building Code for the Village of Hunting Valley; and

WHEREAS, the Village of Hunting Valley desires to amend Part Thirteen, Building Code, in order to modernize and update same and to effectuate best practices and comport with the Residential Code of Ohio.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HUNTING VALLEY, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Part Thirteen, Building Code, of the Codified Ordinance of Hunting Valley, Ohio, is amended to read and provide, in its entirety, as provided in "Exhibit A", which is appended to, and incorporated by reference into, this ordinance.

SECTION 2. That existing Part Thirteen, Building Code, of the Codified Ordinances of Hunting Valley, Ohio, is repealed.

SECTION 3. That it is hereby found and determined that each and every formal action of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were conducted in meetings open to the public and in compliance with all legal requirements.

SECTION 4. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Hunting Valley, for the reason that it is necessary to clarify the Building Code to owners of real property within the Village so as to neither hinder or delay any construction, reconstruction, alteration, or expansion of any building or structure and, therefore, this ordinance shall take effect immediately upon its enactment.

Passed the 13 day of May, 2025.



Mayor Bruce V. Mavec

ATTEST:



Pete Drago, Clerk of Council

APPROVED AS TO FORM:



Michael E. Cicero, Director of Law

PART THIRTEEN - BUILDING CODE

TITLE ONE - Building Administration

- Chap. 1301. Enforcement; the Village Code; Penalty.
- Chap. 1303. Permits; Plans and Specifications.
- Chap. 1305. Certificates of Inspection and Compliance.
- Chap. 1307. Registration of Prime Contractors.
- Chap. 1309. Architectural Design Control Procedures.

TITLE THREE - Building Regulations

- Chap. 1321. Access Driveways.
- Chap. 1323. Agricultural Buildings.
- Chap. 1325. Alterations of Topography.
- Chap. 1327. Antennas.
- Chap. 1329. Chimneys and Fireplaces.
- Chap. 1330. Construction of Structures on Steep Slopes.
- Chap. 1331. Cutting of Trees.
- Chap. 1333. Dangerous Buildings.
- Chap. 1335. Egress and Access Elevators, Platform Lifts, Stairway Lifts, and Dumbwaiters.
- ~~Chap. 1337. Energy Conservation.~~
- Chap. 1339. Excavations and Foundations.
- Chap. 1341. Exterior Requirements.
- Chap. 1343. Fire Protection.
- Chap. 1345. Flood Hazards.
- Chap. 1347. Fuel Storage.
- Chap. 1351. Garages, ~~Pole Buildings and Decks.~~
- Chap. 1353. Grading and Drainage.
- Chap. 1355. Climatic and Geographic Design Criteria and Live Loads.
- Chap. 1357. Materials.

Chap. 1359. Moving of Buildings.

~~Chap. 1361. Natural Light and Ventilation.~~

Chap. 1362. Oil and Gas Wells.

~~Chap. 1363. Room and House Size.~~

Chap. 1365. Sanitary Facilities.

Chap. 1367. Storage and Screening of Vehicles and Equipment.

~~Chap. 1369. Temporary Buildings.~~

Chap. 1371. Topsoil Removal.

TITLE FIVE - Plumbing, Mechanical, and Electrical Systems

Chap. 1381. Plumbing and Sewers.

Chap. 1383. Sewage Disposal.

Chap. 1385. Heating, Ventilation, and Air Conditioning.

Chap. 1387. ~~National~~ Electrical Code.

~~Chap. 1389. Artificial Light and Mechanical Ventilation.~~

Chap. 1391. Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings.

~~APPENDIX A - Referenced Standards~~

CODIFIED ORDINANCES OF HUNTING VALLEY

PART THIRTEEN - BUILDING CODE

TITLE ONE - Building Administration

Chap. 1301. Enforcement; [the Village Code](#); Penalty.

Chap. 1303. Permits; Plans and Specifications.

Chap. 1305. Certificates of Inspection and Compliance.

Chap. 1307. Registration of Prime Contractors.

Chap. 1309. Architectural Design Control Procedures.

CHAPTER 1301

Enforcement; ~~the Village Code;~~ Penalty

1301.01 Establishment of offices of Building ~~Inspector~~Commissioner and Assistant Building ~~Inspector~~Commissioner; appointments; remuneration.

1301.02 Duties of Building ~~Inspector~~Commissioner.

1301.025 ~~Part-time~~ Building Department Clerk.

1301.03 Right of entry.

1301.04 ~~Application of Requirements.~~ Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings.

1301.041 Definitions.

1301.042 Intent.

1301.043 Adoption of The Village Code and Residential Code of Ohio.

1301.044 Interpretation.

1301.045 Enforcement Personnel.

1301.05 ~~Definitions.~~ Application of Requirements.

1301.06 Appeals from decisions of Building ~~Inspector~~Commissioner; Planning and Zoning Commission as Board of Building Code Appeals.

1301.99 Penalty.

CROSS REFERENCES

~~—Power to regulate building erection—see Ohio R.C. 715.26,~~

~~—715.29, 737.28, 737.37~~

~~—Power to license house movers, electricians, plumbers, sewer tappers and vault cleaners—see Ohio R.C. 715.27~~

~~—Adoption of technical codes—see Ohio R.C. 731.231~~

~~—Ohio State building standards—see Ohio R.C. Ch. 3781~~

~~—Ohio Basic Building Code—see Ohio R.C. 3781.10~~

~~—Required submission of plans of public buildings—see Ohio R.C. 3791.04~~

~~—Fees for plan approval—see Ohio R.C. 3791.07~~

~~—Submission of applications and materials to Building Inspector
—prior to Planning and Zoning Commission meetings—
—see P. & Z. 1111.01~~

~~—Equitable remedies for dangerous buildings—see
—BLDG. 1333.16~~

1301.01 ESTABLISHMENT OF OFFICES OF BUILDING ~~INSPECTOR~~COMMISSIONER AND ASSISTANT BUILDING ~~INSPECTOR~~COMMISSIONER; APPOINTMENTS; REMUNERATION.

The office of Building ~~Inspector~~Commissioner is hereby established in and for the Village. The Building ~~Inspector~~Commissioner shall be appointed by the Mayor, subject to approval by the Council. The Mayor may appoint an Assistant to the Building ~~Inspector~~Commissioner whenever ~~he or she~~the Building Commissioner deems such appointment necessary, and the remuneration to be paid such Assistant shall be determined by Council.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1301.02 DUTIES OF BUILDING ~~INSPECTOR~~COMMISSIONER.

(a) The Building ~~Inspector~~Commissioner shall give ~~of his or her~~ time to the performance of the duties of the office as may be required, and ~~he or she~~ shall receive such compensation as shall be determined by Council.

(b) ~~He or she~~The Building Commissioner shall be responsible for the enforcement of ~~this Building the Village~~ Code, and of all other laws and ordinances applying to the construction of, addition to, repair of, moving of, and demolition of, buildings, their equipment, and all other structures and appurtenances incident thereto.

(c) ~~He or she~~The Building Commissioner shall keep a permanent record on file which shall show the location and character of every structure for which a permit is issued, and copies of all reports of inspections, chronologically arranged for each such structure.

(d) ~~He or she~~The Building Commissioner shall report to the Mayor and Council all permits issued.

(e) ~~He or she~~The Building Commissioner shall promptly examine or cause to be examined every alleged condition or perpetration in violation of ~~this Building the Village~~ Code and, if such violation exists, ~~he or she~~ shall immediately give written notice of such violation, directing the owner, lessee, tenant or person responsible for such violation to make such changes, alterations or repairs as shall satisfy the requirements of ~~this Building the Village~~ Code. If necessary to secure compliance, he or she shall further cause the prosecution of the person responsible for such violation.

(f) ~~He or she~~The Building Commissioner shall consult regularly with the architectural and code consultants.

(g) ~~He or she~~The Building Commissioner shall advise the Planning and Zoning Commission and the Board of Zoning Appeals.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1301.025 ~~PART-TIME~~-BUILDING DEPARTMENT CLERK.

(a) The ~~part-time~~ position of Building Department Clerk is hereby established in and for the Village. The Clerk shall perform such duties as shall be required by the ordinances of the Village and as may be assigned from time to time by the Building ~~Inspector~~Commissioner or ~~his or her~~the Building Commissioner's delegate, the Service Director, the Mayor, and Council.

(b) The Building Department Clerk shall be appointed by the Mayor, subject to confirmation by Council, and shall receive for services rendered such compensation as Council shall from time to time establish.

~~{Ord. 1997-126. Passed 9-9-97.}~~

1301.03 RIGHT OF ENTRY.

The Building Commissioner, or the Building Commissioner's designee, is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the Village Code, provided that credentials are presented to the occupant and that entry is requested and obtained. Building Inspector and his or her deputies, assistants and employees, and any persons assigned by other departments to cooperate with him or her shall have the right, so far as it may be necessary for the performance of their duties, to enter any property or premises, subject to the necessity of obtaining a proper warrant in those instances where entry is refused, in accordance with the "due process" requirements of the Fourteenth Amendment to the United States Constitution. Any person interfering or endeavoring to interfere with them in the proper performance of their duties shall be subject to the penalties provided in Section 1301.99.

If such permission to enter is refused or is otherwise unobtainable, a search warrant from a court of competent jurisdiction must be obtained before such entry or inspection is made, except in the case of an existing emergency in which case entry may be made at any time and no search warrant is necessary. No person shall refuse to permit such emergency entry or inspection, nor shall any person hinder, obstruct, resist, or abuse any person making or attempting to make such entry or inspection.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1301.04 VILLAGE OF HUNTING VALLEY RESIDENTIAL CODE FOR ONE-, TWO-, AND THREE-FAMILY DWELLINGS

The Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings includes Ordinances 1301.04 through 1391.

1301.041 DEFINITIONS

(a) "State Code" shall mean the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (Referred to as the "Residential Code of Ohio" or "RCO"), adopted by rule at Ohio Administrative Code 4101:8 by the Ohio Board of Building Standards, or current equivalent if the title or rules are renamed or renumbered.

(b) "Village Code" shall mean the "Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings," a chapter of the Codified Ordinances of the Village of Hunting Valley (the "Village") which is enacted to govern construction of residential buildings within the Village. The Village Building Department will not be certified to enforce the State Code, and the State Code will, by operation of Ohio R.C. 3781.10(A)(2), not be applicable within the Municipal corporation limits of the Village.

(c) The definitions found in Part Eleven of these Codified Ordinances – the Planning and Zoning Code – shall be applicable to all words, terms and phrases used in the Village Code, unless otherwise provided in this Village Code, the Residential Code of Ohio, or the Ohio Building Code.

(d) "Days" shall mean business days when the number of days indicated is 20 or fewer. "Days" shall mean calendar days when the number of days indicated is 21 or greater.

(e) "Mechanical Room" shall mean a room or space greater than 25 square-feet in which fuel-fired mechanical equipment or appliances are located, or "Mechanical Room" shall mean a room or space of any size in which fuel-fired mechanical equipment or appliances are located and the equipment or appliances cannot be accessed and maintained without passing through the opened door or access panel to the room or space.

(f) "Mechanical Closet" shall mean a room 25 square-feet or less in which fuel-fired mechanical equipment or appliances are located and the equipment or appliances can be accessed and maintained without walking around the equipment and without passing through the opened door or access panel to the room or space.

(g) "Electrical Room" shall mean a room or space in which any of the following items are located: primary electrical panels or equipment, transformers larger than 15KVA, manual or automatic transfer switches for generators or similar equipment, unenclosed electrical equipment greater than 50 volts, enclosed electrical equipment greater than 500 volts, or electrical panels or equipment greater than 400 amps. "Electrical Room" shall also mean a room or space in which three or more electrical panels of any size are located.

1301.042 INTENT

It is the intent of the Village Council, as the legal authority which best knows the conditions of and affecting residential buildings within the Village, to fully exercise all of its constitutionally granted powers of local self-government and such police powers as do not conflict with general laws of the State of Ohio, for the protection of health, safety, and welfare of the residents of the Village. Accordingly, the Village is adopting the Village Code, which shall be substantially identical to the State Code, but which will be enforced under the Village's police powers granted by Article XVIII, Section 3 of the Ohio Constitution. Other provisions of the Village Codified Ordinances shall continue in full force and effect, so long as they do not conflict with any general law of the State of Ohio.

1301.043 ADOPTION OF THE VILLAGE CODE AND RESIDENTIAL CODE OF OHIO

Pursuant to Ohio Revised Code Section 731.231, there is hereby adopted by the Council of the Village of Hunting Valley, Ohio, and incorporated by reference for the purpose of regulating the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of one-, two-, and three-family dwellings in the Village, the substance of that certain code known as the Residential Code of Ohio for One-, Two-, and Three- Family Dwellings, adopted by rule at Ohio Administrative Code 4101:8, as is currently adopted by the Ohio Board of Building Standards, which shall serve as the model code being particularly adopted and incorporated as if fully set forth herein; for purposes of plan review and enforcement it shall be considered as and referred to as the "Residential Code of the Village of Hunting Valley for One-, Two-, and Three-family Dwellings" (or "Village Code"). The Village Administrator shall maintain a current copy of the State Code (as adopted under law), for purposes of reference in determining the current law of the Village, but no municipal official shall enforce the State Code except for those portions of the code adopted herein.

1301.044 INTERPRETATION

The Village Code is intended to incorporate, substantially, the substantive provisions of the current State Code. In the event other chapters of the Village Code or Fire Codes have requirements which are not required by the State of Ohio, such requirements are mandatory unless they conflict with a general law of the State of Ohio. In the event of a conflict, the general law of the State of Ohio shall prevail.

1301.045 ENFORCEMENT PERSONNEL

No person shall be authorized to interpret or enforce the Village Code unless that person has sufficient training and experience to become certified by the State of Ohio to interpret or enforce the State Code. Persons who have been certified to enforce the State Code may

enforce the Village Code, but such personnel are not required to be certified by the State. All personnel employed to interpret and enforce the Village Code shall obtain such additional and continuing training as the Mayor deems reasonable and necessary, and which is funded by an appropriation by the Village Council.

1301.05 APPLICATION OF REQUIREMENTS.

The requirements of ~~this Building~~ the Village Code, which may be referenced as the Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings or the Village Code, apply only to buildings used as ~~dwellings~~ dwellings which are, not more than ~~three~~ two and one-half stories in height, ~~garages, and to~~ barns, stables, ~~garages,~~ outbuildings ~~detached accessory building over one hundred twenty square-feet,~~ fences, gate posts, retaining walls over four feet and high, and all other structures and appurtenances incident thereto. All other buildings and structures shall be built in accordance with the instructions of the Building ~~Inspector~~ Commissioner.

The Village Code incorporates all requirements of the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (also referred to as the "Residential Code of Ohio" and the "RCO") as currently adopted by the Ohio Board of Building Standards except as otherwise noted in the Village Code.

The Village Code incorporates applicable Chapters and Sections of the Ohio Building Code as currently adopted by the Ohio Board of Building Standards for construction in which the design and construction of a dwelling, or portions of the design and construction of a dwelling, are not within the scope and limitations of the Residential Code of Ohio or the Village Code.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1301.05 DEFINITIONS.~~

~~The definitions found in Part Eleven of these Codified Ordinances -- the Planning and Zoning Code -- shall be applicable to all words, terms and phrases used in this Building Code, unless otherwise provided in this Building Code.~~

1301.06 APPEALS FROM DECISIONS OF BUILDING ~~INSPECTOR~~ COMMISSIONER; PLANNING AND ZONING COMMISSION AS BOARD OF BUILDING CODE APPEALS.

(a) Within ten (10) days of receiving an unfavorable decision from the Building ~~Inspector~~ Commissioner, any interested person may file with the Building ~~Inspector~~ Commissioner a notice of appeal specifying the grounds thereof. All appeals shall be in writing and on forms provided and shall be accompanied by such fee as may be set by

Village Council. The Building Commissioner shall transmit to the Planning and Zoning Commission all the papers constituting the record regarding the action being appealed. Every appeal shall refer to the specific provision of the Village Code that is the subject of the variance, appeal, or determination, and shall set for the interpretation that is claimed, the details of the variance that is applied for, and the grounds on which it is claimed that the variance should be granted as the case may be.

(b) The Planning and Zoning Commission, acting as the Board of Building Code Appeals, shall commence to hear the matter within sixty days (60) of the date of the notice of appeal and shall decide the matter within one hundred and twenty (120) days of the date of the notice of appeal. Interested parties may stipulate as to extensions of time.

(c) The Planning and Zoning Commission shall provide written notice of the time and date of the hearing to parties who have expressed interest in the case and have requested the same. All interested parties shall have an opportunity to present sworn testimony and evidence, to cross-examine adverse parties and witnesses, and to make arguments regarding the appeal.

(d) The Planning and Zoning Commission shall have the authority to grant a variance from ~~this Building~~ the Village Code in such cases where the applicant can establish that the strict application of ~~this Building~~ the Village Code will work a hardship upon the applicant, which hardship is not the necessary result of the legitimate health or safety objective of the regulation, and good cause exists to permit a variance from the strict adherence to the e Village Code.

(e) The Planning and Zoning Commission shall also have the authority to affirm, modify or reverse any interpretation of ~~this Building Code~~ the Village Code made by the Building ~~Inspector~~ Commissioner upon a finding that the interpretation made by the Building ~~Inspector~~ Commissioner is clearly erroneous.

(f) The Planning and Zoning Commission shall render its decision in writing, along with written conclusions of fact. The Chairperson of the Commission shall ~~mail~~ send the decision to the applicant, and any other interested person who requests such service, and note the date of mailing in the record of the case. The decision of the Planning and Zoning Commission shall be deemed final upon the mailing of the decision and the entry thereof in the record of the case.

(g) Any decision, action, or determination made by the Planning and Zoning Commission, whether acting as the Commission or in their role as Board of Building Code Appeals shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law.

~~{Ord. 1999-119. Passed 5-11-99.}~~

The owner or owners of any building, structure or premises, or any part thereof, where anything in violation of ~~the Village Code this Building Code~~ shall be placed or shall exist, and any architect, builder, contractor or other person who shall assist in the commission of any such violation, and all persons and corporations who or which shall violate any of the provisions or requirements of ~~the Village Code this Building Code~~, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, shall, for each violation or noncompliance, for which a penalty is not otherwise provided, be guilty of a misdemeanor of the first degree, punishable by a fine not more than one thousand dollars (\$1,000.00), or imprisoned not more than six months, or both, and shall be fined not more than five hundred dollars (\$500.00); and each day during which any such person continues to violate any provision of ~~the Village Code this Building Code~~ or fails to comply therewith or any of the requirements thereof, after having been notified of such violation or failure to comply, shall constitute a separate offense.

~~{Ord. 1992-101. Passed 1-14-92.}~~

CHAPTER 1303

Permits; Plans ~~And~~ and Specifications

- 1303.01 Permit required.
- 1303.02 Approval of sewage disposal facility by Health Board.
- 1303.03 Reports and recommendations of professionals.
- 1303.04 Construction guarantee cash deposit; inspection fee.
- 1303.05 Permit applications; required information.
- 1303.06 Plans prepared by ~~registered~~ architects s and ~~/or~~ engineers.
- 1303.07 Submission of plans to Building ~~Inspector~~ Commissioner.
- 1303.08 Permit issuance, display, time limitation s, and completion of work.
- ~~1303.09 Incomplete or nonconforming applications.~~
- ~~1303.10 Altering applications, specifications or drawings.~~
- ~~1303.11 Deviation from drawings.~~
- ~~1303.12 When permit not required.~~
- 1303.13 Progression of work.
- 1303.14 Permit fees.
- 1303.15 Cash deposit for additional professional services.
- 1303.99 Penalty.

CROSS REFERENCES

- ~~—Permits to be issued to registered prime contractors only—see~~
- ~~—BLDG. 1307.02, 1307.03~~
- ~~—Architectural design control procedures—see BLDG.~~
- ~~—Ch. 1309~~
- ~~—Permits for access driveways—see BLDG. 1321.02~~
- ~~—Permits for grading, excavating and filling—see~~
- ~~—BLDG. 1325.01~~
- ~~—Permits for alteration of topography—see BLDG. 1325.05~~
- ~~—Development permits in flood hazard areas—see~~
- ~~—BLDG. 1345.03~~
- ~~—Permits for moving of buildings—see BLDG. 1359.01 et seq.~~

~~—Permits for topsoil removal—see BLDG. 1371.01 et seq.~~

~~—Plans for heating, ventilating and air conditioning systems—
—see BLDG. 1385.01(d)~~

1303.01 PERMIT REQUIRED.

(a) Before commencing the construction, alteration, repair, removal, or demolition of any building or other structure, a permit shall be obtained from the Building ~~Inspector~~Commissioner.

(b) No Village permit shall be issued with respect to a building or structure subject to ~~approval by the State of Ohio the Ohio Basic Building Code~~ until a State approved set of final plans and specifications and a copy of the State permit issued with respect thereto have been submitted to the Building ~~Inspector~~Commissioner and reviewed in conjunction with those aspects of the location and construction of said building or structure which are subject to the ~~Village Building Code of the Village~~. All inspections of construction pursuant to State-approved plans and specifications shall be conducted by State authorized and approved inspectors. Village approvals and permits shall indicate that they are limited to those matters subject to the Village Code. The fee for such limited permit shall be one-fifth of the usual fee provided in Section 1303.14.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1303.02 APPROVAL OF SEWAGE DISPOSAL FACILITY BY HEALTH BOARD.

~~Except for those properties connected to the sanitary system, T~~he Building ~~Inspector~~Commissioner shall require all applicants for permits to construct or alter a dwelling within the Village to secure the approval of the appropriate County Board of Health of all plans and specifications for the sewage disposal system to be constructed for use in connection with the occupancy of such dwelling. Until such approval is secured by such applicant, the Building ~~Inspector~~Commissioner shall refuse to issue a permit ~~therefor~~.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1303.03 REPORTS AND RECOMMENDATIONS OF PROFESSIONALS.

(a) Council may authorize the Building ~~Inspector~~Commissioner to request such reports and recommendations as are necessary from various professionals to assist ~~him or her~~ in determining whether plans and specifications ~~presented to him or her~~ conform to the requirements of ~~all~~ applicable Village codes and ordinances.

(b) Such assistance shall include, but is not limited to, reports and recommendations from architectural consultants as Council may select, who are licensed and practicing architects in the State of Ohio; from plans examiners certified by the State of Ohio; from

inspectors certified by the State of Ohio, from the entity providing fire protection services to the Village, or from any other qualified fire safety consultant with respect to any fire safety concerns; from professional land planners, civil engineers, or landscape architects with respect to water run-off control measures and with respect to screening, impact of deforestation and replanting measures, and landscaping; and such other information as the Building ~~Inspector~~Commissioner may deem relevant.

~~(Ord. 1999-115. Passed 7-6-99.)~~

1303.04 CONSTRUCTION GUARANTEE CASH DEPOSIT; INSPECTION FEE.

(a) Before the owner, ~~or any~~ architect, builder, plumber, carpenter, mason, electrician or other person who may be employed for the purpose, shall construct an improvement on ~~any~~ property within the Village, and at the time of securing a permit for the construction, ~~enlargement~~addition, alteration, repair, or ~~demolition~~removal of any building or other structure, said owner or ~~his or her~~the owner's agent shall make a cash deposit, in such amount as the Building ~~Inspector~~Commissioner shall determine, to guarantee that:

(1) Any damage to the streets, curbing or berms within the Village shall be repaired and restored to their original condition at the cost and expense of the owner;

(2) Work for which the permit was issued shall be completed in accordance with the approved plans and specifications; and

(3) The information required by the permit application and the Permit Close Out Report, or its equivalent, has been fully and correctly provided.

In no event shall the cash deposit be less than ~~one hundred~~two hundred and fifty dollars (~~\$100~~250.00).

(b) Upon the failure of the owner or ~~his or her~~the owner's agent ~~agent~~ to replace or restore such streets, curbing or berms to their original condition at the completion of the work for which the permit was issued and the cash deposit made, the Building ~~Inspector~~Commissioner shall have such work performed and shall pay the cost and expense thereof out of the funds so deposited, and in the event the deposited sum shall not be sufficient to pay such cost and expense, the owner shall be liable to the Village for the balance.

(c) Upon completion of the work for which the permit was issued and the cash deposit made, the owner or ~~his or her~~the owner's agent shall request the Building ~~Inspector~~Commissioner to ~~make an inspection~~inspect for the purpose of determining what refund, if any, should be made from the deposit. The fee for said final inspection shall be ~~one one~~ hundred fifty dollars (~~\$150~~150.00). After charges for work by the Village have been deducted from the deposit, the balance shall be refunded to the owner or ~~his or her~~the owner's agent, if ~~the requirements~~the requirements of paragraph (a)(3) hereof have been met.

(d) If the work contemplated by the aforesaid permit has not been completed at the expiration of two years from the date of making such cash deposit, or if the necessary repairs or restoration to the streets, curbing or berms has not been made as required hereunder, such deposit or any portion thereof then remaining shall be forfeited to the Village.

~~{Ord. 2010-121. Passed 8-10-10.}~~

1303.05 PERMIT APPLICATIONS; REQUIRED INFORMATION.

(a) Applications for permits shall be made in writing upon ~~printed~~ forms to be furnished by the Building ~~Inspector~~Commissioner.

(b) Each application shall be accompanied by a plot plan, accurately drawn to scale (see subsection ~~(g)~~(h) -hereof), showing all property lines, the location, size and area of all foundations of the proposed structure with reference to such property lines, and the location, size and foundation area of all other structures already existing thereon, including the septic system or sanitary sewer tie-in location~~location~~.

~~{Ord. 1992-101. Passed 1-14-92.}~~

(c) Each application shall be accompanied by a site improvement plan which shall show existing and proposed new structures; driveways; walks; existing trees to be removed; the location of any new trees; grass and ground cover areas; screening measures, whether natural, such as trees or bushes, or man-made, such as fencing or mounds; water and gas wells; lakes and ponds; any storm or surface water run-off control measures, such as catch basins, detention or retention areas or similar measures; cisterns and underground storage facilities; provisions for erosion and drainage control; and all exterior lighting.

~~drainage control; and all exterior lighting.~~

~~{Ord. 1999-115. Passed 7-6-99.}~~

-(d) Each application, except for removals and demolitions, shall also be accompanied by ~~the~~ complete sets of specifications and construction drawings. Specifications shall state definitively and clearly the materials to be used and the methods of performing the work to be done. When plans and specifications are submitted for a building permit, they shall include a complete schedule of the color scheme of the materials to be used on the exterior of the building.

(e) All applications, drawings, and specifications shall be dated by the Commissioner and taken up in their regular order as received, and no drawings or specifications shall be passed out of their order unless buildings or structures are of a complex character which require prolonged examination and inspection.

(f) All Construction Documents shall be coordinated, accurately drawn to scale, and shall be legible. Construction Documents shall be submitted in a medium and manner acceptable to the Building Commissioner.

(eg) All drawingsConstruction Documents for residential construction, alteration, or repair shallbe made to a scale of not less than one-quarter inch to the foot. Details shall be three-quarter inch or one inch to the foot. Drawings for other types of construction, alteration or repair shall be made to a scale of not less than one-eighth inch to the foot. All drawings shall be made on paper or linen, in ink or by a process which will not fade, and shall be accurately figured and made accurate and complete, showing the heating plan and equipment, all plumbing fixtures, sewer and drain piping, and all electric outlets and their controls within such structure. Each application shall also be accompanied by the amount of the fee hereinafter set forth include the following information as described in Chapter 1 of the Residential Code of Ohio:

(1) Index;

(2) Site Plan;-

(3) Floor Plans;

(4) Exterior Wall Envelope;

(5) Sections;

(6) Structure;

(7) Fire-Resistance Ratings;

(8) System Descriptions for mechanical, plumbing, and electrical work;

(9) Accessibility Provisions; and

(10) Additional Information.

~~—(f)—All applications, drawings and specifications shall be dated by the Inspector and taken up in their regular order as received, and no drawings or specifications shall be passed out of their order unless buildings or structures are of a complex character which require prolonged examination and inspection.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

(gh) Additionally, Construction Documents for residential construction, alteration, or repair shall include the following:

(1) The plot planA plot plan which shall show the exact placement of all buildings, existing or to be erected, with distances marked from the nearest street or roadway, from at least three of the other property lines, and from any protected watercourse, as defined in Section 1151.06 of the Planning and Zoning Code. It shall also show the new contour lines of any proposed grading as approved in a permit issued pursuant to Chapter 1325, all proposed under drainage, changes

in any existing ditches, gullies or creeks for run-off surface water, all storm and sanitary sewer lines and their point of discharge or connection with public drains, and the location and plan of all sewage disposal systems. When the premises contain more than ten acres, a plot plan of the entire property may be submitted at a scale as small as one two-hundredths of an inch to the foot, showing only the location of all boundary lines and the exact location and boundaries of the areas upon which all proposed work is to be done, provided that such plan shall be supplemented by a plot plan of the area upon which all proposed work is to be done, submitted at a scale of one thirty-second or one fortieth of an inch to the foot and showing accurately all of the data called for on plot plans of premises containing less than ten acres.;

(2) The total area, in square feet, of the dwelling or structure in question, and of all accessory buildings and structures, and the area, in square feet, of the living area;

(3) The footprint (building ground coverage) of the dwelling or structure in question and all accessory buildings and structures in square-feet;

(4) Elevations shall show all exteriors from the bottom of the footings to the highest point of the structure, all to accurate scale, and shall also show the following:

(A) All floor levels dimensioned one to the other;

(B) The finished grades at the building, dimensioned with relation to the first-floor level;

(C) All features of the exterior design, with dimensions, where necessary to make clear the intent of the drawings;

(D) All wall and roof surface materials clearly marked and the size and type of all doors and windows;

(E) All gutters and downspouts, including material, size, and gauge; and

(F) Plumbing and mechanical penetrations of the roof and exterior wall;

(G) Solar panels on roof including electrical penetrations and conduit;

(5) Building and wall sections which include vertical dimensions from foundation to roof, elevations of the structural components, face of wall dimensions to other components, finish floor lines, materials, footings and foundations, walls, floors, roof materials, all connection methods, reference to other details, ceiling lines, major mechanical services, and construction details;

(6) Chimneys with fireplaces and flues shall be fully described with plan details, sections, lining sizes clearly dimensioned and located, fireplace openings dimensioned, hearths described and dimensioned, chimney tops and spark arrestors described, foundations detailed, framings adjacent to the chimney at each floor and roof detailed, and dimensions to combustible materials indicated;

- (7) The exterior building envelope shall be described in sufficient detail to determine compliance with this code and the referenced standards. Details shall be provided which describe flashings, intersections with dissimilar materials, corners, end details, control joints, expansion joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane details around openings, location and type of vapor retarders, window and door “U”-values, and types, locations, and “R”-values of insulation;
- (8) The locations of required fire extinguishers;
- (9) The location of required sprinkler head for kitchens and a manufacturer’s data sheet for the sprinkler head;
- (10) Complete structural description of the building including size and location of all structural elements, connection details, and a table of live, wind, snow, and other loads used in the design of the building and other data as required to fully describe the structural system;
- (11) Complete description of the mechanical system, showing the size and locations of the heating, cooling, exhaust, and ventilation equipment, piping, ductwork, diffusers, grilles, and similar systems. The drawings showing the heating system shall indicate the fuel source(s) and describe the means of storing fuel and its distribution to the heating equipment; and
- (12) Complete description of electric system including:
- (A) One-line diagram of service equipment, conduit, conductors, generators, transfer switches, disconnects, panel boards, and similar equipment;
 - (B) Panel schedule including capacity of each panel, existing and proposed electrical loads, and circuits for loads;
 - (C) Electric outlets, light fixtures, equipment, appliances, smoke detectors, CO detectors, and other fire alarm devices.

{Ord. 2000-145. Passed 10-9-01.}

~~—(h)—All construction drawings, copies of which are by this Building Code required to be filed with the Building Inspector, shall be accurately drawn to scale on paper or cloth in such a manner as to produce clear, easily legible blueprints. Plans and elevations of all buildings of less than 100 feet in their longest dimension shall be drawn at a scale of one-quarter of an inch to the foot. All plans and elevations shall be supplemented with larger scale details, as hereinafter required.~~

~~(1)—All floor plans shall be accurately dimensioned, shall be clearly and neatly lettered, shall use only symbols and abbreviations in general use in the State of Ohio by registered architects and engineers, and shall show at least the following:~~

~~—A.—The total area, in square feet, of the building or structure in question, and of all accessory buildings and structures, and the area, in square feet, of the living area;~~

~~—B. The location and site of all walls, piers, columns and partitions and the width and location of all openings;~~

~~—C. All floor and roof construction, including the location, size, spacing and direction of the span of all joists;~~

~~—D. All chimneys with fireplaces, flues, sections and lining sizes clearly dimensioned and located;~~

~~—————E. All electric outlets, panel boards and circuits clearly indicated;~~

~~—F. Complete drawings of the heating system, showing the size and locations of the heating unit, breaching and flue and all ducts, registers and baffles, in the case of hot water, steam or vapor systems. The drawings showing the heating system shall exhibit and describe the means of storing fuel and its distribution to the heating unit and the floor area of said heating unit.~~

~~—G. The depth of excavation below the underside of the floor joists in all unfinished areas below the first floor; and~~

~~———(Ord. 1992 101. Passed 1 14 92.)~~

~~—H. Plans with respect to all fire safety protection measures, including sprinkler systems, firewalls and a specific description of the means of fireproofing of attached garages, including the type of door, firewall, and ceiling construction.~~

~~———(Ord. 1999 115. Passed 7 6 99.)~~

~~(2) Elevations shall show all exteriors from the bottom of the footings to the highest point of the structure, all to accurate scale, and shall also show the following:~~

~~—A. All floor levels dimensioned one to the other;~~

~~—B. The finished grades at the building, dimensioned with relation to the first floor level;~~

~~—C. All features of the exterior design, with dimensions, where necessary to make clear the intent of the drawings;~~

~~—D. All wall and roof surface materials clearly marked and the size and type of all doors and windows; and~~

~~—E. All gutters and downspouts.~~

(i) The specifications shall supplement the ~~plot plan and construction~~ Construction drawings Documents and shall furnish all information not shown or described on any of the drawings. They shall be in sections, each section covering the work of one system, division of work, subcontractor, or trade, with the responsibilities, quality of workmanship, materials, finishes and method of erection or application clearly described, and with all manufactured items, including plumbing, heating-mechanical, and electrical items, clearly identified as to size and, capacity, and with catalogue numbers product manufacturers'

name and model numbers where appropriate. In ~~all~~ cases ~~where-in which~~ concrete or mortar is to be used, the proportions of the mix for each location shall be clearly described, with the standards or tests which are to be met.

(1) In all cases where alternatives are ~~called for indicated~~, the alternatives ~~which has have~~ been accepted and ~~are is~~ to be ~~used constructed~~ shall be clearly indicated ~~and initialed~~ by the applicant.

(2) In any case where the words "or equal", "or equivalent", "as selected by Architect", "as selected by Owner", or similar words are used in the specifications, the material, appliance, ~~article~~article, product, equipment, or item ~~of equipment~~ actually to be installed shall be clearly stated in writing the documents by the applicant.

(3) All applications for permits to construct any building or structure shall be accompanied by a statement of the applicant that the drawings and specifications have been prepared according to the best state's standard of care for architectural and engineering practice, that they conform to ~~this Building~~the Village Code, that all construction and installation will be supervised by a competent supervisor, and that the Building ~~Inspector~~Commissioner will be promptly notified of the completion of any work which requires inspection.

(j) Each application for preliminary approval of building plans shall be accompanied by a topographic survey, in the form set forth in Figure 1303-1 Sample Topographic Survey & Improvement Plan Exhibit A following the text of this chapter and incorporated herein by reference, and shall contain all information shown on said ~~Exhibit A~~Figure 1303-1. If the Building ~~Inspector~~Commissioner, after consultation with the architectural and code consultants, ~~shall~~ determines that further study is desirable with respect to soil conditions, subsurface water conditions, surface drainage, flood plain elevations, construction or other conditions where engineering advice should be obtained, the applicant shall pay to the Village that sum required to cover the fees and expenses of the Village Engineer and any related fees for outside services pertaining thereto. No building permit shall be issued until such topographic survey has been first approved by the Village Engineer. No construction, erection, addition to, or moving of any building shall proceed after the foundation or footers are in place, nor shall they be backfilled, until the Building ~~Inspector~~Commissioner has first approved the grade. The Building ~~Inspector~~Commissioner may waive the requirement of a topographic survey where the proposed work, in the opinion of the Building Commissioner, is not significant or where the remodeling, alteration, or addition will be constructed in conformity with the established grade.

~~{Ord. 1992-101. Passed 1-14-92.}~~

(k) If the construction of any structure requires a change in the grade of the land, no building permit shall be issued unless the applicant has first secured a permit pursuant to Chapter 1325. Furthermore, no building permit shall be issued for the construction of any structure on a grade which exceeds twenty percent (being a twenty-foot vertical drop in a 100-foot horizontal distance), or on a building site within 100 feet of a grade which exceeds twenty percent, unless the applicant has either:

(1) Secured a permit pursuant to Chapter 1325 for the grading, excavation and filling of such land which will reduce such grade below twenty percent, and any building permit issued shall be conditioned on the applicant satisfactorily completing such operations pursuant to the conditions of the permit issued pursuant to Chapter 1325, prior to the commencement of construction of such structure; or

(2) Secured a permit pursuant to Chapter 1330, provided, however, that with respect to structures which are additions to an existing structure, a building permit may be issued in that instance if the applicant has provided to the Building ~~Inspector~~Commissioner data or reports of the nature contemplated in Sections 1325.02 and 1339.05, including, but not limited to, engineering studies relating to an evaluation of the present stability, erosion control and drainage of the site (including, when a stream or channel is present, an evaluation of any possible streambank erosion) and the existing structure thereon and the stability, erosion control and drainage of the structure, the property and adjoining properties after the planned construction of such additions to that existing structure, including the effect of the planned removal and replanting of trees on the property on erosion control and surface water run-off, evidencing, to the satisfaction of the Building ~~Inspector~~Commissioner, that the existing structure and property are stable and that the planned construction of such additions to that existing structure will not result in any instability of such property, such existing structure, such planned additions or adjoining properties, and also will not adversely contribute to the erosion of soils, significantly increase the surface water run-off therefrom, contaminate ground water or otherwise adversely affect subsurface water conditions. ~~_(Ord. 1993-117. Passed 11-16-93.)~~

1303.06 PLANS PREPARED BY ~~REGISTERED~~ ARCHITECTS AND/OR ENGINEERS.

(a) Unless this requirement is specifically waived by the Building Commissioner, new ~~All buildings, renovations, alterations, and repairs or structures which will have a value when completed of more than three thousand dollars (\$3,000)~~ shall be built according to plans and specifications prepared and sealed by an architect registered to practice architecture in the State of Ohio at the time the plans are submitted to the Building ~~Inspector, which plans and specifications shall be signed and sealed by him or her. The Building Commissioner may waive this requirement if, in the Building Commissioner's opinion, the scope of the work is not substantial and does not warrant the involvement of an architect.~~

(b) ~~All~~ plans and specifications required to be prepared by a registered architect and submitted to the Building ~~Inspector~~Commissioner for ~~his or her~~ approval shall be accompanied by a ~~certificate of the sealed letter from the registered~~ architect stating for whom the plans and specifications were prepared, the location at which the building or structure is to be constructed, the date of the plans and specifications, and that they were

prepared by such ~~registered~~ architect personally or ~~by employees in his or her office or organization~~ under ~~his or her~~ the architect's personal supervision.

(c) ~~P~~All proposed additions and remodeling shall be accompanied by photos of existing facilities.

~~(d)~~ Unless this requirement is specifically waived by the Building Commissioner, structural plans and specifications shall be prepared and sealed for all structural work by a structural engineer registered and practicing in the State of Ohio and shall be submitted to the Building Commissioner with a sealed letter stating for whom the plans and specifications were prepared, the date, the location of the building or structure and that they were prepared by the engineer personally or under the engineer's personal supervision. The Building Commissioner may waive this requirement if, in the Building Commissioner's opinion, the scope of the work is not substantial and does not warrant the involvement of a structural engineer.

~~(de)~~ Unless this requirement is specifically waived by the Building Commissioner, h~~Heating, air conditioning, venting,~~ and plumbing plans and specifications shall be prepared and sealed by a mechanical engineer registered and practicing in the State of Ohio and shall be submitted to the Building ~~Inspector~~Commissioner with ~~his or her certificate~~ a sealed letter stating for whom the plans and specifications were prepared, the date, the location of the building or structure and that they were prepared by ~~him or her~~ the engineer personally or ~~by employees in his or her office or organization~~ under ~~his or her~~ the engineer's personal supervision. The Building Commissioner may waive this requirement if, in the Building Commissioner's opinion, the scope of the work is not substantial and does not warrant the involvement of a mechanical engineer.

~~(ef)~~ Unless this requirement is specifically waived by the Building Commissioner, e~~E~~lectrical plans and specifications shall be prepared and sealed by an architect or an electrical engineer. Plans and specifications for power distribution systems shall be prepared and sealed only by an electrical engineer. Both shall be submitted to the Building Commissioner with a sealed letter stating for whom the plans and specifications were prepared, the date, the location of the building or structure and that they were prepared by the engineer personally or under the engineer's personal supervision. The Building Commissioner may waive this requirement if, in the Building Commissioner's opinion, the scope of the work is not substantial and does not warrant the involvement of an architect or an electrical engineer. ~~be submitted to the Building Inspector for his or her approval.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—(f)—When preparing drawings under authority of this section, the architect shall include on such drawings the floor area, in square feet, of the building or structure in question, and of each accessory building or structure, as well as the footprint, i.e. the area, in square feet, of each building or structure on the ground.~~

(a) Before final construction drawings are prepared by the architect, the architect or owner shall file in ~~duplicate, with a manner prescribed by~~ the Building ~~Inspector~~Commissioner, preliminary plans and elevations for the tentative approval of the design, pursuant to Chapter 1309 of the ~~is~~ Village Code, not less than ten (10) working days before the next meeting of the Architectural Board of Review or, when applicable, the Planning and Zoning Commission. Preliminary plans and elevations received after the deadline will be heard at the next meeting subsequent to the meeting for which the deadline was set unless the Chairman of the Board or Commission, for good cause, waives the deadline.

(b) The owner or ~~his or her~~the owner's agent shall file with the Building Commissioner paper copies, triplicate, along with electronic files with the Building Inspector, a permit application, ~~plans, elevations, drawings~~, specifications, and other information required for approval and the issuance of a building permit. When specifically approved by the Building Commissioner, a submission of only electronic documents shall be acceptable.

~~{Ord. 2010-121. Passed 8-10-10.}~~

1303.08 PERMIT ISSUANCE, DISPLAY, TIME LIMITATIONS, AND COMPLETION OF WORK.

(a) When specifications and drawings so submitted shall be found to conform to the requirements of ~~this Building~~the Village Code, the Building ~~Inspector~~Commissioner shall issue a permit and affix to the specifications and drawings ~~his or her~~the Building Commissioner's official stamp, stating that examination has been made and a permit issued. One copy of such stamped specifications and plans shall be returned to the applicant and shall be continuously kept at the site of the proposed work throughout its construction period. The second copy shall be filed with the permanent records of the Building ~~Inspector~~Commissioner. The stamping of any specification or drawing shall not be held to permit or be an approval of any violation of any section of ~~the Village Code~~this Building Code, nor shall the issuance of any permit for a part of the structure be held to imply or require the approval of any remaining part of such structure for which complete specifications and drawings were not submitted at the time of issuance of the permit for a part of the structure. When specifically approved by the Building Commissioner, a submission of only electronic documents shall be acceptable. Additionally, when an electronic submission is approved, no paper copies will be distributed or maintained by the Building Commissioner.

(b) Any permit so issued shall become invalid unless the work authorized by the permit shall have been commenced within six months after the date of its issuance; provided, however, that one or more extensions of time, for periods not to exceed ninety days each, may be allowed in writing by the Building ~~Inspector~~Commissioner.

(c) Upon issuing a building permit, the Building ~~Inspector~~Commissioner shall fix the reasonable time necessary to complete the work authorized by the permit, taking into consideration the time for completion as estimated by the applicant, the nature of the work

and the effect of seasonal and weather conditions, and shall note the completion date on the building permit.

(d) Upon completion of the work authorized by the permit in accordance with the plans, specifications and drawings, the owner, builder, or ~~his or her~~their representative shall request a final inspection by the Building ~~Inspector~~Commissioner. No building shall be used or occupied until its completion, in accordance with the plans, specifications and drawings, has been approved by the Building ~~Inspector~~Commissioner. Upon application and for good cause shown, the Building ~~Inspector~~Commissioner may extend the completion date for delays caused by conditions beyond the control of the owner or builder, or for other good and sufficient reasons.

(e) Within six months from the date originally fixed by the Building ~~Inspector~~Commissioner for the completion of the work authorized by the permit, the property upon which the building is located shall be finish graded and seeded or sodded with quality grass seed or sod, ~~or planted with other ground cover~~and all landscaping shall be installed in accordance with the approved site improvement plan ~~submitted with the application for a building permit~~ and shall be continuously maintained thereafter.

(f) Failure to complete the work authorized by the permit or failure to grade and seed or sod the property, as required by the provisions of this section, shall constitute a violation of ~~this Building the Village~~ Code.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1303.09 INCOMPLETE OR NONCONFORMING APPLICATIONS.~~

~~—If the information contained in any application for a permit, or in specifications or drawings accompanying such application, indicates that the work to be done is not clearly and specifically defined, is imperfect or is not in all respects in accordance with the provisions of this Building Code or other applicable law, ordinance or regulation, the Building Inspector shall not issue a permit until the deficiencies or violations shall have been in all respects corrected.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1303.10 ALTERING APPLICATIONS, SPECIFICATIONS OR DRAWINGS.~~

~~—No person shall alter, erase or modify in any way any line, figure, word or coloring contained in or upon any application, specification or drawing which has been stamped by the Building Inspector.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1303.11 DEVIATION FROM DRAWINGS.~~

~~—No person shall do or cause to be done anything which shall cause any change or deviation, in any manner affecting the structural features or the stability of the structure, from the terms of any application, specification or drawing, unless the permission of the Building Inspector shall, previous to the commencement of such change or deviation, have been asked and granted, both in writing.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1303.12 WHEN PERMIT NOT REQUIRED.—~~

~~—No permit shall be required for minor interior or exterior repairs, or for alterations to or within structures which do not involve any change in structural parts or in stairways, chimneys, heating, ventilating or air conditioning equipment, electrical or plumbing installations, means of ingress or egress, or in light or ventilation. Determination shall be made by the Building Inspector.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1303.13 PROGRESSION OF WORK.

When a permit has been issued, if the work has not progressed-commenced within six months ~~from the date of issuance to the completion of the lowest tier of floor beams~~, the permit shall expire. For the further prosecution of the work, a new permit shall be applied for, as provided in Section 1303.01.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1303.14 PERMIT FEES.

The fee to be paid when making application for a permit shall be an amount equal to one percent of the cost of the buildings and/or other structures to be constructed up to one hundred thousand dollars (\$100,000), plus an additional one-half percent of the cost thereof exceeding one hundred thousand dollars (\$100,000), but not less than a minimum fee of seventy-five dollars (\$75.00). Where work which requires a permit is commenced prior to obtaining the necessary plan approvals and permits, the fees for said permits shall be doubled.

(Ord. 2010-121. Passed 8-10-10.)

1303.15 CASH DEPOSIT FOR ADDITIONAL PROFESSIONAL SERVICES.

(a) In addition to any other fees or deposits required by other sections of the ~~Codified Ordinances of the~~ Village Code, the Building ~~Inspector~~Commissioner or Finance Director

shall charge and collect a deposit in the amount of not less than four hundred dollars (\$400.00) to reimburse the Village for expenses incurred for additional or supplemental engineering, legal, architectural or other professional services rendered as a result of an application for a building permit, for review of a topographic survey or preliminary or final site development plans, for the location or relocation of utilities, for rezoning, or for lot splits, easements or other similar projects requiring the Village's approval or consent.

(b) Said charges for professional services, including those of the Village Engineer, Law Director, plans examiners, and architectural consultants, shall be at the rates customarily charged by them for similar services.

(c) In the event that the funds deposited by an applicant, as required by subsection (a) hereof, shall not be sufficient to reimburse the Village in full, the applicant shall deposit additional funds in a series of not less than four hundred dollars (\$400.00) each, as requested by the Building ~~Inspector~~Commissioner, Finance Director, or ~~his or her~~their delegate.

(d) Any sums not used to reimburse the Village, as provided in subsections (a) and (b) hereof, shall be refunded to the applicant not later than sixty days from the completion of the project or the decision with respect to which the applicant has requested the Village's approval or consent, as the case may be.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1303.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

SAMPLE TOPOGRAPHIC SURVEY & IMPROVEMENT PLAN

NAME OF OWNER _____
 SUBLOT OR PERMANENT PARCEL NO. _____
 NAME OF SUBDIVISION _____ VOL. _____ PG. _____
 NAME OF BUILDER _____
 PLAT PREPARED BY _____ ENGINEER - SURVEYOR REG. NO. _____
 BUILDING PERMIT NO. _____

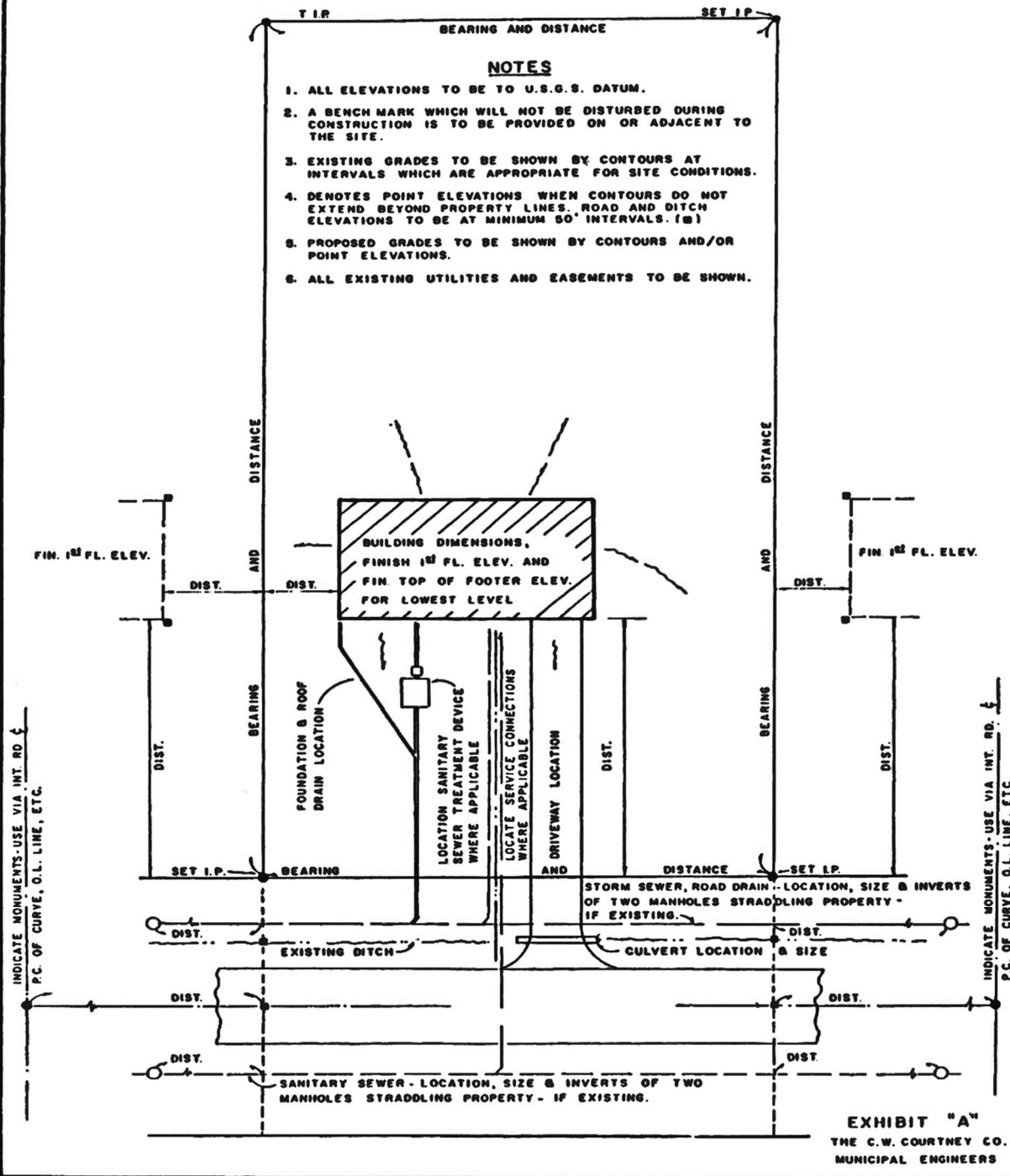


Figure 1303-1. Sample Topographic Survey & Improvement Plan.

CHAPTER 1305

Certificates of Inspection and Compliance

- 1305.01 Transfer of premises; Village and County Certificates required.
- 1305.02 Owner defined.
- 1305.03 Point-of-Sale: Applications for Certificates; inspections; effective period.
- 1305.04 Presentment of Certificates upon transfers of real estate; escrow.
- 1305.05 Escrow agent; disbursement of funds without statement prohibited.
- 1305.06 Certificate of Compliance.
- 1305.99 Penalty.

CROSS REFERENCES

- ~~—Right of entry by Building Inspector and deputies, etc.—see~~
- ~~—BLDG. 1301.03, 1333.18~~
- ~~—Inspection fee—see BLDG. 1303.04~~
- ~~—Inspection of dangerous buildings—see BLDG.~~
- ~~—1333.02 et seq.~~
- ~~—Plumbing inspections—see BLDG. 1381.32~~
- ~~—Inspection of sewage treatment systems—see BLDG. 1383.08~~

1305.01 TRANSFER OF PREMISES; VILLAGE AND COUNTY CERTIFICATES REQUIRED.

No owner of any premises with a dwelling, building, structure or other installation located thereon within Hunting Valley shall enter into an agreement to sell, convey or transfer said premises, beneficial ownership, membership, or shares of legal entity without first obtaining from the Building ~~Inspector~~Commissioner a Certificate of Inspection of said premises and then presenting a copy of such Certificate of Inspection to the prospective purchaser, grantee or transferee and, if said premises are served by a septic system, then obtaining from the Cuyahoga County Board of Health a Certificate of Septic System Evaluation or, if the septic system is located within the jurisdiction of the Geauga County General Health District, a Household Sewage Disposal System Evaluation by the Geauga County Department of Health or other service provider recommended by the Department.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1305.02 OWNER DEFINED.

As used in this chapter, "owner" means the owner or owners of premises and the buildings, structures or other installations located thereon, including the holder of title thereto subject to contract of purchase, a vendee in possession, a mortgagee or receiver in possession, or any agent or other person, firm, corporation or fiduciary in possession or control thereof. The person, firm, or corporation who or which signs the application for a Certificate of Septic System Evaluation or Household Sewage Disposal System Evaluation shall be deemed prima-facie to be the owner.

(Ord. 1992-101. Passed 1-14-92.)

1305.03 POINT-OF-SALE: APPLICATIONS FOR CERTIFICATES; INSPECTIONS; EFFECTIVE PERIOD.

(a) Applications for a Certificate of Inspection shall be made upon forms supplied by the Building ~~Inspector~~Commissioner.

(1) The Building ~~Inspector~~Commissioner shall cause a general inspection of the premises to be made, in accordance with the provisions of Chapter 1333. Such inspection shall be made solely for and on behalf of Hunting Valley and there shall be no liability or responsibility to any present or future owner or occupant of said premises resulting therefrom.

(2) The Certificate of Inspection shall contain the following information:

~~(A).~~ The location and other identifying characteristics of the buildings, structures, and other installations;

~~(B).~~ The name and address of the owner;

~~(C).~~ The authorized use and occupancy of the buildings, structures, and other installations; and

~~(D).~~ A list of all violations ascertained at the time of such inspection, under and pursuant to Chapter 1333.

(3) The Certificate of Inspection shall be valid for a period of twelve months from the date of such inspection.

(b) Applicants for a Certification of Septic System Evaluation from the Cuyahoga County Board of Health or a Household Sewage Disposal System Evaluation from the Geauga County Department of Health shall be made upon forms to be obtained from such Board or Department and shall contain such information and be valid for such period and at such charge or cost to the applicant as shall be determined by their rules and regulations in effect from time to time.

(c) The purchaser of any property shall be presented with a current Certificate of Inspection and shall be responsible for correcting any violations that exist after a transfer of the property.

~~—1305.04 PRESENTMENT OF CERTIFICATES UPON TRANSFERS OF REAL ESTATE;
ESCROW.~~

~~—No person, agent, firm or corporation shall sell, convey or transfer any premises with a dwelling, building, structure or other installation located thereon within Hunting Valley, or any interest therein, without presenting to the prospective purchaser, grantee or transferee a current Certificate of Inspection and, if required, a Certificate of Septic System Evaluation or Household Sewage Disposal System Evaluation, and, when an escrow has been established, without depositing in escrow prior to delivery of possession or transfer of title, a statement from the transferee acknowledging the receipt of such Certificates.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1305.05 ESCROW AGENT; DISBURSAL OF FUNDS WITHOUT STATEMENT PROHIBITED.~~

~~—No person, firm or corporation acting in the capacity of an escrow agent in any real estate transaction involving the sale of any premises with a dwelling, building, structure or other installation located thereon within Hunting Valley shall disburse any funds until the provisions of Section 1305.04 have been complied with.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1305.06 CERTIFICATE OF COMPLIANCE.

Upon request, the Building Commissioner shall issue a Certificate of Compliance if all violations noted in the Certificate of Inspection have been satisfactorily corrected. If a Septic System Evaluation has been conducted, and all violations or directions thereon have been satisfactorily corrected or complied with, the Certificate of Compliance shall also include a notation to that effect. Upon request, the Building Inspector shall issue a Certificate of Compliance when all violations noted in the Certificate of Inspection have been satisfactorily corrected. If a Septic System Evaluation has been conducted, then when all violations or directions thereon have been satisfactorily corrected or complied with, the Certificate of Compliance shall also include a notation to that effect.

1305.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

CHAPTER 1307

Registration of Prime Contractors

- 1307.01 Registration required.
- 1307.02 Permits to be issued only to registered prime contractors.
- 1307.03 Exception for owners.
- 1307.04 Qualifications of applicants.
- 1307.05 Appeals.
- 1307.06 Waiver.
- 1307.07 Applications for registration; fee.
- 1307.08 Expiration date; renewal of Certificates.
- 1307.99 Penalty.

~~CROSS REFERENCES~~

- ~~—Power to license house movers, electricians, plumbers, sewer~~
- ~~—tappers and vault cleaners—see Ohio R.C. 715.27~~
- ~~—Definitions—see BLDG. 1301.05~~
- ~~—Permits; plans and specifications—see BLDG. Ch. 1303~~
- ~~—Registration of sewage treatment systems—see BLDG.~~
- ~~—1383.07~~

1307.01 REGISTRATION REQUIRED.

(a) No person, firm or corporation shall engage in the business or act in the capacity of a prime contractor, as herein defined, except pursuant to a Certificate of Registration issued in conformity with the provisions of this chapter by the Building ~~Inspector~~Commissioner, unless such person, firm or corporation is otherwise exempted from registration by the provisions of this chapter.

(b) "Prime contractor," for the purposes of this chapter, means any individual, firm, co-partnership, corporation, association or other organization, or any combination of any thereof, who or which, by himself, herself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building, structure or appurtenance thereto, or who or which undertakes or offers to undertake, or purports to have the capacity to undertake the same, or submits a bid to do so.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.02 PERMITS TO BE ISSUED ONLY TO REGISTERED PRIME CONTRACTORS.

No permit required by the provisions of ~~this Building~~the Village Code shall be issued for work to be undertaken by contract except to a registered prime contractor.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.03 EXCEPTION FOR OWNERS.

(a) No provision of this chapter shall be interpreted to require the owner, or any regular employee of the owner, of a dwelling, building or other structure located within the Village of Hunting Valley to hold a Registration Certificate to perform work upon such dwelling, building or other structure.

(b) All such work shall be done in conformity with the provisions of the Village Code ~~this Building Code~~ and rules or regulations promulgated thereunder, and no work shall be done unless all required permits, inspections and approvals are secured.

(c) Any person who misrepresents any material fact in securing an exception under the provisions of this section shall be in violation of this chapter and subject to the penalties provided ~~therefor~~herein.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.04 QUALIFICATIONS OF APPLICANTS.

(a) No applicant shall be issued a Certificate of Registration under the provisions of this chapter unless such applicant shall be:

- (1) Legally able to enter into a binding contract;
- (2) Able to read and write the English language; and
- (3) Of good moral character.

In considering moral character, an applicant with a record of violations of ~~this Building~~the Village Code or of other laws or ordinances regulating building construction in the Municipality, or of dishonest practices, or of lax, incompetent, negligent or derelict practices in the conduct of ~~his or her~~the applicant's business, trade or profession, may be deemed to be of poor moral character and, therefore, it is in the public interest that such applicant shall not be issued a Certificate of Registration.

(b) When an applicant for registration is a firm or corporation, each responsible member of such firm or corporation (who shall be listed as such in the application) shall individually be qualified for registration under the provisions of this section.

(c) A Certificate of Registration may be revoked or suspended by the Building ~~Inspector~~Commissioner for a prescribed period not exceeding twelve months, whenever ~~he or she~~the Building Commissioner has determined that the holder thereof:

- (1) -Has not performed the duties required of ~~him or her~~the applicant by ~~this Building~~the Village Code or by the rules or regulations of the Building ~~Inspector~~Commissioner;
- (2) -Has been lax, incompetent, negligent or derelict in the performance of ~~his or her~~the applicant's work or the furnishing of services authorized by any such Certificate; or
- (3) -Has departed from or disregarded plans or specifications filed with an application for a building permit; or
- (4) -Has violated or participated in the violation of any provision of ~~this Building~~the Village Code or other applicable provisions of the Codified Ordinances of the Village.

(d) Notice in writing shall be given to a registrant by the Building ~~Inspector~~Commissioner of any noncompliance with, or violation of, any of the provisions of ~~the Village Code this Building Code~~ or any other building, plumbing, electrical, sanitary, or other provision of the Codified Ordinances of the Village. The registrant shall remedy or cause to be corrected any such noncompliance or violation within five days after the receipt of such notice. Failure to comply with the terms of said notice or the orders of the Building ~~Inspector~~Commissioner shall result in the suspension or revocation of the registrant's certificate, or prosecution, or both.

(e) The holder of a suspended certificate shall not do any work authorized by such certificate, except work necessary to correct a violation specified in the notice of suspension, until notice of reinstatement has been given by the Building ~~Inspector~~Commissioner or the period of suspension has expired.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.05 APPEALS.

A registrant whose Certificate of Registration has been suspended or revoked may appeal in writing such order of suspension or revocation to the Planning and Zoning Commission. The Planning and Zoning Commission shall afford a hearing upon such appeal, at which the appellant may be represented by counsel. The appellant and the Building ~~Inspector~~Commissioner may present and examine witnesses and introduce testimony pertaining to the reasons for suspension or revocation and to restoration of the Certificate of Registration. All such appeals shall be filed with the Planning and Zoning Commission within five days after receipt of the notice or order from which an appeal is taken. ~~The decision of the Planning and Zoning Commission shall be final and conclusive as to all parties. Any decision, action, or determination made by the Planning and Zoning~~

Commission, shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.06 WAIVER.

If, in the opinion of the Building ~~Inspector~~Commissioner, the value of the work to be performed, within the meaning and intent of this chapter, will be less than one thousand dollars (\$1,000), he or she may waive the registration requirements of this chapter.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.07 APPLICATIONS FOR REGISTRATION; FEE.

Applications for registration shall be made to the Building ~~Inspector~~Commissioner on forms ~~provided for such purpose to be furnished by him or her~~, accompanied by an initial registration fee of one hundred dollars (\$100.00).

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.08 EXPIRATION DATE; RENEWAL OF CERTIFICATES.

All Certificates of Registration and all renewals shall expire on December 31 of each year and may be renewed (provided that all incidents of noncompliance with or violations of applicable building or construction codes by the registrant have been corrected) upon application for renewal of the Certificate to the Building ~~Inspector~~Commissioner and upon payment of a renewal fee of fifty dollars (\$50.00) for each Certificate to be renewed.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1307.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building Village~~ Code penalty if no specific penalty is provided.)

CHAPTER 1309

Architectural Design Control Procedures

- 1309.01 Policy and intent.
- 1309.02 Architectural Board of Review; meetings; rules and regulations.
- 1309.03 Preliminary review; final review; approval procedure; appeal.
- 1309.04 Approval of design; endorsement of plans.
- 1309.05 Changes from approved plans prohibited.
- 1309.06 Evaluation standards.
- 1309.07 Inspections; professional assistance.
- 1309.08 Small cell/telecommunication facilities design guidelines.
- 1309.99 Penalties; equitable remedies.

CROSS REFERENCES

- ~~—Architectural Board of Review—see CHTR., Art. VII, § 6~~
- ~~—Registry of historic landmarks—see Ohio R.C. 149.55~~
- ~~—Employment of architects for proposed construction—
—see Ohio R.C. 715.011~~
- ~~—Employment for construction of public buildings—see
—Ohio R.C. 735.14~~
- ~~—Duties of municipal architects—see Ohio R.C. 735.15~~
- ~~—Architects—see Ohio R.C. Ch. 4703~~
- ~~—Board of Examiners of Architects—see Ohio R.C.
—4703.01 et seq.~~
- ~~—Preservation of landmarks—see Ohio R.C. 5519.05~~
- ~~—Preparation of plans by registered architect—see
—BLDG. 1303.06~~
- ~~—Architectural color schemes for building exteriors—see
—BLDG. 1341.01~~
- ~~—Heating, ventilating and air conditioning equipment and
—appliances—see BLDG. 1385.08~~

1309.01 POLICY AND INTENT.

(a) The Village of Hunting Valley grew from nineteenth century farms into a twentieth century community of large, private estates. These properties, created over the past centuries, demonstrate a high level of architecture and landscape design that, combined, result in an exceptional scenic environment. Although there are many different architectural styles represented in the Village, the majority follow traditional, classical, and medieval themes and share the attribute of blending with the natural and man-made landscapes. It is this tradition that the Village desires to perpetuate ~~into~~ throughout the twenty-first century.

(b) The Architectural Board of Review has been formed to meet this desire. The Board will closely consult with those who plan to build or rebuild their homes within the Village. The recommendations of the Architectural Board of Review are intended to assure that the traditional qualities of exterior design excellence and landscape harmony are preserved. For example, a new house may be designed in a contemporary style, but its exterior size, shape, materials, color, and texture should be compatible with existing houses, and it should fit into its site and its scenic surroundings so as to be as complementary and unobtrusive as possible. There are many ways in which these goals can be achieved. The Architectural Board of Review will assist new and existing Village residents by early review of preliminary plans and provide guidance on appropriate exterior design and landscaping. With cooperation between Village officials and residents, the Village will not only remain the desirable place to live that it is today, but will become even more attractive in the years ahead.

~~{Ord. 2000-110. Passed 4-11-00.}~~

1309.02 ARCHITECTURAL BOARD OF REVIEW; MEETINGS; RULES AND REGULATIONS.

(a) The Architectural Board of Review shall hold regular monthly meetings at the Council Chambers of the Village of Hunting Valley, and such other meetings as the Board may determine, or at the call of the Chairman. Notice of all such meetings shall be given according to law.

(b) The Board shall keep minutes of its proceedings showing the vote of each member on each question or, if absent or failing to vote, indicate such fact, and shall also keep records of its examinations and other official actions. Approval or conditional approval of an application shall only be granted upon an affirmative vote of three members of the Board. The Board shall have power from time to time to adopt, amend, and repeal guidelines, rules, and regulations not inconsistent with the laws of the State of Ohio and the Village's Charter and ordinances, governing its procedure under the provisions of this chapter, and to put into effect the purposes of the Board, set forth in Article VII, Section 6 of the Village Charter, and any standards set forth in this chapter.

~~(Ord. 2000-110. Passed 4-11-00.)~~

1309.03 PRELIMINARY REVIEW; FINAL REVIEW; APPROVAL PROCEDURE; APPEAL.

(a) Preliminary Review; Suggestions; Preliminary Approval. Any person who seeks to construct or alter a structure within the Village which, in any manner, affects the exterior design of said structure, shall obtain preliminary review of the proposed design before an application for final approval will be accepted for review. The preliminary review shall be made of conceptual sketches and sketch plans which convey the general nature of the architectural floor plans; the site plan indicating the topography, existing tree cover, and related access roadways; the context and/or visual relationship to adjacent residences and properties; and the visual massing and appearance of all sides of the proposed structure. All applicants for proposed new construction or alterations to existing buildings are strongly encouraged to present their conceptual designs as early as possible and prior to making major design commitments to their architect or contractor, so that the Architectural Board of Review may offer timely and appropriate guidance to such applicants. The Board may make suggestions regarding the proposed design, and indicate any problems the applicant is likely to encounter if final plans are presented in conformance with the preliminary plans. The Board shall grant preliminary approval if the Board determines that the proposed design presented in the preliminary plans is sufficient to warrant final plans. If the Board does not grant preliminary approval, it shall verbally advise the applicant of the reasons preliminary approval was not granted. The Building Official may waive the requirement for a Preliminary Review if, in the Building Commissioner's opinion, the scope of the work is not substantial and does not warrant a Preliminary Review.

(b) Final Review. Each application for final approval by the Architectural Board of Review shall have scale drawings including:

(1) ~~a~~ site plan showing the proposed building location, property boundary lines, topography and any prominent ground or site features;

(2) ~~F~~ floor plans;

(3) Exterior elevations including solar panels as well as significant exterior wall and roof mechanical, plumbing, and electrical equipment and penetrations including vents, louvers, terminations, and similar appurtenances;

(4) ~~T~~ transverse and longitudinal sections; and

(5) ~~W~~ written specifications;

These documents, ~~that~~, taken together, ~~shall~~ provide a detailed description of the site placement, size, volume, and appearance of the proposed building. The applicant shall ~~also~~ submit a plan of any landscape features which are to be installed as a part of the proposed project. ~~Additionally, the applicant shall submit photos, samples, renderings, and similar items as required by the Building Commissioner.~~

(c) Approval; Disapproval. If the Architectural Board of Review finds, upon final review, that the exterior design and accompanying documents conform to the requirements of the Village Charter and ordinances, it may approve the application. If such design and documents do not conform, it may conditionally approve them by specifying modifications which would make the same acceptable. If the Board finds the exterior design for a building or structure would produce one or more of the harmful effects set forth in Section 6(d)(4) of Article VII of the Charter of the Village, or otherwise not comply with this chapter, the Board shall disapprove the application, design and accompanying documents. ~~In the event the Board fails to act upon the plans within 120 days of the filing date of the application, the application will be deemed to be approved.~~
~~(Ord. 2001-110. Passed 4-9-01.)~~

(d) Appeal to Council. If the Architectural Board of Review disapproves any application or makes any determination adverse to the applicant, the applicant shall have twenty (20) days after announcement of the decision to file a notice of appeal to Council of that decision. Such notice shall be filed with the Building Inspector. Council shall place the matter for hearing on the agenda for the next regular Council meeting following the filing of the notice of appeal, provided that the notice of appeal is filed at least ten (10) days prior to the next Council meeting; otherwise Council shall place the appeal on the agenda of the subsequent regular meeting. Council shall decide the appeal within ninety days of the filing of the notice of appeal, unless the applicant requests additional time for decision. A failure by Council to decide the matter within ninety (90) days of the notice of appeal shall be deemed to be an affirmance of the decision of the Board. The decision of Council shall be final within the Village. In the event Council reverses or modifies the decision of the Architectural Board of Review, the Mayor shall endorse the approval or modification, ordered by Council, as provided in Section 1309.04(b).
~~(Ord. 2009-101. Passed 3-10-09.)~~

1309.04 APPROVAL OF DESIGN; ENDORSEMENT OF PLANS.

(a) Preliminary Approval. Preliminary approval shall be marked upon the conceptual drawings of the residence or other structure(s). Preliminary approval shall be evidence that the concepts presented are acceptable to the Architectural Board of Review, and the project should proceed to final drawings.

(b) Final Approval. Final approval or disapproval of the plot plan and of the design and accompanying documents shall be endorsed thereon by the Architectural Board of Review by its Chairman, or by the Mayor in the event of Councilman~~tic~~ action, as described in Section 1309.03(d). In the event the Board or Council issues conditional approval, the conditions shall be noted in writing upon the appropriate plans to which the conditions apply. The Building ~~Inspector~~Commissioner shall not issue any building permit for any application which has not received final approval, nor shall any building permit be issued for any application which has granted conditional approval, unless and until the conditions noted on the plans have been satisfied.

(c) Expiration of Approval. A Final Approval granted pursuant to this section shall expire one year after the date of the meeting at which it is granted if no building permit is obtained pursuant to Chapter 1303. In the event a building permit is obtained, the Final Approval shall expire when the building permit expires. In the event that the building permit is renewed, the Final Approval shall be deemed to be renewed. In the event the building permit expires and is not renewed, Final Approval of the Architectural Board of Review must be obtained pursuant to this section before a new building permit may be issued.

~~{Ord. 2017-12. Passed 3-13-17.}~~

1309.05 CHANGES FROM APPROVED PLANS PROHIBITED.

(a) No person may alter plans which have been approved by the Architectural Board of Review in any manner which affects the exterior appearance of the building or other ~~structure~~structure, which is being erected, constructed, reconstructed, moved, extended, enlarged, or otherwise altered.

(b) No person shall erect, construct, reconstruct, move, extend, enlarge, or otherwise alter a building in a fashion which is in any way inconsistent with plans approved by the Architectural Board of Review.

~~{Ord. 2000-110. Passed 4-11-00.}~~

1309.06 EVALUATION STANDARDS.

(a) Excessive Dissimilarity. The exterior design of a building or structure, site plan or landscape plan shall not be excessively dissimilar to any other existing building, structure, site plan or landscape plan in the immediate vicinity of the proposed building, structure,

site plan or landscape plan. For the purposes of this section, a building, structure, site plan or landscape plan shall be deemed to be "existing" if a valid permit has been issued for its construction.

(b) Excessive Similarity. The exterior design of a building, structure, site plan or landscape plan shall not be excessively similar in relation to any other building, structure, site plan or landscape plan, existing or for which a permit has been issued, on a lot within 750 feet of the proposed site, particularly any of the following features of exterior design.

(1) Facade. An elevation shall not be apparently identical, including the size and arrangement of either doors, windows, porches, or other openings or breaks in the facade, nor shall there be a directly reverse arrangement;

(2) Other significant features. Architectural features, including but not limited to materials, roof line, or other design elements shall not be apparently identical.

(c) Inappropriate Design. If, based upon evidence in the record, the Board determines that a building, structure, addition, site plan or landscape plan is inconsistent with the predominant architectural style of the residence, or neighboring residences, or is otherwise inconsistent with other elements of the design of the building, structure, site plan or landscape plan, the Board may make a finding that the design is inappropriate.

(d) Harmful Effects of Design. In order to make a valid determination of excessively similar, dissimilar, or inappropriate design, the Board must also issue a finding or findings, based upon the evidence in the record, that such similarity, dissimilarity, or inappropriateness will produce one of the harmful effects identified in Section 6(d)(4) of Article VII of the Village Charter.

~~{Ord. 2000-110. Passed 4-11-00.}~~

1309.07 INSPECTIONS; PROFESSIONAL ASSISTANCE.

The Building ~~Inspector~~Commissioner shall be responsible for making inspections sufficient to enforce this chapter. In the event the Building ~~Inspector~~Commissioner determines it is necessary to obtain professional assistance in determining whether or not a building or structure (or portion of a building or structure) is being constructed in accordance with the terms of the permit issued hereunder, he shall, at the direction of the Mayor, have the authority to engage the services of a professional architect to provide such assistance, or require the Owner to engage a third-party testing company to review, test, and submit reporting.

~~{Ord. 2000-110. Passed 4-11-00.}~~

1309.08 SMALL CELL/TELECOMMUNICATION FACILITIES DESIGN GUIDELINES.

(a) Guidelines. The Architectural Board of Review shall enact and revise Design Guidelines for “small cell facilities” as that term is defined in Section 4939.01 of the Ohio Revised Code, and the accessory equipment, which are to be located anywhere in the Village, whether in a right of way or elsewhere. The authority to revise and modify the Design Guidelines shall cover technological advances which may change the way wireless signals are broadcast to consumers of wireless services. The Design Guidelines shall reasonably regulate the location and design of “small cell facilities” and accessory equipment so as to prevent the adverse impact of a location or design on a property or the public, while not unreasonably interfering with the rapid deployment of new telecommunications technologies.

(b) Compliance. No person may erect a small facility, its accessory equipment, or any similar telecommunication facility or equipment in the Village without first obtaining the approval of the Architectural Board of Review and a building permit. In reviewing the permit request, the Architectural Board of Review shall reasonably apply the Design Guidelines to achieve the objectives of this ordinance.

(c) Appeal. The administration of the Design Guidelines shall be subject to the appeal provisions found in Section 1309.03 of the Codified Ordinances of Hunting Valley.

(d) Penalty. The failure to comply with the provisions of this section, the Design Guidelines promulgated by the Board and the decisions of the Board in the administration of the Guidelines shall be subject to the penalties set forth in Section 1309.99 of this Chapter.

(Ord. 2018-14. Passed 8-14-18.)

1309.99 PENALTIES; EQUITABLE REMEDIES.

(a) Any owner of any building or premises, or part thereof, who violates the terms of this chapter, or any architect, builder or contractor who assists in the commission of any such violation, or any person who fails to comply with an order of the Architectural Board of Review, shall, for each violation or failure to comply, be deemed guilty of a misdemeanor of the third degree, which shall be punishable by a fine of up to five hundred dollars (\$500.00) and a jail sentence of up to sixty days, or both. Each day such violation or failure to comply exists shall constitute a separate offense.

(b) In lieu of or in addition to prosecution for any criminal violation authorized by subsection (a) hereof, the Law Director may, at the direction of the Mayor, institute an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful condition; to restrain, correct or abate a violation; to prevent the occupancy of buildings, structures or premises which violate this chapter; or to require compliance with this chapter or other applicable laws, ordinances, rules or regulations, or the orders of the Architectural Board of Review.

(Ord. 2000-110. Passed 4-11-00.)

TITLE THREE - Building Regulations

Chap. 1321. Access Driveways.

Chap. 1323. Agricultural Buildings.

Chap. 1325. Alterations of Topography.

Chap. 1327. Antennas.

Chap. 1329. Chimneys and Fireplaces.

Chap. 1330. Construction of Structures on Steep Slopes.

Chap. 1331. Cutting of Trees.

Chap. 1333. Dangerous Buildings.

Chap. 1335. ~~Egress and Access.~~Elevators, Platform Lifts, Stairway Lifts, and Dumbwaiters.

~~—Chap. 1337. Energy Conservation.~~

Chap. 1339. Excavations and Foundations.

Chap. 1341. Exterior Requirements.

Chap. 1343. Fire Protection.

~~—Chap. 1345. Flood Hazards.~~

Chap. 1347. Fuel Storage.

Chap. 1351. Garages, ~~Pole Buildings and Decks.~~

Chap. 1353. Grading and Drainage.

Chap. 1355. ~~—Loads.~~Climatic and Geographic Design Criteria and Live Loads.

Chap. 1357. Materials.

Chap. 1359. Moving of Buildings.

~~—Chap. 1361. Natural Light and Ventilation.~~

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~~—Chap. 1363. Room and House Size.~~

Chap. 1365. Sanitary Facilities.

Chap. 1367. Storage and Screening of Vehicles and Equipment.

~~—Chap. 1369. Temporary Buildings.~~

Chap. 1371. —Topsoil Removal.

CHAPTER 1321 Access Driveways

1321.01 Definitions.

1321.02 Construction or improvement; permit required.

1321.03 Permit application.

1321.04 Driveway specifications.

1321.05 Restrictions on issuance of permits.

1321.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Egress and access—see BLDG. Ch. 1335~~

1321.01 DEFINITIONS.

As used in this chapter, "access driveway" means a driveway used or proposed to be used for the purpose of obtaining access from private property to:

(a) A public road; or

(b) A private road which in turn connects to a public road (in which case the access driveway is sometimes referred to in this chapter as a "private road access driveway," and the portion of the private road which lies between its connection with the public road and its connection with the private road access driveway is sometimes referred to in this chapter as the "appurtenant private road").

(Ord. 1967-119. Passed 11-27-67.)

1321.02 CONSTRUCTION OR IMPROVEMENT; PERMIT REQUIRED.

No access driveway or private road shall be constructed, extended, or otherwise improved until the owner thereof has first obtained a permit from the Building ~~Inspector~~ Commissioner. The fee for such permit shall be calculated pursuant to Section 1303.14 of the Codified Ordinances.

~~{Ord. 2014-113. Passed 7-8-14.}~~

1321.03 PERMIT APPLICATION.

Applications for the permit mentioned in Section 1321.02 shall be obtained from the Building ~~Inspector~~Commissioner on forms provided for such purpose and shall be accompanied by a map prepared by a licensed surveyor, landscape architect or architect, drawn to scale, showing the proposed location of such access driveway, private road or any extensions thereof or improvements thereto, specifications prepared by a landscape architect, an architect or engineer setting forth the type and quantity of materials and depth of the roadbed, and any other documents which the Building ~~Inspector~~Commissioner deems necessary for the proper review of the application and for the making of the determinations required of him or her by this chapter.

~~{Ord. 1967-119. Passed 11-27-67.}~~

1321.04 DRIVEWAY SPECIFICATIONS.

(a) The minimum and maximum width of the access driveway at the point where it joins a public or private road, the minimum and maximum width of a private road, and the minimum distance that an access driveway or private road shall extend into the property, shall be as set forth below:

-

	Minimum Width (ft.)	Maximum Width (ft.)	Minimum Distance (ft.)
Access driveway	9	20	20
Private road	16	24	30

(b) The flare for an access driveway or private road shall be at least three (3) feet wider than the pavement on each side and shall not exceed thirty-six (36) feet at the edge of its connection with the pavement of the public or private road.

(c) The maximum grade of a driveway apron shall not exceed five percent (5%) for a distance of thirty (30) feet from the pavement of the public or private road to which it connects. The maximum grade of a driveway shall be ten percent (10%).

(d) As used in this section, "private road" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

~~(e) Refer to requirements in Zoning Code Section 1155.07(c) for additional requirements.~~

~~{Ord. 2008-122. Passed 12-9-08.}~~

1321.05 RESTRICTIONS ON ISSUANCE OF PERMITS.

(a) The Building ~~Inspector~~Commissioner shall not issue a permit for the construction, extension or improvement of an access driveway or private road if he or she finds that the application ~~therefor~~ is not in proper order. The Building ~~Inspector~~Commissioner shall return it to the applicant for correction, and the application shall be deemed not to have been submitted.

(b) The Building ~~Inspector~~Commissioner shall not issue a permit for the construction, extension or improvement of an access driveway or private road if it is determined that the location of such access driveway or private road (and in the case of a private road access driveway, the location of the private road access driveway or the appurtenant private road), in accordance with the map, would be detrimental to the safety and welfare of the traveling public. Such determination shall be made within a reasonable time after the filing of the application for the permit referred to in Section 1321.03 by the Building ~~Inspector~~Commissioner. A determination by the Building ~~Inspector~~Commissioner may be appealed to Council within thirty days after it has been made. No permit with respect to an ~~Class 2~~Class 2-access driveway or private road shall be issued without the approval of a majority of the members of Council.

~~{Ord. 1967-119. Passed 11-27-67.}~~

1321.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building Village~~Building Village Code penalty if no specific penalty is provided.)

CHAPTER 1323
Agricultural Buildings

1323.01 Animals and fowl.

1323.02 Stables, pasture shelters, barns, and pens.

1323.99 Penalty.

~~CROSS REFERENCES~~

~~—Animals running at large; strays—see Ohio R.C. Ch. 951~~

~~—Dogs—see Ohio R.C. Ch. 955~~

~~—Offenses relating to domestic animals—see Ohio R.C.
—Ch. 959~~

~~—Animals—see GEN. OFF. Ch. 505~~

~~—Accessory buildings—see BLDG. 1333.07~~

~~—Temporary buildings—see BLDG. Ch. 1369~~

1323.01 ANIMALS AND FOWL.

(a) The keeping of swine in the Village is restricted as follows: No swine shall be kept on any premises other than a farm, and in no case shall they be housed, penned, or allowed to roam nearer than 500 feet to any property line, highway, or dwelling.

~~{Ord. 1992-101. Passed 1-14-92.}~~

(b) The keeping of horses, mules, donkeys, ponies, cattle, goats, sheep, and fowl is restricted, as follows:

—(1) -No cattle, mules or sheep shall be kept or stabled, except on a farm, without the consent of the Council of this Village. No horses, mules, donkeys, cattle, goats, sheep, or fowl shall be permitted to roam at large within the Village.

—(2) -No stable, pasture shelter or shed for the housing of saddle horses, goats, or ponies, nor troughs, haystacks, or other devices for the feeding thereof, shall be constructed nearer than one hundred fifty feet (150') from any property line, highway or public road, nor shall other buildings or devices within such setback be converted to such use.

—(3) -No chicken coop, runway, yard, pen, or other place for keeping or feeding of chickens, ducks, geese, or other fowl shall be maintained or suffered to exist nearer than one hundred fifty feet (150') from any property line, highway, or dwelling.

~~—{Ord. 2007-109. Passed 4-10-07.}~~

1323.02 STABLES, PASTURE SHELTERS, BARN~~S~~, AND PENS.

(a) As used in this section:

(1) -"Stable" means any building designed or used for the housing of horses (but with no provision for the housing of human beings), ~~poultry~~fowl, power-driven machines, equipment~~s~~, or vehicles.

(2) -"Pasture shelter" means any building designed or used for sheltering from the weather, livestock turned rough in a pasture. Such a building shall be located in an entirely enclosed pasture; shall be so constructed that livestock are free to move in and out of it at will; and may not have an artificial floor which will obstruct natural seepage through the ground. Such a building shall have neither a temporary nor permanent curtain, such as a canvas, which can be drawn over the front of it at any time to restrict the free motion of animals in and out of the shelter.

(b) No stable, pasture shelter, pen, coop, runway~~s~~, or other place for the keeping of any horses, mules, donkeys, cattle, goats, sheep or fowl shall exist or be permitted to exist unless such stable, barn, pen, pasture shelter, coop, runway or other place is maintained in a clean condition, free from any accumulation of filth, garbage, rubbish or other waste.

(c) Manure shall not be stacked or piled for fertilizing purposes unless stacked or piled at a distance of not less than 150 feet from any dwelling, highway~~s~~, or property line and so as not to cause a nuisance.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1323.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

CHAPTER 1325

Alterations of Topography

- 1325.01 Grading, excavating, and filling; permit required; application.
- 1325.02 Erosion and sedimentation control.
- 1325.03 Notice of denial of permit application.
- 1325.04 Appeals.
- 1325.05 Approval of application; issuance of permit; ~~bond~~cash deposit.
- 1325.06 Exclusions.
- ~~1325.07 Deposit; expenses; reimbursement.~~
- 1325.08 Minor and harmless operations.
- 1325.09 Violations.
- 1325.99 Penalty.

~~CROSS REFERENCES~~

- ~~—Soil and Water Conservation Division—see Ohio R.C.~~
- ~~—Ch. 1611~~
- ~~—Soil and water conservation districts—see Ohio R.C.~~
- ~~—Ch. 1515~~
- ~~—Grades in subdivisions—see P. & Z. 1139.03~~
- ~~—Drilling, filling, dredging or dumping within 300 feet~~
- ~~—of Chagrin River—see P. & Z. 1155.20(c)~~
- ~~—Excavations and foundations—see BLDG. Ch. 1339~~
- ~~—Soils investigation reports—see BLDG. 1339.05~~
- ~~—Grading and drainage—see BLDG. Ch. 1353~~

1325.01 GRADING, EXCAVATING AND FILLING; PERMIT REQUIRED; APPLICATION.

Inasmuch as the grading, excavating or filling of land results in the removal and disturbance of topsoil, trees and other vegetation, loam, sand, gravel, rock, stone, clay and other similar substances from land; results in noise and the creation of large quantities of dust, which prove obnoxious to inhabitants in the vicinity thereof; creates erosion and drainage problems, swamps and ponds and frequently results in damage to adjoining properties by disturbing the substructure thereof and tends to have a disrupting effect on water supplies, and other similar dangers to public health and safety; results in unsightly

and blighted areas unfit for other and useful purposes, thus retarding or preventing their development, depressing property and other values in the neighborhood and permanently destroying the land, leaving it almost valueless for any purpose; creates highway hazards due to the presence of heavy trucks and other equipment on the roads, and due to the scattering of earth and debris thereon; and inasmuch as such operations, unless properly planned, regulated and supervised, have an adverse effect upon the public peace, health, safety and general welfare; any person, firm, corporation or other entity wishing to change the contours of land by grading, excavating or filling, resulting in the removal and disturbance of topsoil, trees and other vegetation, loam, sand, gravel, rock, stone, clay and other similar substances from land located in any area or place within the Village (except as provided in Section 1325.06), shall, prior to commencing or continuing any such operation, file with the Building ~~Inspector~~Commissioner a written application for permission to carry on such operations, which application shall contain the following information:

(a) The name and address of the applicant and the name and address of the owner of the land if it is different from that of the applicant;

~~—(Ord. 1992-01. Passed 1-14-92.)~~

(b) A description of the land, with boundaries, upon which such operations are proposed to take place. A map of the land showing its location and dimensions and indicating the areas intended to be graded, excavated, or filled and delineating the extent of required riparian setback areas as set forth in Section 115 ~~15.12(a)~~ of the Planning and Zoning Code.

~~—(Ord. 2000-145. Passed 10-9-01.)~~

(c) The method of operation to be employed; the time within which such work is to be commenced and completed; the existing and proposed topography of the land and its ultimate proposed use; and the type and nature of refilling, reseeding, or replanting proposed. Such application shall also contain a statement that the applicant and owner of the land will furnish a ~~performance-cash bond-deposit~~ for the permit to change the contours of the land by grading, excavating or filling, in an amount deemed to be sufficient to guarantee the performance and completion of the project in accordance with the terms of the permit, if granted. The amount of the ~~bond-cash deposit~~ shall be determined by the Planning and Zoning Commission or by the Council, whichever shall be the approving body authorizing the issuance of the permit, pursuant to Section 1325.05.

(d) The name and address of any person, firm, corporation, or other entity who or which, it is contemplated, will do the actual work of grading, excavating, or filling. If any such agreement, contract, lease, or other arrangement is in writing, a copy thereof shall be attached to the application; if such is not in writing, an explanatory statement of the arrangement shall be made in the application.

(e) Where deemed appropriate by the Building ~~Inspector~~Commissioner~~-or-the-Planning and Zoning Commission~~, any or all of the following additional information may be required:

(1) -The areas of said described premises that will be exposed at any one time;

(2) -The type of permanent and final vegetation and structure that will be planted and installed on the said described premises and the time within which such vegetation and structures are to be planted and installed; and

(3) -A description of the type of the soil comprising the said described premises.

~~—(Ord. 1992-101. Passed 1-14-92.)~~

1325.02 EROSION AND SEDIMENTATION CONTROL.

The Building ~~Inspector~~Commissioner may request a report (including a report on the subsurface water and soils conditions) from the Cuyahoga Soil and Water Conservation District, or from a professional land planner, civil engineer, or landscape architect who is qualified in erosion and sedimentation control measures, stating their recommendations for adequate erosion and sediment control measures for the proposed grading, excavating, or filling operation. The Building Commissioner shall approve the recommendations, approve the recommendations with conditions which shall be made a part of the permit, deny the recommendations contained in the report, or recommend review by the Planning and Zoning Commission.

When the Planning and Zoning Commission is to make a determination at a public hearing upon the application, notice of the hearing shall be ~~mailed~~sent to the applicant and owner of the land, and to all abutting property owners, not less than ten days prior to the public hearing, excluding the day of the mailing and including the day of the public hearing. If the Planning and Zoning Commission determines that the granting of the application will not adversely contribute to the erosion of soils, result in the clearcutting, timbering or commercial removal of trees, as defined in Chapter 521 of the General Offenses Code (unless a permit has been secured pursuant to Chapter 521), significantly increase the surface water run-off from such lands, contaminate ground water or otherwise adversely affect subsurface water conditions, or otherwise adversely affect the public interest, health, safety or general welfare, the Planning and Zoning Commission shall grant the application, with such conditions relating to the method of grading, excavating or filling of the land or area on which the operations are to be conducted, the terms of the permit, the amount of topsoil or loam to be respread on the land, the amount of the removal which may be permitted on the land, the refilling, reseeding or replanting of the land, the drainage after such operations, and such other conditions as the Commission may deem necessary for the protection of the public interest, health, safety and general welfare, which conditions shall be made a part of the permit and shall constitute limitations thereon.

~~(Ord. 1996-119. Passed 8-27-96.)~~

1325.03 NOTICE OF DENIAL OF PERMIT APPLICATION.

In the event the application is denied, notice thereof shall be ~~mailed-sent~~ by the Building ~~Inspector~~Commissioner to the applicant and the owner of the land at the addresses given in the application.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1325.04 APPEALS OF DENIAL OR CONDITIONS.

If the ~~Planning and Zoning Commission~~Building Commissioner denies the application or if it approves the application with conditions which the applicant or owner finds to be onerous and unacceptable, the applicant or owner may appeal the decision in accordance with Section 1301.06.

Any decision, action, or determination made by the Planning and Zoning Commission, whether acting as the Commission or in their role as Board of Building Code Appeals shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law. to Council by filing a written notice of such appeal with the Clerk of Council within thirty days from the date of the mailing of the notice to the applicant and the owner, as provided in Section 1325.03. The Clerk of Council shall then obtain from the Planning and Zoning Commission the application, reports, recommendations, documents and minutes, or copies thereof, relating to the application and the action taken thereon by the Planning and Zoning Commission and submit the same to Council. Council, by a two-thirds vote, may approve the application, with the same conditions as set forth in Section 1325.02, as it deems necessary.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1325.05 APPROVAL OF APPLICATION; ISSUANCE OF PERMIT; ~~BOND~~CASH DEPOSIT.

If the application is ~~approved~~granted, ~~either~~ by the Building Commissioner or by the Planning and Zoning Commission~~or by Council~~, the Building ~~Inspector~~Commissioner shall issue a permit containing the restrictions imposed, if any, upon the posting of a cash ~~bond deposit or other form of financial guaranty approved by the Director of Law of the Village, running in favor of the Village~~ and conditioned upon the performance of the permit in accordance with its terms, in the amount fixed by the approving body.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1325.06 EXCLUSIONS.

The provisions of this chapter shall not be deemed or construed to apply to any:

- (a) Grading for an access drive except where the grade of the land exceeds ten percent (being a ten-foot vertical drop in a 100-foot horizontal distance); or

(b) Excavation or removal for a basement or foundation for any proposed building for which a building permit has been issued and is in force and effect. However, if such building is not commenced and carried forward, any excavation or removal made preparatory thereto for a basement or foundation shall be filled up and replanted.

(Ord. 1992-101. Passed 1-14-92.)

~~—1325.07 DEPOSIT; EXPENSES; REIMBURSEMENT.~~

~~—(a)—At the time of submission of the written application, the applicant shall deposit with the Village an amount of money as determined by the Building Inspector, but not less than three hundred dollars (\$300.00), to cover the cost and expense of such investigation as may be necessary to fully review such application and any accompanying maps, and shall report upon the same to the Planning and Zoning Commission. The cost and expense of such investigation shall be deducted from such deposit. If such expenditures exceed the deposit, such excess shall be paid to the Village by the applicant upon request of the Building Inspector. If such deposit exceeds such expenditures, the balance shall be refunded to the applicant.~~

~~—(b)—If the application is granted, the applicant shall reimburse the Village for any expenses incurred in connection with the Village supervision or inspection of the operations as outlined in the permit. Statements for said expenses shall be submitted to the permit holder by the Finance Director and shall be subject to payment within thirty days of receipt. Failure to pay such statements shall constitute grounds for the revocation of the permit.~~

1325.08 MINOR AND HARMLESS OPERATIONS.

All applications for grading and filling under Section 1325.01, when determined by the ~~Planning and Zoning Commission~~Building Commissioner to be so minor, desirable, and without potential harm to adjacent landowners and the public health, safety and general welfare, shall be permitted in writing, subject to such conditions as may be required in the public interest. The permittee shall notify the Building ~~Inspector~~Commissioner of completion of the work, which shall then be inspected by the Building ~~Inspector~~Commissioner. The fee for the permit and the inspection shall be one hundred dollars (\$100.00). Such applications need only contain such information as the ~~Planning and Zoning Commission~~Building Commissioner may require, and no ~~bond-cash deposit~~ shall be required.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1325.09 VIOLATIONS.

No person, firm, corporation, or other entity shall change the contours of land by grading, excavating or filling, thereby removing and disturbing topsoil, trees and other vegetation, loam, sand, gravel, rock, stone, clay, or other similar substances from land, without first obtaining a permit as required herein, or in violation of the terms of any permit granted as provided herein, or assist in the commission of any such violation.

(Ord. 1992-101. Passed 1-14-92.)

1325.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building Village~~ Code penalty if no specific penalty is provided.)

CHAPTER 1327

Antennas

1327.01 Location and screening.

1327.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Screening of vehicles and equipment—see BLDG. Ch. 1367~~

1327.01 LOCATION AND SCREENING.

(a) No ground-based antenna shall be installed or maintained within the Village of Hunting Valley until the adequacy of its screening has been determined by the ~~Planning and Zoning Commission~~ Architectural Board of Review, based upon a screening plan submitted and upon the following factors:

- (1) ~~Location of the screened area relative to adjacent residences and other structures, provided that no such antenna shall be erected within forty feet of any lot line;~~
- (2) ~~Size and shape of the antenna and its mounting, provided that the width or diameter of such antenna shall not exceed twelve feet;~~
- (3) ~~View of the screened area from the street and from adjoining residences; and~~
- (4) ~~Size, quantity, and quality of screening. Adequate screening may consist of walls, fencing or plantings, which shall be continuously maintained.~~

(b) No roof-mounted antenna which is five feet or greater in height, width or diameter shall be erected on the roof-top of any building unless such installation has been approved by the ~~Architectural Board of Review~~ Planning and Zoning Commission based upon the following factors:

- (1) ~~Size and shape of the antenna and its mountings, provided that the width or diameter of such antenna shall not exceed twelve feet.~~
- (2) ~~View of the antenna from the street and from adjoining residences.~~

(c) No antenna shall be linked to receivers which are not located on the same lot.

~~{Ord. 1992-127. Passed 12-15-92.}~~

(d) When the ~~Architectural Board of Review~~ Planning and Zoning Commiasion is to make a determination at a public hearing as to either the adequacy of the screening plan under subsection (a) hereof, or the installation of a roof-mounted antenna under subsection (b) hereof, notice of the hearing shall be ~~mailed~~ sent to the applicant and owner

of the land and to all abutting property owners not less than ten days prior to the hearing, excluding the day of mailing and including the day of the hearing. After such determination has been made, notice thereof shall be given promptly to the applicant and to the owners of such contiguous properties. Such determination shall not become effective for ten days thereafter, and if an appeal is filed with Council by an owner of any such contiguous property within such period, such determination shall not become effective until such appeal has been decided by Council or for sixty days, whichever is earlier.

~~{Ord. 1996-119. Passed 8-27-96.}~~

1327.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

CHAPTER 1329

Chimneys and Fireplaces

1329.01 ~~Foundations for chimneys; corbelled chimneys~~General.

1329.02 Chimney ~~height~~; capping.

~~1329.03 Flue construction.~~

1329.04 ~~Exterior c~~Chimney materials.

~~1329.05 Adjacent framing.~~

~~1329.06 Miscellaneous regulations.~~

~~1329.99 Penalty.~~

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Fire protection—see BLDG. Ch. 1343~~

~~—Materials generally—see BLDG. Ch. 1357~~

~~—Venting of flues—see BLDG. 1385.02~~

1329.01 ~~FOUNDATIONS FOR CHIMNEYS; CORBELLED CHIMNEYS~~GENERAL.

(a) ~~Chimneys shall be built only upon a foundation of concrete, solid brick masonry, or concrete block grouted solid to twelve inches below finished grade, and fireplaces shall be designed and constructed in accordance with the Residential Code of Ohio and as required herein.~~

(b) ~~Foundations shall be properly proportioned to carry the weight imposed and to minimize the possibility of different settlement. Chimneys shall be built to a height of at least three feet above flat roofs and shall be built to a height above peaked roofs as prescribed in the Residential Code of Ohio.~~

~~—(c) Chimneys shall not rest upon or be carried by wood floors, beams or brackets, nor be hung from wooden rafters.~~

~~—(d) No wall less than twelve inches thick shall be used to support a corbelled chimney. Such corbelling shall not project more than six inches from the face of the wall, and shall consist of at least five courses of brick.~~

~~{Ord. 2010-121. Passed 8-10-10.}~~

1329.02 CHIMNEY ~~HEIGHT;~~ CAPPING.

Chimneys ~~shall be built to a height of at least three feet above all flat roofs and three feet above all peak roofs within twenty feet of the chimney, whether such roofs form a part of the same or adjoining structures.~~ All chimneys shall be capped with stone, brick, terra cotta, cement, cast iron or other approved material, but no such capping shall obstruct or decrease the required free flue area.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1329.03 FLUE CONSTRUCTION.~~

~~—(a)— Each flue of every chimney shall be separately lined throughout with fire-clay flue lining not less than three-fourths of an inch thick, of good commercial quality. Adjoining flue linings shall have the joints broken at least seven inches. The masonry shall be built around each section of lining as it is placed, all voids shall be completely filled with mortar, and all joints shall be struck smooth on the outside. No defective flue lining shall be used. No hollow masonry units shall be used.~~

~~—(b)— The size of flues for fireplaces shall be approximately one-tenth the area of the fireplace masonry opening, although actual design of flue size shall depend on proven standards for the correct ratio of opening to flue size.~~

~~—(c)— The area or size of flue linings for heat-exhausting furnaces or stoves for either gas, oil, coal, wood or coke burning units shall depend upon the requirements of manufacturers' literature for the appliance and/or the specifications from a mechanical engineer. Such flues shall be made of fireclay or approved equivalent, not less than one inch thick, with joints properly designed to effect a permanent seal and with eight inches of solid clay brick surrounding masonry walls.~~

~~—(d)— Flues for low-temperature (less than 120 degrees Fahrenheit) venting or high-efficiency furnaces may use schedule 40 rigid polyvinylchloride (PVC) plastic pipe for combustion air intake and flue exhaust, sizes to be in accordance with the manufacturer's sizing criteria for the capacity of the furnace installed. Flue and intake piping may be extended to the outside through side walls or the roof at the rear of the slope.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—(e)— Except as provided in Section 1385.08(b), metal vent flues, either single or double-walled insulated pipes, for heat-exhausting appliance pipes, are not permitted.~~

~~{Ord. 1999-129. Passed 7-6-99.}~~

~~—(f)— Smoke pipe inlets to flues shall be only through the side of the chimney and shall consist of fireclay or metal thimbles securely set in the chimney wall with mortar. Such openings shall be at least eighteen inches below any exposed wood or wood lath and plaster ceilings, but if such combustible material is protected with an incombustible shield at least three inches below the joists or the ceiling and extending at least twelve inches in~~

~~all directions beyond the area occupied by the smoke pipe, then such openings may be not less than ten inches below such shield. Neither the intake pipe nor the thimble shall project into the flue.~~

~~—(g)— All flues shall be thoroughly cleaned and left smooth on the inside.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1329.04 EXTERIOR CHIMNEY MATERIALS.

~~(a) Chimneys faced with stone, unless built of sawed or dressed stone in course, properly bonded and tied with metal anchors, shall have walls at least twelve inches thick shall be faced with stone, brick, or stucco.~~

~~(b) Chimneys shall be of brick or solid concrete block and have walls at least four inches thick surrounding the flue liner. Visible sheet metal termination caps or exhaust piping for insert-type fireplaces are not permitted. Metal spark arrestors for solid masonry wood burning chimneys shall be permitted when approved the Architectural Board of Review.~~

~~{Ord. 2010-121. Passed 8-10-10.}~~

~~—1329.05 ADJACENT FRAMING.~~

~~—(a)— No wood beams, joists or rafters shall be placed nearer than two inches to any chimney. No woodwork shall be placed nearer than two inches to the back wall of any fireplace.~~

~~—(b)— All enclosed floor and roof spaces between chimneys and wood beams shall be filled with loose fireproof mortar or other porous incombustible material, supported on strips of sheet metal lath set into the chimney and nailed to the joists and forming a buckled flexible joint between.~~

~~—(c)— No wood studding, furring, lathing or plugging shall be placed against any chimney or in the joints thereof. Wood construction shall either be set away from the chimney, or the plastering shall be done directly on the masonry, or on metal lath or other approved incombustible material. Wood furring strips to support base or other trim shall be insulated from the masonry by incombustible insulating material at least one-eighth of an inch thick, and metal wall plugs or other approved incombustible devices shall be used for nailing.~~

~~—(d)— No wood or steel beams or other framing members shall be framed into the masonry mass which includes a chimney. The fireplace concrete foundation and masonry shall be independent of the structure of the building.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1329.06 MISCELLANEOUS REGULATIONS.~~

~~—(a) Prefabricated fireplaces shall be installed as per the manufacturer's instructions and the provisions of Chapter 21 of the Ohio Residential Building Code provided that they comply with Section 1329.02 and that all portions of the chimney extending over the roofline shall be wrapped with stone, brick, or other approved material.~~

~~—(b) No wood mantel or other woodwork shall be placed within eight (8") inches of the side or top of any fireplace openings.~~

~~—(c) All fireplace chimneys shall have spark arresters installed over their flue openings.~~

~~—(d) All fireplace hearths shall have a minimum on each side of eight (8") inches in width greater than the firebox and twenty (20") inches in depth from face of the firebox.~~

~~{Ord. 2016-7. Passed 4-12-16.}~~

1329.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general VillageBuilding Code penalty if no specific penalty is provided.)

CHAPTER 1330

Construction of Structures on Steep Slopes

1330.01 Findings; permit required.

1330.02 Steep slope and/or hillside defined.

1330.03 Permit application.

1330.04 Reports and recommendations; public hearing; decision of Planning and Zoning Commission.

1330.05 Appeal of denial or conditions.

1330.06 Issuance of permit; security.

1330.07 Deposit of funds; expenses of supervision and inspection.

1330.99 Penalty.

Exhibit A

CROSS REFERENCES

~~—Permits, plans and specifications—see BLDG. Ch. 1303~~

~~—Alterations of topography—see BLDG. Ch. 1325~~

~~—Construction in flood hazard areas—see BLDG. 1345.02,
—1345.04~~

~~—Grading and drainage—see BLDG. Ch. 1353~~

1330.01 FINDINGS; PERMIT REQUIRED.

Inasmuch as the construction of a structure on a steep slope (as defined in Section 1330.02) can result in an unstable structure or the destabilization of that property or adjoining properties after such construction, can result in difficulties in being able to provide adequate fire safety protection services, can result in excessive deforestation leading to erosion and the reduction of open space, and can result in an increase in the runoff of storm and surface waters from the lot, thereby creating erosion, drainage and flooding problems, damage to adjoining properties, detrimental effects on ground water supplies and other similar dangers to public health and safety, and inasmuch as such activities, unless properly planned, regulated and supervised, can have further adverse effects upon the public welfare, peace, health and safety, any person, firm, corporation or other entity wishing to construct a structure on a steep slope, other than a structure which is an addition to an existing structure with respect to which the requirements of Section 1303.05(k) of ~~these Codified Ordinances~~the Village Code have been met, shall also obtain, in addition to any other permits required under ~~these Codified Ordinances~~the Village Code,

including a building permit under Chapter 1303 thereof, a permit pursuant to the provisions of this chapter.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.02 STEEP SLOPE AND/OR HILLSIDE DEFINED.

A steep slope or hillside shall contain one or more of the following criteria:

- (a) Areas that exhibit evidence of past or present unstable soil.
- (b) Areas having slopes with a natural gradient equal to or greater than thirty percent and where the vertical (elevation) change is twenty feet or greater, as graphically depicted in "Exhibit A," following the text of this chapter, which is hereby adopted and incorporated herein by reference.

(Ord. 1999-150. Passed 12-14-99.)

1330.03 PERMIT APPLICATION.

(a) A written application for a permit under this chapter shall be filed with the Building ~~Inspector~~Commissioner and shall contain the following information:

- (1) The name and address of the applicant and the name and address of the owner of the land if they are different from the name and address of the applicant.
 - (2) Data or reports of the nature contemplated in Sections 1325.02 and 1339.05 of these Codified Ordinances, including, but not limited to, engineering studies relating to an evaluation of the present stability, erosion control and drainage of the site (including, when a stream or channel is present, an evaluation of any possible streambank erosion) and the stability, erosion control and drainage of the property and adjoining properties after the planned construction of such structure; the ability of fire-fighting equipment to reach the site in light of the steepness of the grade and any other plans with respect to other fire safety protection measures, including sprinkler systems and firewalls; any plans for erosion and sediment control measures; any surface water run-off control measures such as catch basins, detention or retention areas or similar measures; identification of tree removal contemplated to be necessary and any plans for replanting those trees and the effect of such removal and replanting on erosion control and surface water run-off; and any other information deemed relevant by the applicant.
 - (3) The names and addresses of all abutting property owners.
- (b) A plot plan and a site improvement plan, each prepared as required by Section 1303.05 of these Codified Ordinances, shall accompany the application.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.04 REPORTS AND RECOMMENDATIONS; PUBLIC HEARING; DECISION OF PLANNING AND ZONING COMMISSION.

The Building ~~Inspector~~Commissioner may request such reports and recommendations as are necessary from various professionals to address the concerns presented by the construction of a structure on a steep slope, including, but not limited to, from the entity providing fire protection services to the Village, or from any other qualified fire safety consultant, with respect to any fire safety concerns presented by construction of the structure on a steep slope; from the Cuyahoga Soil and Water Conservation District, professional land planners, civil engineers, geotechnical engineers or landscape architects qualified in erosion, sedimentation and water run-off measures and surface and subsurface soil conditions with respect to adequate erosion, sedimentation, water run-off control measures and the stability of the property and adjoining properties after such planned construction and with respect to the impact of deforestation and replanting measures; and such other information as the Building ~~Inspector~~Commissioner may deem relevant.

After securing all such information as it deems necessary, the Building Commissioner shall approve the recommendations, approve the recommendations with conditions which shall be made a part of the permit, deny the recommendations contained in the report, or recommend review by the Planning and Zoning Commission

When the Planning and Zoning Commission is to make a determination at a public hearing upon the application, notice of the hearing shall be sent to the applicant and owner of the land shall set the matter down for a public hearing and mail notice thereof to the applicant and owner of the land at the addresses given in the application and to all abutting property owners not less than ten days prior to the public hearing, excluding the day of the mailing and including the day of the public hearing. If, after such hearing, the Planning and Zoning Commission determines that the granting of the application will not adversely affect the stability of the planned structure, of the property or of adjoining properties, adversely contribute to the erosion of soils, significantly increase the storm and surface water run-off from such lands and flooding therefrom, contaminate ground water or otherwise adversely affect the subsurface water conditions, present a fire safety problem or otherwise adversely affect the public welfare, peace, health and safety, the Planning and Zoning Commission shall approve the application, with such conditions relating to stabilization, erosion control and cutting and replanting of trees in connection therewith, fire safety, drainage or other conditions, as the Planning and Zoning Commission may deem necessary for the protection of the public welfare, peace, health and safety, which conditions shall be made a part of the permit and constitute limitations on such activities.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.05 APPEAL OF DENIAL OR CONDITIONS.

Notice of the approval or the denial of the application shall be ~~mailed-sent~~ by the Building ~~Inspector~~Commissioner to the applicant and the owner of the land at the addresses given in the application.

If the Building Commissioner denies the application or if it approves the application with conditions which the applicant or owner finds to be onerous and unacceptable, the applicant or owner may appeal the decision in accordance with Section 1301.06.

Any decision, action, or determination made by the Planning and Zoning Commission, whether acting as the Commission or in their role as Board of Building Code Appeals shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law. If the Planning Commission denies the application, or if it approves the application with conditions which the applicant or owner finds to be onerous and unacceptable, the applicant or owner may appeal to Council by filing a written notice of such appeal with the Clerk of Council within thirty days from the date of the mailing of notice of the approval or denial of the application to the applicant and the owner. The Clerk of Council shall then obtain from the Planning and Zoning Commission the application, reports, recommendations, documents and minutes, or copies thereof, relating to the application and the action taken thereon by the Planning and Zoning Commission and shall submit the same to Council. Council, by a two-thirds vote, may approve, or modify the approval of, the application, with such conditions as are set forth in Section 1330.04 as it deems necessary.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.06 ISSUANCE OF PERMIT; SECURITY.

If the application is approved, either by the Building Commissioner or by the Planning and Zoning Commission ~~or by Council~~, the Building ~~Inspector~~Commissioner shall issue a permit containing the conditions and restrictions imposed, if any, upon the posting of a cash ~~bond deposit or other form of financial guaranty approved by the Director of Law of the Village~~, running in favor of the Village and conditioned upon the performance of the permit in accordance with its terms, in the amount fixed by the approving body.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.07 DEPOSIT OF FUNDS; EXPENSES OF SUPERVISION AND INSPECTION.

At the time of submission of the written application, the applicant shall deposit with the Village an amount of money as determined by the Building ~~Inspector~~Commissioner, but not less than three hundred dollars (\$300.00), to cover the cost and expense of such investigation as may be necessary to fully review such application and any accompanying maps, requested reports and recommendations from various professionals, and reports upon the same to the Planning and Zoning Commission. The cost and expense of such

investigation shall be deducted from such deposit. If such expenditures exceed the deposit, such excess shall be paid to the Village by the applicant, upon request. If the deposit exceeds such expenditures, the balance shall be refunded to the applicant at the completion of the project.

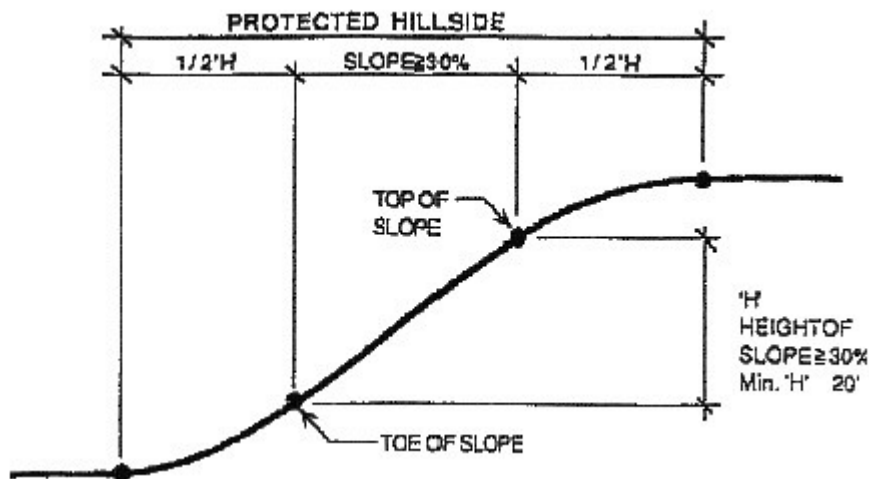
If the application is granted, the applicant shall reimburse the Village for any expenses incurred in connection with the Village's supervision and inspection of the activities outlined in the permit. Statements for said expenses shall be submitted by the Village to the permit holder and shall be paid within thirty days of receipt. Failure to pay such statements in a timely fashion shall constitute grounds for the revocation of the permit.

~~{Ord. 1993-117. Passed 11-16-93.}~~

1330.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Village Building Code penalty if no specific penalty is provided.)

EXHIBIT A



CHAPTER 1331 Cutting of Trees

1331.01 Timbering or commercial cutting defined.

1331.02 Permit required.

1331.03 Clear-cutting.

1331.04 Selective cutting.

1331.05 Permit applications.

1331.06 Conditions of permit; ~~bond~~cash deposit.

1331.99 Penalty.

CROSS REFERENCES

~~—Injuring trees and natural growth—see Ohio R.C. 309.14,~~

~~—901.51, 901.99~~

~~—Authority of municipal corporations re trees—see Ohio R.C.~~

~~—715.20~~

~~—Dutch elm disease—see Ohio R.C. 927.39 to 927.42~~

~~—Timber—see Ohio R.C. Ch. 981~~

~~—Removal of timber from watercourses—see Ohio R.C.~~

~~—6131.01, 6131.02, 6151.14~~

~~—Injuring trees—see GEN. OFF. 515.02~~

1331.01 TIMBERING OR COMMERCIAL CUTTING DEFINED.

As used in this chapter, “timbering or commercial cutting” means the cutting of trees having a trunk diameter of not less than nine inches at a distance of fourteen inches above ground level.

(Ord. 1981-110. Passed 9-22-81.)

1331.02 PERMIT REQUIRED.

There shall be no clear-cutting, timbering, or commercial cutting of trees on any piece or parcel of land located within the Village unless a permit ~~therefor shall have~~has been issued by the Building ~~Inspector~~Commissioner or ~~his or her~~the Building Commissioner's deputy.

1331.03 CLEAR-CUTTING.

Clear-cutting is prohibited, except to the extent necessary to clear a building site, yard, driveway and right of way providing access to the site from a dedicated public highway, after a permit ~~therefor~~ has been issued by the Building ~~Inspector~~Commissioner.

1331.04 SELECTIVE CUTTING.

Selective or sanitary cutting of timber shall be permitted under the following conditions, upon application to the Building ~~Inspector~~Commissioner:

(a) The Building ~~Inspector~~Commissioner or ~~his or her~~the Building Commissioner's deputy, an arborist selected by the Village and the owner or ~~his or her~~the Owner's representative shall together inspect the wooded area to be selectively cut, to butt brand and paint stripe the specific trees to be cut.

(b) Only trees so branded and marked shall be cut. Each unauthorized cutting of an unmarked tree shall constitute a separate violation of this chapter and shall constitute grounds for the immediate revocation of the permit.

1331.05 PERMIT APPLICATIONS.

An application for a permit required by this chapter shall be in writing and shall set forth in full the name and address of each owner of the premises upon which it is proposed to engage in the cutting of trees; the name and address of each person who shall engage in the cutting of trees on such premises, either under contract or any other arrangement with the owner; a copy of the contract covering such arrangement for the cutting of trees, or if there is no such contract reduced to writing, a succinct statement of the terms and provisions of such arrangement; and a legal description of the premises upon which such cutting of trees is proposed, or in lieu thereof a description of such premises which will adequately describe them so that they may be located on the plat map of the Village.

~~{Ord. 1981-110. Passed 9-22-81.}~~

1331.06 CONDITIONS OF PERMIT; ~~BOND~~CASH DEPOSIT.

The conditions under which permits shall be issued under this chapter are as follows:

(a) A permit for the cutting of trees shall not be issued by the Building ~~Inspector~~Commissioner in any case where such cutting of trees would result in interference with the natural water supply of the Village or any of the lots or lands therein, or if it would result in the undue erosion of the soil on such lots or lands.

(b) A permit for the cutting of trees shall not be issued by the Building ~~Inspector~~Commissioner unless and until adequate assurance is furnished by the applicant that if such permit is granted and such cutting of trees is done, all of the cordwood, branches, brush, rubble and refuse resulting therefrom will be removed from the premises or cut up, chipped and placed on the forest floor in such a way that no fire hazard shall result therefrom.

(c) The Building ~~Inspector~~Commissioner is authorized to require the filing with the Village by the applicant of a ~~cash bond~~deposit, the penal sum of which shall be in an amount which the Building ~~Inspector~~Commissioner reasonably estimates will be sufficient to pay the cost and expense of the clean-up operation.

(d) The ~~bond~~cash deposit hereinabove provided for shall be ~~signed by the owner of the premises concerned and by each of the persons with whom arrangements have been made for the commercial cutting of the trees under contract or otherwise as principals, and by such sureties as of an amount~~ the Building ~~Inspector~~Commissioner shall deem sufficient.

(e) A permit for the cutting of trees shall not be issued by the Building ~~Inspector~~Commissioner where trees are located within twenty-five (25) feet of protected watercourse, as defined in Section 1151.06 of the Planning and Zoning Code.

~~—(Ord. 2000-145. Passed 10-9-01.)~~

1331.99 PENALTY.

Whoever violates or fails to comply with any provision of this chapter shall be fined not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5,000) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues after the offender has been notified, by the Building ~~Inspector~~Commissioner or ~~his or her~~the Building Commissioner's deputies, of such violation or noncompliance.

~~{Ord. 1981-110. Passed 9-22-81.}~~

CHAPTER 1333
Dangerous Buildings

- 1333.01 Definitions.
- 1333.02 Inspections by Building ~~Inspector~~Commissioner.
- 1333.03 Maintenance of dwellings, structures, and appurtenances.
- 1333.04 Foundations.
- 1333.05 Exterior walls and roofs.
- 1333.06 Insects, vermin, and rodents.
- 1333.07 Accessory structures.
- 1333.08 Exterior property areas.
- 1333.09 Notice of violation to owner.
- 1333.10 Hearing before Planning and Zoning Commission.
- 1333.11 Order to vacate; posting of notice.
- 1333.12 Hearing before Council.
- 1333.13 Repairs.
- 1333.14 Demolition.
- 1333.15 Emergency orders.
- 1333.16 Equitable remedies.
- 1333.17 Costs.
- 1333.18 Right of entry.
- 1333.99 Penalty.

CROSS REFERENCES

- ~~—Duties of Building Inspector—see BLDG. 1301.02~~
- ~~—Right of entry of Building Inspector, deputies, etc.—see~~
~~—BLDG. 1301.03~~
- ~~—Definitions—see BLDG. 1301.05~~
- ~~—Foundations—see BLDG. 1339.02, 1339.03~~
- ~~—Fire walls—see B. & H. 1343.03~~

1333.01 DEFINITIONS.

The following definitions are applicable in this chapter:

- (a) "Dwelling" is a building used or designed, or intended to be used, all or in part, for residential purposes.
- (b) "Exterior property areas" are the yard areas connected with, by reason of ownership or right of control, or used together with, the dwelling or structure on the premises.
- (c) "Structure" is a building or device constructed or used for nonresidential purposes.

(Ord. 1992-101. Passed 1-14-92.)

1333.02 INSPECTIONS BY BUILDING ~~INSPECTOR~~COMMISSIONER.

The Building ~~Inspector~~Commissioner shall have authority to examine, whenever ~~he or she~~the Building Commissioner shall deem it necessary or advisable, the condition of any building or structure.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1333.03 MAINTENANCE OF DWELLINGS, STRUCTURES AND APPURTENANCES.

(a) All dwellings ~~and~~or structures and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which such dwelling ~~and~~or structure or part of any feature thereof was designed or intended to be used.

(b) All equipment and facilities appurtenant to a dwelling or structure shall be maintained in good and safe working order.

(c) All dwellings or structures which are structurally unsafe, unsanitary, or not provided with adequate safe egress, or which constitute a fire hazard, or which, in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are, for the purposes of this chapter, declared to be unsafe dwellings or structures. All such unsafe dwellings or structures shall be repaired and rehabilitated or shall be demolished and removed in accordance with the procedures specified herein.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1333.04 FOUNDATIONS.

(a) ~~F~~A~~l~~ foundations of every dwelling or structure shall be maintained structurally sound and in good repair.

(b) ~~F~~A~~l~~ foundations of every dwelling or structure shall be maintained in such condition as to prevent the accumulation of moisture within the space enclosed within such foundations.

(c) ~~Q~~A~~l~~ openings into the foundations of every dwelling or structure shall be protected against the entrance of rodents.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.05 EXTERIOR WALLS AND ROOFS.

(a) ~~E~~A~~l~~ exterior walls of every dwelling or structure shall be maintained weathertight and shall be maintained so as to resist decay or deterioration from any cause. In order to ~~insure~~ensure maintenance of weather-tight exterior walls resistant to decay or deterioration, all such walls shall be painted periodically or repointed or waterproofed.

(b) ~~R~~A~~l~~ roofs of every dwelling or structure shall be maintained weathertight.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.06 INSECTS, VERMIN, AND RODENTS.

~~D~~A~~l~~ dwellings or structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin, ~~and~~and rodents.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.07 ACCESSORY STRUCTURES.

~~S~~A~~l~~ secondary or appurtenant structures on premises, such as sheds, barns, garages, fences, retaining walls, etc., shall either be maintained in good repair and free from health, accident, and fire hazards or shall be removed from the premises.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.08 EXTERIOR PROPERTY AREAS.

Exterior property areas of ~~a~~all premises shall be kept free of any object, material or condition which may create a health, accident, or fire hazard or adversely affect the value of surrounding properties, including, but not limited to, such objects and conditions as the

outside storage of seldom moved or immovable vehicles in conspicuous positions, and collections of junk, rubbish, or debris.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.09 NOTICE OF VIOLATION TO OWNER.

(a) The Building ~~Inspector~~Commissioner shall examine or cause to be examined every dwelling or structure or portion thereof reported as unsafe or damaged and if such is found to be in violation of this chapter, the Building ~~Inspector~~Commissioner shall give to the owner of such dwelling or structure written notice stating the defects discovered.

(b) The notice shall advise the owner that a hearing concerning the enumerated defects has been scheduled before the Planning and Zoning Commission at a specified time and place, and that the owner may appear in person, or by agent or attorney, to show cause why said defects should not be repaired or the dwelling or structure demolished.

(c) The notice shall be given by certified mail, return receipt requested. If the person to whom a notice is addressed cannot be found within the County after reasonable search, then the notice shall be sent by certified mail to the tax mailing address of such person, as shown on the records of the Auditor of the County, and a copy of such notice shall be posted in a conspicuous place on the dwelling or structure to which it relates.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.10 HEARING BEFORE PLANNING AND ZONING COMMISSION.

(a) The Planning and Zoning Commission shall schedule a hearing on all violations of this chapter reported by the Building ~~Inspector~~Commissioner, the time and place of which shall be included in the notice to the owner as provided in Section 1333.09.

(b) In passing on said violations, the Planning and Zoning Commission shall require submission of evidence to substantiate all claims and may require such additional data as, in the opinion of the Commission, are needed for adequate consideration of violations. Any member of the Commission or any person authorized by the Commission may at any reasonable time enter, inspect, and examine any dwelling or structure for the purpose of carrying out the duties of the Commission.

(c) The Planning and Zoning Commission shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of the Commission shall be in writing, dated, indicate the vote upon a decision, and promptly filed in the office of the Building ~~Inspector~~Commissioner. A certified copy of the decision shall be sent by certified mail to the owner, return receipt requested, and a copy shall be publicly posted in the office of the Building ~~Inspector~~Commissioner for two weeks after mailing.

(d) If the Planning and Zoning Commission ~~shall~~ determines that the owner is in violation of this chapter, its decision shall specify the particular sections of this chapter which have been violated and shall give the owner a reasonable time to complete specified repairs or improvements or to demolish and remove the dwelling or structure or a portion thereof.

Any decision, action, or determination made by the Planning and Zoning Commission shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law.

~~The decision shall also advise the owner that he or she is entitled to a hearing before Council, if he or she requests it by filing a notice of appeal with the Planning and Zoning Commission within thirty days of the date of the Commission's decision.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.11 ORDER TO VACATE; POSTING OF NOTICE.

If the Planning and Zoning Commission ~~shall~~ determines that the condition of any dwelling or structure is such as to render its continued occupancy hazardous because of structural, sanitary or fire hazards, it may order the premises wholly or partially vacated. The Building ~~Inspector~~Commissioner shall carry out such an order by posting at each entrance of such dwelling or structure a notice to read: "DO NOT ENTER, UNSAFE TO OCCUPY. BUILDING ~~INSPECTOR~~COMMISSIONER". Such notice shall remain posted until the required repairs, demolition or removal is completed. Such notice shall not be removed without written permission of the Building ~~Inspector~~Commissioner and no person shall enter the dwelling or structure except for the purpose of making the required ~~repairs,~~ repairs or demolishing it, ~~or as authorized under Section 1333.12.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1333.12 HEARING BEFORE COUNCIL.~~

~~—(a)—Upon the filing of a notice of appeal with the Planning and Zoning Commission, it shall transmit to Council all of the original papers considered in issuing its decision.~~

~~—(b)—Council shall schedule a hearing within a reasonable time after an appeal has been filed and shall notify the owner of the time and place of the hearing by certified mail, return receipt requested.~~

~~—~~

~~—(c)—The owner may appear at the hearing in person, by agent or by attorney.~~

~~—(d)—In passing on such appeals, Council shall require submission of evidence to substantiate all claims and may require such additional data as, in the opinion of Council, are needed for adequate consideration of the appeal. Any member of Council or any person~~

authorized by Council may at any reasonable time enter, inspect and examine any dwelling or structure for the purpose of carrying out the duties of Council.

~~—(e)— Council shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of Council shall be in writing, dated, indicate the vote upon a decision and promptly filed with the Village Clerk. A certified copy of the decision shall be sent by certified mail to the owner, return receipt requested, and a copy shall be publicly posted in the Town Hall for ten days after mailing.~~

~~—(f)— If Council shall determine that the owner is in violation of this chapter, its decision shall specify the particular sections of this chapter which have been violated and shall give the owner a reasonable time to complete specified repairs or improvements or to demolish and remove the dwelling or structure or a portion thereof.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.13 REPAIRS.

(a) All repairs to existing dwellings or structures shall be subject to inspection by the Building ~~Inspector~~Commissioner.

(b) All repairs requiring the issuance of a building permit shall be carried out in accordance with the provisions of ~~the Village this Building~~ Code.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.14 DEMOLITION.

If the owner of a dwelling or structure fails to comply with a final order to repair or demolish a dwelling or structure, then the Building ~~Inspector~~Commissioner may cause the dwelling or structure to be demolished and the costs shall be assessed against the premises, in accordance with Section 1333.18. ~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.15 EMERGENCY ORDERS.

In cases of emergency which, in the opinion of the Building ~~Inspector~~Commissioner, involve immediate danger to human life or health, the Building ~~Inspector~~Commissioner shall promptly cause such dwelling, structure or portions thereof to be made safe or to be removed. For this purpose, ~~he or she~~the Building Commissioner may at once enter such dwelling or structure or land on which it stands, or abutting land or an abutting structure, with such assistance at such cost as he or she may deem necessary. ~~He or she~~The Building Commissioner may order adjacent dwellings or structures and premises to be vacated, and protect the public by an appropriate fence, scaffolding, shoring, ~~or~~ such other means as may be necessary, and for this purpose may close a public or private way.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.16 EQUITABLE REMEDIES.

The imposition of any penalty shall not preclude an appropriate action or proceeding in a court of proper jurisdiction to prevent unlawful construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate a violation; to prevent the occupancy of a dwelling or structure; to prevent an illegal act, conduct, business or use in or about any dwelling or structure; or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules, regulations, orders or determinations of the Building ~~Inspector~~Commissioner or ~~the Planning and Zoning Commission~~Council.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.17 COSTS.

The total costs, whether such costs are incurred due to the use of employees, materials and equipment of the Village or by contract for labor, materials and equipment, or both, for removing insecure, unsafe or structurally defective dwellings or structures, including the cost of service of publication of notice, together with a proper description of the premises, shall be certified by the Village Clerk to the County Auditor, to be placed by him or her upon the tax duplicate to be collected as other taxes. All other costs incurred under this chapter shall be paid out of the Village Treasury and the Village may institute an appropriate action in the courts to recover such costs from the owner of the premises.

(Ord. 1992-101. Passed 1-14-92.)

1333.18 RIGHT OF ENTRY.

The Building Commissioner, or the Building Commissioner's designee, is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that credentials are presented to the occupant and that entry is requested and obtained.

If such permission to enter is refused or is otherwise unobtainable, a search warrant from a court of competent jurisdiction must be obtained before such entry or inspection is made, except in the case of an existing emergency in which case entry may be made at any time and no search warrant is necessary. No person shall refuse to permit such emergency entry or inspection, nor shall any person hinder, obstruct, resist, or abuse any person making or attempting to make such entry or inspection.

~~—The right of the Building Inspector or a member of Council or the Planning and Zoning Commission to inspect or examine a dwelling or other structure under this chapter is subject to the necessity of obtaining a proper warrant in those instances where entry is~~

~~refused, in accordance with the due process requirements of the Fourteenth Amendment to the United States Constitution.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1333.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general VillageBuilding Code penalty if no specific penalty is provided.)

CHAPTER 1335

Egress And AccessElevators, Platform Lifts, Stairway Lifts, and Dumbwaiters

~~1335.01—Emergency egress openings.~~

~~1335.02—Basementless (crawl) spaces.~~

~~1335.03—Attics.~~

~~1335.04—Exit doors; hallway and exit access.~~

~~1335.05—Landings.~~

~~1335.06—Stairways.~~

~~1335.07—Handrails and guardrails.~~

~~1335.08—Ramps.~~

1335.09 Elevators, platform lifts, stairway lifts, and dumbwaiters.

1335.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05—~~

~~—Access driveways—see BLDG. Ch. 1321—~~

~~—Crawl spaces—see BLDG. 1339.06, 1361.08~~

~~—Glazed doors—see BLDG. 1361.03, 1361.06~~

~~—Exterior doors in kitchens or bedrooms—see BLDG. 1361.06~~

~~—1335.01 EMERGENCY EGRESS OPENINGS.~~

~~—(a)—Every sleeping room shall have at least one operable window or exterior door approved for emergency egress or rescue. The units shall be operable from the inside to a full clear opening without the use of separate tools. Where windows are provided as a means of egress or rescue they shall have a sill height of not more than forty-four inches above the floor.~~

~~—(b)—All egress or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be twenty-four inches. The minimum net clear opening width dimension shall be twenty inches.~~

~~—(c)—Grade floor windows shall have a minimum net clear opening of five square feet.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1335.02 BASEMENTLESS (CRAWL) SPACES.~~

~~—Access to basementless (crawl) spaces shall be provided by openings not less than twenty-four inches by thirty inches. See Section 1339.06.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1335.03 ATTICS.~~

~~—Access to attics shall be provided. The minimum size of access openings shall be twenty-four inches by thirty inches. If mechanical equipment is installed in an attic, the access opening shall be sufficient to permit removal and replacement of the equipment.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1335.04 EXIT DOORS; HALLWAY AND EXIT ACCESS.~~

~~——A required exit door shall be a side-hinged door and not less than three feet in width and six feet, eight inches in height. The minimum width of a hallway or exit access shall be three feet, four inches.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1335.05 LANDINGS.~~

~~—(a) A minimum three feet, four inches by three feet, four inches landing shall be required on each side of an egress door at the top of an interior flight of stairs, provided the door does not swing over the stairs.~~

~~—(b) The floor or landing shall not be more than one and one half inches lower than the top of the threshold. The landing at the exterior of an exterior doorway shall not be more than eight and one half inches below the top of the threshold.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1335.06 STAIRWAYS.~~

~~—(a) All treads shall have a nosing or effective projection of approximately one inch when risers are closed. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths of an inch. Stairways shall not be less than three feet in clear width and shall have minimum headroom of six feet, eight inches and a rise and run of~~

~~seven inches to eleven inches. Handrails may project from each side of a stairway a distance of three and one-half inches into the required width.~~

~~—(b)— Winders are permitted, provided the width of the tread at a point not more than twelve inches from the side where the treads are narrower is not less than nine inches, the width of any tread is not less than six inches, and the average width of any tread is not less than nine inches.~~

~~—(c)— Spiral stairways are permitted, provided the minimum width shall be twenty-six inches, with each tread having seven and one-half inches minimum tread width at twelve inches from the narrow edge. All treads shall be identical, and the rise shall be no more than nine and one-half inches. A minimum headroom of six feet, six inches shall be provided.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1335.07 HANDRAILS AND GUARDRAILS.~~

~~—(a)— Handrails having minimum and maximum heights of thirty inches and thirty four inches, respectively, measured vertically from the nosing of the treads, shall be provided on at least one side of stairways of three or more risers and shall be continuous the full length of the stairs and shall extend six inches beyond the top and bottom risers. Ends shall be returned or shall terminate in newel posts or safety terminals. Open sides of stairs with a total rise of more than thirty inches above the floor or grade below shall have guardrails. The handgrip portion of handrails shall have a space of not less than one and one-half inches between the wall and the handrail.~~

~~—(b)— Porches, balconies or raised floor surfaces located more than thirty inches above the floor or grade below shall have guardrails not less than thirty-six inches in height. Required guardrails on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which will not allow passage of an object four (4) inches or more in diameter.~~

~~{Ord. 2010-121. Passed 8-10-10.}~~

~~—1335.08 RAMPS.~~

~~—All egress ramps shall have a maximum slope of one in eight. Handrails shall be provided on at least one side of all ramps exceeding a one in twelve slope. A minimum three-foot by three-foot landing shall be provided at the top and bottom of ramps where doors open onto the ramp and where the ramp changes direction.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1335.09 ELEVATORS, PLATFORM LIFTS, STAIRWAY LIFTS, AND DUMBWAITERS.

~~All~~ installations of elevators, platform lifts, stairway lifts, and dumbwaiters shall comply with ~~all code requirements of the State~~ the Residential Code of Ohio and ~~with applicable requirements of the residential elevator section of the~~ ASME A17.1/CSA B44 (for elevators and dumbwaiters), ASME A18.1 (for platform lifts and stairway lifts), and ICC A117.1 (for elevators and lifts that are a part of the means of egress. National Safety Code and carry an Underwriters Laboratory label. (See Appendix A.)

~~(Ord. 1992-101. Passed 1-14-92.)~~

1335.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Village Building Code penalty if no specific penalty is provided.)

~~CHAPTER 1337~~ ~~Energy Conservation~~

~~1337.01—Compliance with State standards required.~~

~~1337.02—State standards.~~

~~1337.99—Penalty.~~

~~CROSS REFERENCES~~

~~—Development Department—see Ohio R.C. Ch. 122~~

~~—Energy conservation—see Ohio R.C. Ch. 1551~~

~~—Energy data—see Ohio R.C. 4935.01 et seq.~~

~~—Energy subsidy programs—see Ohio R.C. Ch. 5117~~

~~—Tax exemption for energy conversion and thermal efficiency~~

~~—facilities—see Ohio R.C. 5709.45 et seq.~~

~~—National Electrical Code—see BLDG. Ch. 1387~~

~~—1337.01 COMPLIANCE WITH STATE STANDARDS REQUIRED.~~

~~All residential buildings and accessory structures shall hereafter be constructed in compliance with applicable Ohio energy conservation standards with respect to the external envelope and the selection of heating, ventilating, air conditioning, hot water heating, electrical distribution and illuminating systems, so as to effectively reduce and conserve energy.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1337.02 STATE STANDARDS.~~

~~—The energy conservation standards shall conform to Article 31 of the Ohio Basic Building Code [OAC 4101:2-31] (refer to Appendix A) which provides:~~

~~(a) Insulation for opaque walls shall have an average thermal resistance rating of at least R-13.~~

~~(b) Insulation for opaque ceilings shall have a thermal resistance rating of at least R-30.~~

~~(c) Insulation for floors over unheated space shall have a thermal resistance rating of at least R-13.~~

~~(d) Perimeter insulation for heated or unheated slabs on grade shall have minimum thermal resistance ratings of R-8 and R-6, respectively. The insulation shall extend downward from the top of the slab for at least twenty-four inches or downward to the bottom of the slab and then horizontally beneath the slab for a total distance of at least twenty-four inches.~~

~~(e) Insulation for exterior walls of crawl spaces used as plenums for supply or return air shall have a thermal resistance rating of at least R-8.~~

~~(f) Windows, skylights and all other forms of nonopaque walls or ceilings shall have multiple glazing, heat absorbing or heat reflecting glazing.~~

~~(g) Air leakage shall comply with the requirements of Section 3102.4 of the Ohio Basic Building Code.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1337.99 PENALTY.~~

~~—(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)~~

CHAPTER 1339

Excavations and Foundations

1339.01 Excavations.

1339.02 Continuous foundation walls required.

~~1339.03 Foundation and footing specifications.~~

1339.04 Subsoil support requirements.

1339.05 Soils investigation reports.

~~1339.06 Crawl spaces.~~

1339.99 Penalty.

CROSS REFERENCES

~~—Barricades and warning lights—see GEN. OFF. 521.04;
—BLDG. 1359.13~~

~~—Permit required—see BLDG. 1325.01~~

~~—Foundations for chimneys—see BLDG. 1329.01~~

~~—Maintenance of foundations—see BLDG. 1333.04~~

~~—Crawl spaces—see BLDG. 1333.02, 1361.08~~

~~—Backfilling over footing drains—see BLDG. 1353.04~~

~~—Readiness of foundations for moved buildings—see
—BLDG. 1359.12~~

1339.01 EXCAVATIONS.

(a) ~~Every~~excavations shall be made in such a manner as to prevent the caving in of earth or damage to adjacent buildings.

(b) ~~Every~~excavations shall be properly drained as soon as possible after work has commenced, or when directed by the Building ~~Inspector~~Commissioner, so as to adequately prevent accumulation of water or the creation of a nuisance.

(c) ~~Every~~excavations within ten feet of any road, highway, or street shall be ~~enclosed~~protected by substantial guardrails, fences, or other means of protection at the direction of the Building Commissioner or the authority having jurisdiction over the road, highway, or street. ~~or fences at least four feet high.~~

(a) Excavations shall comply with the Residential Code of Ohio.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1339.02 CONTINUOUS FOUNDATION WALLS REQUIRED.

Buildings and All structures shall be supported by continuous foundation walls, except for decks, pole buildings, sheds, ~~and~~ open shelter sheds, and similar structures.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1339.03 FOUNDATION AND FOOTING SPECIFICATIONS.~~

~~—(a)— Foundations and foundation walls shall be designed to withstand all vertical and horizontal loads.~~

~~—(b)— Where foundations are supported at different levels, or at different levels from foundations of adjacent structures, the effect of such differences in foundation levels shall be considered in the design.~~

~~—(c)— Footings shall not be less than four inches wider than the foundation walls, and not less than eight inches in thickness, constructed of concrete. The bottom of all footings shall be not less than three feet, six inches below the finished exterior grade at every point. Where foundation walls rest upon natural rock or shale, footings may be omitted at the discretion of the Building Inspector.~~

~~—(d)— Foundation walls for solid wall construction shall be of brick, concrete, concrete block or stone. When built of brick, concrete block or coursed stone, they shall be at least twelve inches thick where the enclosed area is used as a basement or cellar, but may be eight inches thick when the enclosed area is not excavated. In the latter case the foundation walls shall be included in the allowable height of eight inch walls. When built of concrete poured in place, they shall be at least as thick as the walls they support, but in no case less than sixteen inches thick.~~

~~—(e)— Foundation walls supporting hollow concrete block, hollow walls of brick or frame construction may be of brick, concrete, concrete block, stone or vitrified or saltglazed tile. Foundation walls shall be not less than twelve inches thick.~~

~~—(f)— Foundation walls for frame construction shall extend at least eight inches above the finished exterior grade at every point.~~

~~—(g)— Cross ventilation shall be provided for the space enclosed by foundation walls, when there is a crawl space formed.~~

~~—(h)— All exterior foundation walls enclosing a basement shall be waterproofed as follows: Apply a one-half inch coat of cement plaster and over this apply two coats of approved waterproofing material (asphalt or ironite type). On the exterior of these walls, gravel backfill shall be brought up to within twelve inches of grade.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1339.04 SUBSOIL SUPPORT REQUIREMENTS.

(a) When doubt arises as to the safe sustaining power of the earth upon which a building is to be erected, the Building ~~Inspector~~Commissioner may order borings to be made, or direct the sustaining power of the soil to be tested, by and at the expense of the owner. The allowable bearing capacity and stability of the subsoil materials shall be established by a registered geotechnical engineer.

(b) Where the bearing materials directly under a foundation overlie a stratum having smaller allowable bearing values, these smaller values shall not be exceeded at the level of such stratum. Computation of the vertical pressure in the bearing materials at any depth below a foundation shall be made on the assumption that the load is spread uniformly at any angle of sixty degrees with the horizontal. However, the area considered as supporting the load shall not extend beyond the intersection of sixty-degree planes of adjacent foundations.

~~{Ord 1992-101. Passed 1-14-92.}~~

1339.05 SOILS INVESTIGATION REPORTS.

(a) Prior to the issuance of a building permit and in the absence of satisfactory data or reports, such as, but not limited to, a soil investigation by an engineer specializing in soil and foundation engineering, the Building ~~Inspector~~Commissioner shall require the owner to dig pits or make borings at such locations, carried to such depths, and with appropriate sampling, as is reasonably calculated to disclose the character of the materials underlying the site of the proposed structure.

(b) ~~R~~Duplicate copies of the results of all borings and pits made shall be filed with the Building ~~Inspector~~Commissioner. Samples, properly protected from evaporation or disturbance, representing the various classes of those materials, may be requested by the Building ~~Inspector~~Commissioner for examination.

(c) Where portions of the foundation of an entire building or structure rest directly upon or are underlain by materials having substantially different supporting capacities, or where layers of such different materials vary greatly in thickness, the magnitude and distribution of the probable settlement shall be investigated, and, if necessary, the allowable load shall be reduced or special provisions shall be made in the design of the structure to prevent detrimental differential settlements.

(d) Whenever the classification or allowable bearing capacity of a soil or rock cannot be determined by the test boring or excavation, a special soil investigation by an engineer specializing in soil and foundation engineering is required before approval of a building permit under ~~this Building~~the Village Code.

~~—(e)—Deviations from the allowable soil and rock pressures set forth in Section 1339.04(b) and other foundation requirements may be permitted after performance of a special soil investigation under the direction of an engineer specializing in soil and foundation engineering. The Building Inspector may approve such deviations only after receiving a written opinion from such engineer, together with substantiating evidence of acceptable laboratory and field investigation of the soils involved.~~

~~—(f)—Where the bearing capacity of the soil is not definitely known, the Building Inspector shall require suitable load tests or other adequate proof as to the permissible safe bearing capacity at that particular location. Examination of subsoil conditions may be required where necessary.~~

(eg) All tests, boring, excavations, samplings, reports, investigations, or inquiries required hereby shall be by and at the sole expense of the owner.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1339.06 CRAWL SPACES.~~

~~—(a)—The space created by the construction of a habitable floor system over a void area on or below grade (not a basement) shall be referred to as a crawl space. This area shall have a minimum three-inch concrete slab over soil being free of all organic matter. It shall be accessible by either an interior or exterior hatchway, with a minimum opening of two feet by two feet, six inches.~~

~~—(b)—A crawl space shall have a minimum of four ventilators on the external walls, distributed on opposite sides of the building, and each opening shall be not less than five-by-twelve inches. No portion of the structure of the floor construction shall be less than thirty inches clear of the concrete slab. All openings shall be protected against rodents by one-half inch galvanized wire mesh or an equally effective material approved by the Building Inspector.~~

~~—(c)—Crawl spaces shall be clear of debris and have adequate drainage.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1339.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general *Building-Village* Code penalty if no specific penalty is provided.)

CHAPTER 1341

Exterior Requirements

1341.01 Architectural color schemes.

1341.02 Roofs.

1341.03 Dormers.

1341.99 Penalty.

CROSS REFERENCES

~~—Maintenance of exterior walls and roofs—see
—BLDG. 1333.05~~

~~—Exterior property areas—see BLDG. 1333.08~~

~~—Exterior doors—see BLDG. 1335.04, 1361.06~~

~~—Roof drainage—see BLDG. 1353.05, 1381.13~~

~~—Roof materials—see BLDG. 1357.01~~

~~—Insulation and finish systems for exterior walls—see
—BLDG. 1357.11~~

~~—Gutters—see BLDG. 1381.21~~

1341.01 ARCHITECTURAL COLOR SCHEMES.

The architectural and exterior color schemes of new and remodeled residences, buildings and accessory structures shall conform in design, style and character to the existing types of residences, buildings and accessory structures in the Village. Both applied and inherent colors of materials shall not be unusual. Proposed color schemes shall be submitted to the Building ~~Inspector~~Commissioner for prior approval before any project is scheduled for construction. These submittals shall accompany the submission of the drawings to the Building ~~Department~~Commissioner and shall include color photographs of existing facilities, if present.

1341.02 ROOFS.

The roof over the main portions of a building shall be a sloping roof of not less than five by twelve and not more than ~~twelve by~~ fifteen by twelve pitch. The roof over other portions of the building may be less than five by twelve or more than ~~twelve by~~ fifteen by twelve pitch, but shall not exceed twenty percent of the total area under the roof. The high point of the roof shall be at the ridge pole, which shall be located near the centerline of the building,

and the roof shall fall toward the outside or exterior perimeter of the building. The low line of the roof shall parallel the exterior perimeter.

Plumbing, HVAC, and electrical penetrations shall be located on the rear side of the ridge line or least visible area of the roof. Plumbing, HVAC, and electrical penetrations shall be painted to match adjacent roof surfaces. White PVC stack vents are not permitted.

Solar panels shall be located on the rear side of the ridge line or least visible area of the roof. Exposed conduit, junction boxes, and similar appurtenances for solar panels on roofs and exterior walls shall be minimized and, when present, shall be painted to match adjacent materials. Submitted drawings for solar panels shall include visible conduit, junction boxes and similar appurtenances.

~~(Ord. 1992-122. Passed 10-13-92.)~~

1341.03 DORMERS.

The following provision shall apply to dormers: Any horizontal projection through the roof shall not be longer than fifty percent of the length of the roof or elevation and shall be placed near the vertical centerline of the roof. A horizontal projection through the roof having the required minimum roof pitch of five by twelve may extend the full length of the building.

(Ord. 1992-101. Passed 1-14-92.)

1341.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

CHAPTER 1343
Fire Protection

1343.01 Smoke ~~detectors~~alarms and carbon monoxide alarms.

1343.02 Sprinkler systems.

~~1343.02 Flame spread and smoke density.~~

~~1343.03 Fire walls and extinguishing systems.~~

1343.04 Portable fire extinguishers.

~~1343.05 Firestopping.~~

~~1343.06 Draftstopping.~~

1343.99 Penalty.

CROSS REFERENCES

~~—Fire protection agreements—see Ohio R.C. 9.60, 505.37,~~

~~—505.371, 505.42~~

~~—Village fire departments—see Ohio R.C. 737.21 et seq.~~

~~—State Fire Marshal—see Ohio R.C. Ch. 3737~~

~~—Ohio Fire Code—see Ohio R.C. 3737.22~~

~~—Fire and marine insurance—see Ohio R.C. Ch. 3935~~

~~—Fireplaces—see BLDG. Ch. 1329~~

~~—Fuel storage—see BLDG. Ch. 1347~~

~~—1343.01 SMOKE~~ DETECTORSALARMS AND CARBON MONOXIDE ALARMS.

(a) ~~Smoke detectors shall be installed in each bedroom and also outside of all bedrooms (within ten feet of bedroom doors). Also, at least one detector is required on each floor (a maximum of 3,000 sq. ft. per detector) also in basements, cellars and equipment rooms, but not in crawl spaces or attics without equipment (furnaces, etc.). All detectors shall be connected to a sounding device or other detector to provide, when actuated, an alarm which will be audible in all sleeping areas. All detectors shall be Underwriters Laboratories approved and listed, and shall be installed in accordance with the manufacturer's instructions~~alarms and carbon monoxide alarms shall be provided and installed in accordance with the Residential Code of Ohio, the National Electric Code (NFPA 70), NFPA 72, and as noted herein.

~~{Ord. 2003-113. Passed 4-8-03.}~~

(b) ~~When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the entire building shall be provided with smoke detectors located as required for new dwellings.~~ Smoke alarms shall be provided in each mechanical room, mechanical closet, and electrical room. Smoke alarms shall be provided in crawl spaces, concealed spaces, and attic spaces in which motorized equipment is located. Heat detectors with a combination of rate-of-rise of 12-15 degrees F per minute and fixed temperature with a setpoint of 135 degrees F may be used in lieu of smoke alarms in mechanical closets, crawl spaces, concealed spaces, and in attics. Combination heat detectors with a higher setpoint may only be used with the approval of the Building Commissioner.

(c) ~~In new construction of more than 3,000 square feet, required smoke detectors shall receive their primary power from the building wiring. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be battery-operated for construction under 3,000 square feet. Heat detectors with a fixed temperature with a setpoint of 135 degrees F shall be provided in attached garages and detached garages located within 20 feet of the primary dwelling.~~

(Ord. 1992-101. Passed 1-14-92.)

(d) ~~When significant alterations, repairs, or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the entire building shall be provided with smoke alarms, heat detectors, and carbon monoxide alarms located as required for new dwellings.~~

1343.02 SPRINKLER SYSTEMS.

(a) ~~Sprinkler system shall not be required throughout dwellings except as required in the Residential Code of Ohio, the Ohio Fire Code, and as noted herein.~~

(b) ~~One sprinkler head shall be provided in each kitchen for newly constructed homes, additions which include a kitchen, alterations which include a new kitchen, and significant alterations of existing kitchens which include the following:~~

(1) ~~Plumbing work;~~

(2) ~~Patching of walls and ceilings;~~

(3) ~~Dwellings with domestic water piping and services that complies with the minimum requirements noted herein;~~

(4) ~~The existence of not less than 3/4-inch domestic water piping in the vicinity of the proposed work.~~

(c) ~~"Kitchens" for purposes of this Section shall be understood to mean an interior room or area designed and constructed with permanent provisions for food preparation and cooking with a range, stove, cooktop or similar appliance. Rooms or areas which only use a~~

microwave oven, warming oven, steam tables, or similar appliances are not to be considered kitchens.

(d) The design of the sprinkler system shall not require shop drawings prepared by a design professional or certified fire protection designer.

(e) The installation of the sprinkler system shall not require the work of a certified sprinkler contractor.

(f) The sprinkler work shall be considered part of the domestic water system, and shall comply with the following requirements:

(1) The piping serving the sprinkler head shall be not less than 3/4-inch from the water source to the sprinkler head, and a minimum 3/4-inch utility meter shall be installed in the water service.

(2) The piping serving the sprinkler head shall continue past the sprinkler head to one or more plumbing fixture to assure no accumulation of stagnate water is present.

(3) Valves are permitted on the branch line to the sprinkler to allow for maintenance and an emergency shut-off. The valve shall remain open at all times except for required maintenance.

(4) Sprinkler piping shall be protected from freezing and shall be installed on the warm side of the required insulation when installed on an exterior wall or in the ceiling of a ceiling/roof assembly or a ceiling/attic assembly. Heat-traced piping can also be an acceptable installation method to protect from freezing.

(g) The sprinkler head shall comply with the following requirements:

(1) The sprinkler head shall be a residential, quick-response type head complying with the requirements of UL 1626. Sprinkler heads shall have a UL listing.

(2) The sprinkler head shall be located a minimum of two feet and a maximum of five feet from the primary range, cooktop, or similar appliance when measured horizontally. Sprinkler head shall be located on the ceiling or on a wall within 6" of the ceiling. If located on the ceiling, a pendant-type sprinkler head shall be located a minimum of 4" from a wall or other obstruction. Sprinkler head shall not be located in a manner in which light fixtures, beams, trusses, soffits, or other obstruction block the water being discharged from the sprinkler head onto the primary range, cooktop, or similar appliance.

(3) Data sheets (including installation requirements) for the sprinkler head shall be submitted for review and approval by the Building Commissioner, and the data sheets shall be available on-site at all times during the construction of the sprinkler system until testing is completed.

(4) Sprinkler heads shall be installed according to the manufacturer's requirements and the UL listing requirements.

(5) Three sprinkler heads are required. One is a sacrificial head to be used for testing; the second is the permanent sprinkler head; the third is a replacement head which shall be stored on-site.

(h) Sprinkler system requirements shall be as follows:

(1) Minimum static pressure: 50 PSI.

(2) Minimum meter size: 3/4-inch.

(3) Minimum water pipe size between meter and main shut-off: 1 inch.

(4) Maximum length of pipe between meter and main shut-off: 150 feet.

(5) Minimum pipe size between main shut-off and sprinkler head: 3/4-inch.

(i) Inspection and testing requirements are as follows:

(1) A flow test (bucket test) shall be required at the time of inspection of the sprinkler head.

(2) Sprinkler system shall be tested to ensure that the minimum flow rate indicated on the manufacturer's cut sheet for the sprinkler head has been achieved.

~~—1343.02 FLAME-SPREAD AND SMOKE DENSITY.~~

~~—(a) Wall and ceiling finishes shall have a flame-spread classification of not greater than 200, American Society for Testing and Materials E84 (refer to Appendix A).~~

~~—Flame-spread requirements for finishes shall not apply to trim defined as picture molds, chair rails, baseboards and handrails; to doors and windows or their frames; or to materials which are less than one twenty-eighth of an inch in thickness cemented to the surface of walls or ceilings, if these materials have a flame-spread characteristic no greater than paper of this thickness cemented to a noncombustible backing.~~

~~—(b) All exposed insulation materials, including facings, such as vapor barriers or breather papers, installed within floor-ceiling assemblies, roof-ceiling assemblies, wall assemblies, crawl spaces or attics, shall have a flame-spread rating not to exceed twenty-five, American Society for Testing and Materials E84-1987 (refer to Appendix A).~~

~~—When such materials are installed in concealed spaces, the flame-spread and smoke development limitations do not apply to the facings, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor or wall finish.~~

~~—(c) The smoke density shall be not greater than 450, American Society for Testing and Materials E84-1987 (refer to Appendix A).~~

~~—(d) Tests shall be made in accordance with American Society for Testing and Materials E84-1987 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1343.03 FIRE WALLS AND EXTINGUISHING SYSTEMS.~~

~~—(a) In all new attached residences there shall be provided an automatic fire extinguishing system with fast response sprinklers using the domestic water piping system.~~

~~—(b) An automatic fire extinguishing system with fast response sprinklers using the domestic water piping system shall also be required for any remodeling or additions to existing attached residences where the area of such remodeling or addition exceeds a total of 1,500 square feet in area or includes a kitchen addition.~~

~~—(c) Automatic fire extinguishing systems shall be in accordance with National Fire Protection Standard for Sprinkler Systems 13 R, provided that looped domestic water lines may be used in place of special fire-dedicated water lines.~~

~~—(d) All automatic fire extinguishing systems shall be engineered by a qualified and Ohio-certified sprinkler engineer. All equipment shall be approved and certified for the intended use by Underwriters Laboratories, or other approved testing agency.~~

~~—(e) Owners and occupants of attached residences shall be responsible for maintaining automatic fire extinguishing systems in proper working order.~~

1343.04 PORTABLE FIRE EXTINGUISHERS.

A portable fire extinguisher shall be installed for each 3,100 square feet of habitable area. There shall be provided for each 31,000 square feet of habitable area a portable fire extinguisher and with a maximum travel distance of 75 feet. in accordance with Uniform Fire Code Standard 10-1 (refer to Appendix A). The minimum acceptable size is 1A-10B:C. These extinguishers shall be installed in an easily accessible places. As part of the above stated requirement, at least one such extinguisher shall be installed on each floor of the home and in the general area of the kitchen following locations: each kitchen, each mechanical and electrical room, each garage, and in areas of the attic, crawlspace, and concealed spaces in which motorized equipment is located. Fire extinguishers are not required in mechanical closets.

Multi-Purpose Dry Chemical A-B-C Type Fires

(Stored Pressure Extinguishers)

Standard Ratings

-

Nominal Capacity Pounds (Kilograms)	Underwriters Laboratories Rating	Range Feet (Meters)
2-1/2 (1.13)	1A-10B:C	10-15 (3.1-4.6)

5 (2.27)	3A-40B:C	12-18 (3.7-5.5)
10 (4.54)	4A-60B:C	16-20 (4.9-6.1)
20 (9.07)	20A-120B:C	16-20 (4.9-6.1)

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1343.05 FIRESTOPPING.~~

~~—(a) Firestopping shall be provided to cut off all concealed draft openings (both vertical and horizontal) and to form an effective fire barrier between stories, and between a top story and the roof space. Firestopping shall be provided in wood-frame construction in the following locations:~~

~~(1) In concealed spaces of stud walls and partitions, including furred spaces, at the ceiling and floor level;~~

~~(2) At all interconnections between concealed vertical and horizontal spaces such as occur at soffits, drop ceilings, cove ceilings, etc.;~~

~~(3) In concealed spaces between stair stringers at the top and bottom of the run; and~~

~~(4) At openings around vents, pipes, ducts, chimneys and fireplaces at ceiling and floor level, with noncombustible materials.~~

~~—Firestopping shall occur at all walls, at floor lines and a maximum of ten feet in balloon constructed walls.~~

~~—(b) Except as provided in paragraph (a)(4) hereof, firestopping shall consist of two-inch nominal lumber, or two thicknesses of one-inch nominal lumber with broken lap joints, or one thickness of 23/32 inch plywood with joints backed by 23/32 inch plywood. The integrity of all firestops shall be maintained.~~

~~(Ord. 1997-139. Passed 11-11-97.)~~

~~—1343.06 DRAFTSTOPPING.~~

~~—(a) Draftstopping shall be provided in all floor/ceiling assemblies under the following circumstances:~~

~~(1) When the ceiling is suspended under the floor framing; or~~

~~(2) When the floor framing is constructed of truss-type or open-web perforated members.~~

~~—~~

~~—(b) In floor/ceiling assemblies the space between the ceiling membranes and floor shall be divided into two or more approximately equal areas with no area greater than 1,000~~

~~square feet. Draftstopping shall be provided parallel to the main framing members. The integrity of all draftstops shall be maintained.~~

~~{Ord. 1997-139. Passed 11-11-97.}~~

1343.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Village Code penalty if no specific penalty is provided.)

CHAPTER 1345 Flood Hazards

1345.01 Definitions.

1345.02 General provisions.

1345.03 Development permits; duties of Building ~~Inspector~~Commissioner; appeals and variances.

1345.04 Provisions for flood hazard reduction.

1345.99 Penalty.

CROSS REFERENCES

~~—State funding—see Ohio Const., Art. VIII, Sec. 2h~~

~~—County aid—see Ohio R.C. 307.77 et seq.~~

~~—Flood control—see Ohio R.C. 1521.01 et seq.~~

~~—Civilian conservation projects—see Ohio R.C. 1553.02~~

~~—Flood insurance—see Ohio R.C. 3925.34, 3941.02~~

~~—Conservancy district duties—see Ohio R.C. 6101.04,~~

~~—6101.20, 6101.22, 6131.03~~

~~—Designation of restricted floodways—see Ohio R.C.~~

~~—6105.131 et seq.~~

1345.01 DEFINITIONS.

Unless specifically defined below, words and phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

(a) "Accessory structure" means a structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

(b) "Appeal" means a request for a review of the Building ~~Inspector~~Commissioner's interpretation of any provision of this chapter.

(c) "Area of special flood hazard" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

(d) "Base flood" means the flood having a one percent chance of being ~~equalled~~equaled or exceeded in any given year. The base flood also has an average frequency of occurrence of once in 100 years and therefore may also be referred to as the 100-year flood.

(e) "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, and mining, dredging, filling, grading, paving, excavating or drilling operations located within the area of special flood hazard.

(f) "Flood" and "flooding" mean a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters; and/or

(2) The unusual and rapid accumulation of run-off of surface waters from any source.

(g) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-half foot at any point.

(h) "Lowest floor" means the lowest floor of the lowest enclosed area (including the basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor.

(i) "New construction" means structures for which the start of construction commenced on or after the effective date of this chapter.

(j) "Structure" means a walled and roofed building that is principally above ground.

(k) "Substantial improvement" is defined as follows:

(1) Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the fair market value of the structure either:

A. Before the improvement or repair is started; or

B. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

(2) The term does not, however, include either:

A. Any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or

B. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, or with respect to which a variance has been granted under Section 1345.03(e).

(l) "Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

(Ord. 1992-101. Passed 1-14-92.)

1345.02 GENERAL PROVISIONS.

(a) This chapter shall apply to all areas of special flood hazard within the jurisdiction of the Village of Hunting Valley.

(b) The areas of special flood hazard are those areas indicated as subject to the intermediate regional flood (that is, a flood with an average frequency of occurrence of once in 100 years), as defined and indicated in "Flood Plain Information, Chagrin River in the Counties of Lake and Cuyahoga, Ohio" prepared for the Ohio Department of Natural Resources, Division of Water, by the Corps of Engineers, U.S. Army, Buffalo District, July, 1968. Those areas have been delineated as Zone A1(BF) on a map prepared by William Behnke Associates, Inc., which map is on file in the office of the Clerk of Council on the date of passage of this Building Code, and which map is hereby adopted by reference and declared to be a part of this chapter.

(c) Unless specifically exempted from filing for a development permit, as stated in Section 1345.03(b), no structure or land shall hereafter be located, erected, constructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of this chapter and all other applicable regulations which apply to uses within the jurisdiction of this chapter.

(d) This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restriction shall prevail.

(e) In the interpretation and the application of this chapter, all provisions shall be:

- (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the governing body; and
 - (3) Deemed neither to limit nor repeal any other powers granted under State statutes.
- Where a provision of this chapter may be in conflict with a State law, such State law shall take precedence over such provision.

(f) The degree of flood protection required by this chapter is considered reasonable for regulatory purposes. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This chapter shall not create liability on the part of the Village of Hunting Valley or any officer or employee thereof for any flood damage that results from reliance on this chapter or any administrative decision lawfully made hereunder.

(g) No person shall violate any of the provisions of this chapter or fail to comply with any of its requirements, including violations of conditions and of safeguards established in connection with conditions.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1345.03 DEVELOPMENT PERMITS; DUTIES OF BUILDING ~~INSPECTOR~~COMMISSIONER; APPEALS AND VARIANCES.

(a) A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 1345.02(b). Application for a development permit shall be made to the Building ~~Inspector~~Commissioner and may include, but shall not be limited to, plans in duplicate and drawn to scale showing the nature, location, dimensions and elevations of the area in question, and showing existing or proposed structures, fill, storage of materials, drainage facilities and their location. The application shall be accompanied by a report of soil borings taken at the proposed construction site. Specifically, the following information is required:

- (1) The elevation in relation to mean sea level, of the lowest floor, including the basement, of all structures; and
- (2) A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

(b) An application for a development permit shall not be required for maintenance work such as roofing, painting and basement sealing, or for small development activities (except for filling and grading) valued at less than one thousand dollars (\$1,000).

(c) The Building ~~Inspector~~Commissioner is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

(d) The duties of the Building ~~Inspector~~Commissioner under this chapter shall include, but shall not be limited to, the following:

(1) He or she shall review all development permits to determine that the permit requirements of this chapter have been satisfied.

(2) He or she shall review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required.

(3) He or she shall obtain, review and reasonably utilize any base flood elevation floodway data available from a Federal, State or other source as necessary, in order to administer Section 1345.04(b) and (c).

(4) Where base flood elevation data are utilized within areas of special flood hazard, regardless of the source of such data, the following provisions apply:

A. He or she shall obtain and record the actual elevation, in relation to mean sea level, of the lowest floor, including the basement, of all new or substantially improved structures.

B. He or she shall maintain for public inspection all records pertaining to the provisions of this chapter.

(5) He or she shall notify adjacent communities and the Ohio Department of Natural Resources, Division of Water, prior to any alteration or relocation of a watercourse.

(6) He or she shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard, for example, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection (e) hereof.

(e) The appeal and variance procedure shall be as follows:

(1) The Planning and Zoning Commission shall have the following responsibilities and authority:

A. The Planning and Zoning Commission, as established by the Charter and ordinances of the Village of Hunting Valley, shall hear and decide appeals and requests for variances from the requirements of this chapter.

B. The Planning and Zoning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Building ~~Inspector~~Commissioner in the enforcement or administration of this chapter.

C. Those aggrieved by a decision of the Planning and Zoning Commission, or any taxpayer, may appeal such decision to the Common Pleas Court, as provided by law.

D. In passing upon an application, the Planning and Zoning Commission shall consider all technical evaluations, all relevant factors, the standards specified in other

sections of this chapter, and the following: the danger that materials may be swept onto other lands to the injury of others; the danger to life and property due to flooding or erosion damage; the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner; the importance of the services provided by the proposed facility to the community; the necessity to the facility of a waterfront location, where applicable; the availability of alternative locations, for the proposed use, which are not subject to flooding or erosion damage; the compatibility of the proposed use with existing and anticipated development; the relationship of the proposed use to the Comprehensive Plan and the Flood Plain Management Program for the area in question; the safety of access to the property in time of flood for ordinary and emergency vehicles; the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and the cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

E. Upon consideration of the factors set forth in paragraph (e)(1)D. hereof, and the purposes of this chapter, the Planning and Zoning Commission may issue such variances and upon such conditions as it deems necessary to further the purposes of this chapter.

F. The Building ~~Inspector~~Commissioner shall maintain the records of all appeal actions and all variances granted.

(2) Conditions for variances shall be as follows:

A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot five acres in size, as the minimum required by the Zoning Code and Zoning Map, contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the factors set forth in paragraph (e)(1)D. hereof have been fully considered. As the lot size increases beyond five acres, the technical justification required for issuing the variance increases.

B. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection and in Section 1345.04.

C. Variances may be issued in conformance with the provisions of the Planning and Zoning Code.

D. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.

E. Variances shall only be issued upon a determination that the variance is the minimum necessary considering the flood hazard, to afford relief.

F. Variances shall only be issued upon a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship to the applicant; and a determination that the granting of the variance will not result in increased

flood heights beyond that which is permitted in this chapter, additional threats to public safety, extraordinary public expense, nuisances, fraud on or victimization of the public, as identified in paragraph (e)(1)D. hereof, or conflict with existing local laws or ordinances.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1345.04 PROVISIONS FOR FLOOD HAZARD REDUCTION.

(a) General Standards. In all areas of special flood hazard the following standards are applicable:

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure from resulting hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(2) All new construction and substantial improvements shall be constructed with materials resistant to flood damage, using methods and practices that minimize flood damage, and with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(3) All new and replacement water supply systems shall be designed to eliminate infiltration of flood waters into the systems.

(4) All new and replacement individual wastewater treatment systems shall be designed to eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters and shall be located to avoid impairment to them or contamination from them during flooding.

(5) All subdivision proposals shall be consistent with the need to minimize flood damage.

(b) Specific Standards. In all areas of special flood hazards, the following provisions are applicable:

(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including the basement, elevated to or above the base flood elevation, data for which shall be provided, without the use of earth or other fill.

(2) An exemption to the elevation standard may be granted for accessory structures (e.g. sheds, barns, detached garages). Such structures shall comply with the encroachment provisions of paragraph (c)(1) hereof. In addition, such accessory structures shall not be used for human habitation; shall be designed to have low flood damage potential; shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters; shall be firmly anchored to prevent flotation; and shall have service facilities, such as electrical and heating equipment, floodproofed.

(3) The following provisions apply to all new and substantially improved residential structures which are elevated to or above the base flood elevation, using pilings, columns

or posts, or which contain a crawl space. These structures may enclose the area below the base flood elevation, provided the following conditions are met:

A. Fully enclosed areas below the base flood elevation shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement shall be certified by a registered professional engineer or architect.

B. Alternatively, a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices, provided that they permit the automatic entry and exit of floodwater. Any enclosure which meets these criteria shall be considered as having met the requirements of paragraph (a)(1) hereof.

(c) Encroachments. Since a floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Encroachments, including fill, new construction, substantial improvements and other development, are prohibited in a floodway unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) If paragraph (c)(1) hereof is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.

(Ord. 1992-101. Passed 1-14-92.)

1345.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)

CHAPTER 1347

Fuel Storage

1347.01 Installation and removal of tanks; compliance required.

1347.02 Construction, installation, and maintenance of tanks; specifications.

1347.03 Vents; drains; pressure relief devices; piping.

1347.99 Penalty.

CROSS REFERENCES

- ~~—Oil and gas—see Ohio R.C. Ch. 1509~~
- ~~—Definitions—see BLDG. 1301.05~~
- ~~—Fuel piping—see BLDG. 1381.30, 1385.03~~
- ~~—Gas-burning furnaces and appliances—see~~
- ~~—BLDG. 1385.08(b)~~

1347.01 INSTALLATION AND REMOVAL OF TANKS; COMPLIANCE REQUIRED.

When fuel is not available from a public utility, and storage of a supply of fuel onsite is necessary, the installation of the storage tanks and removal of the same when a tank is no longer used or required, shall be in accordance with this chapter.

(Ord. 1992-101. Passed 1-14-92.)

1347.02 CONSTRUCTION, INSTALLATION AND MAINTENANCE OF TANKS; SPECIFICATIONS.

(a) Fuel storage tanks shall be constructed, installed, and maintained in accordance with all applicable laws.

(b) A fuel oil storage tank may be installed within a building, as follows:

- ~~—(1) -A fuel oil storage tank located in a basement of a building shall be in a separate room which is adjacent to an exterior wall of the room. The room, in which the storage is installed, shall be constructed with complete a minimum of one-hour fire-resistance rated fire separation from the living areas of the building.~~
- ~~—(2) -A fuel oil storage tank shall be vented to the outside with a termination of the tank vent installed in a manner to prevent water and snow from entering the pipe.~~
- ~~—(3) -An indoor fuel oil tank shall have an accessible capped fill connection to the outside and located such that the tank can be filled through the hose from a delivery truck.~~
- ~~—(4) -Indoor fuel tanks shall be elevated sufficiently with a drain connection and valve which provide the capability of 100 percent draining of the tank.~~
- ~~—(5) -Oil storage tanks shall be installed over a sump or basin of sufficient retention capacity for the entire capacity of the tank. There shall be complete protection provided to prevent the possibility of oil from a pipe leak, spill, or tank rupture from entering the sanitary sewer, storm water drainage or building water supply.~~

- (6) Tanks to be used to store fuel oil shall be constructed and approved for that purpose.

(c) A fuel oil-storage tank for outside installation shall be installed above ground.

—(1) Fuel storage tanks shall be installed on minimum four-inch-thick level reinforced concrete pads of sufficient size to support the weight, placed on solid ground. The tanks shall be placed on saddles, stands, or supports of sufficient height above grade to permit tank drainage.

- (2) Fuel storage tanks shall be placed with separation from the building as required by law and so placed that they can be readily filled or replaced. Tanks shall be appropriately screened.

(d) An LP storage tank for outside installation may be installed above ground or buried.

(1) LP storage tanks shall be installed and maintained in compliance with the Ohio Fire Code and the tank manufacturer's specifications.

(2) Before commencing any installation, repair, or removal, a permit shall be obtained from the Building ~~Inspector~~Commissioner.

(3) Every LP storage tank shall be tested at least once every five years under pressure for absence of leaks.

(4) Any leaking condition shall be immediately reported to the Building ~~Inspector~~Commissioner.

(5) If a tank is found to be in a leaking condition, the owner shall refrain from using such tank until the condition is corrected or the tank is replaced.

(6) Tanks for storing liquefied petroleum (LP) are not permitted to be installed inside a building.

(e) Outdoor fuel storage tanks no longer to be used or which have been abandoned, whether above or below grade, shall have the fuel contents drained or pumped out and placed in another tank or properly disposed of. The tank shall be removed from the premises and properly disposed of. If the tank is located under pavement or either partially or entirely under a structure, the owner or applicant may request permission for tank closure in place. The request shall be accompanied by a structural engineer's site assessment and by a proposal containing detailed instructions regarding the opening, cleaning, and filling of the tank. The fill shall be a solid, inert material such as slurry mix; pea gravel, sand and other similar materials are not acceptable. After cleaning and prior to filling, a hole shall be drilled through the bottom of the tank at its lowest point and soil samples obtained from evaluation. A professional analysis of the soil samples indicating not more than acceptable levels of contaminants shall be filed with the Village for approval prior to the filling and closure of the tank. Soil samples may be taken adjacent to the tank in lieu of or in addition to those taken through a hole in the bottom of the tank, as the Village may request and approve. The removal or disposal of fuel and the removal, cleaning and/or

closure of fuel tanks no longer in use shall comply with all applicable Federal and State requirements.

~~{Ord. 2014-115. Passed 11-14-14.}~~

1347.03 VENTS; DRAINS; PRESSURE RELIEF DEVICES; PIPING.

All tanks shall be provided with sufficient size and capacity vents, drains and pressure relief devices as required by the NFPA, the International Fuels and Gas Code, and the Residential Code of Ohio ~~NFiPA Code (refer to Appendix A)~~. The interconnecting supply piping and other pipe shall be in accordance with Section 1385.03.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1347.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general BuildingVillage Code penalty if no specific penalty is provided.)

CHAPTER 1351

Garages, ~~Pole Buildings and Decks~~

1351.01 Garage required; exterior materials.

1351.02 Garage construction.

1351.03 Detached garages.

~~1351.04 Pole buildings.~~

~~1351.05 Wood decks.~~

1351.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Load design for residential garages—see BLDG. 1355.01~~

~~—Materials generally—see BLDG. Ch. 1357~~

~~—Drainage of garages—see BLDG. 1381.13~~

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1351.01 GARAGE REQUIRED; EXTERIOR MATERIALS.

Residences hereafter constructed within the Village shall include at least a two-car garage, either attached or detached. The exterior materials used in the construction of such garages shall conform to the materials used in the construction of the residence.

(Ord. 1992-101. Passed 1-14-92.)

1351.02 GARAGE CONSTRUCTION.

A garage beneath or attached to a dwelling or habitable space shall ~~be treated as follows: comply with the requirements of the Residential Code of Ohio and the requirements stated herein which exceed the requirements of the Residential Code of Ohio:~~

- (a) The ceiling of the garage shall be two layers of five-eighths of an inch ~~fire-code rated~~ Type X or Type C gypsum board (drywall) or three-fourths of an inch gypsum plaster, and all walls of the structure shall have two layers of five-eighths of an inch ~~fire-code rated~~ Type X gypsum board, ~~eight-four~~ inches of masonry, six inches of reinforced concrete, or three-fourths of an inch gypsum plaster. The ceiling shall not contain any openings into the space above the ceiling unless openings are protected with a minimum one-hour fire resistance rating in accordance with Chapter 7 of the Ohio Building Code.

(b) When a doorway from a garage connects directly with the residence, the door assembly (door, frame, and hardware) shall be rated for 90 minutes and shall include a door closer.

(EDITOR'S NOTE: Former subsection (b) was deleted by Ordinance 2015-113.)

(c) When a doorway from a garage connects directly with a cellar or basement on the same or a lower level in which there is any heating device or gas fixture, the door sill shall be raised at least one foot above the garage floor level. When the connection is to a living area~~habitable room or space~~, it shall have a door sill height of at least four inches above the garage floor.

(d) Minimum dimensions established for the storage of vehicles are as follows: clear length shall be not less than twenty feet and the width per car shall be not less than ten feet.

(e) There shall be provided a minimum of one ~~drain outlet~~floor drain inside the garage connected to a storm drain or public sanitary sewer when available.

~~(f) Any direct fired heating appliance located in the garage building should be contained within a one-hour rated enclosure that allows out only tempered circulation, with no direct air recirculation into the heater room from the garage. The heating unit shall be mounted a minimum of eighteen inches above the garage floor level. Through the wall heating units may be used without enclosures. See Chapter 1385.~~

~~—(Ord. 2015-113. Passed 9-8-15.)~~

1351.03 DETACHED GARAGES.

A separate or detached garage building shall be a minimum of twenty feet away from any residence it serves to satisfy the requirements for fire separation. The construction of such ~~buildings shall be similar to the required residential construction in form and structure~~garage shall comply with the requirements of the Residential Code of Ohio. A finished interior is not required.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1351.04 POLE BUILDINGS.~~

~~—(a) All buildings hereafter referred to as pole buildings, using treated timber for ground contact, shall bear a certification by a professional engineer licensed to practice in the State of Ohio. The design shall meet all acceptable safety standards according to the best engineering practice.~~

~~—(b) Drawings submitted to the Building Inspector shall include all necessary information relative to the project, including floor plans, four elevations, sections describing the~~

~~structure as well as details. The drawings shall also include necessary mechanical and electrical information.~~

~~—(c)—Framing for such structures shall employ standard designed trusses, including all posts, beams, purlins, knee braces, rafters and studs, along with any other means to secure a stable, ridged frame. Bearing posts shall bear on a minimum eight inches thick concrete pad located at a minimum of three feet, six inches below grade. Bearing posts shall be located not nearer than four inches from the edge of the pad.~~

~~——(d)—All roof and wall sheathing shall be a minimum five-eighths of an inch plywood or three-fourths of an inch solid board. Approved finished siding material shall be applied. Weatherproof roofing shall be selected from the approved materials (see Section 1357.01(c).) The roof pitch shall be a minimum of five by twelve and a maximum of twelve by fifteen.~~

~~—(e)—The general architectural character of such pole buildings shall be respective of the surrounding buildings. The appropriate siting of these buildings will be important.
(Adopting Ordinance)~~

~~—(f)—Because of the nature of their construction, pole buildings shall contain no facilities for human habitation.~~

~~{Ord. 1995-115. Passed 9-12-95.}~~

~~—1351.05 WOOD DECKS.~~

~~—All attached or free-standing wood decks or wood platforms shall be constructed of pressure-treated preservative lumber. These structures shall be designed to sustain normal loading requirements with beams, purlins and joists as well as the decking. Inground supports of either concrete or treated timber shall bear down to undisturbed soil at a minimum of three feet, six inches below grade. Non-corrodible nails, steel clip angles, bolts, lag screws and anchor bolts shall be employed to secure connections.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1351.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Village Code penalty if no specific penalty is provided.)

CHAPTER 1353

Grading and Drainage

1353.01 Purpose; final grade at buildings; omission of gutters.

1353.02 Surface drainage.

1353.03 Installation of footing drains.

1353.04 Backfill over footing drains.

1353.05 Roof and yard drainage.

1353.99 Penalty.

CROSS REFERENCES

~~—Grades in subdivisions—see P. & Z. 1139.03~~

~~—Alterations of topography—see BLDG. Ch. 1325~~

~~—Erosion and sedimentation control—see BLDG. 1325.02~~

~~—Indirect drains—see BLDG. 1381.09~~

~~—Floor, area and garage, and roof drains—see BLDG. 1381.13~~

~~—Storm drainage—see BLDG. 1381.20~~

~~—Testing of drainage systems—see BLDG. 1381.33, 1381.34~~

1353.01 PURPOSE; FINAL GRADE AT BUILDINGS; OMISSION OF GUTTERS.

It shall be the objective of grading regulations to provide grading which will divert surface water away from buildings and in compliance with the Residential Code of Ohio and dispose of such water without harmful effects on neighboring property, to preserve desirable site features and to provide grades and gradients for safe and convenient access to and around buildings for their normal use and maintenance. ~~The final grade at the building shall not be closer than eight inches to wood or other corrodible siding or exterior trim.~~

~~(Ord. 1997-116. Passed 7-9-97.)~~

1353.02 SURFACE DRAINAGE.

Positive drainage shall be provided for each lot or plot by proper draining so that a nuisance will not be created. Catch basins or properly connected under-drains shall be installed, or other approved provisions made where water may pocket, to preclude the accumulation of surface water. Regrading shall be done so that existing natural ground

drainage of the surrounding area shall not be impeded. When a lot or plot is graded to a higher or lower level than the natural grade on an adjacent property, the owner of such lot or plot shall provide suitable slopes or retaining walls, or other protection approved by the Building ~~Inspector~~Commissioner on ~~his or her~~the Owner's own property to preserve the natural slope or surface elevation of such adjacent property.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1353.03 INSTALLATION OF FOOTING DRAINS.

When a floor is below the adjoining ground and subsoil conditions are such as to permit ground water to accumulate adjacent to the foundation, footing drains shall be installed alongside the outside face of the base of the foundation. Such drains shall be not less than four-inch diameter pipe with a minimum thickness of Schedule 40 or SDR 35 and shall comply with the requirements of the Residential Code of Ohio and shall be designed and constructed of a type and construction to intercept and carry ground water without permitting the infiltration of soil into the pipe by means of filter fabric or other means included in the Residential Code of Ohio or approved by the Building Commissioner. ~~Footing drains shall have a continuous slope of not less than one-sixteenth of an inch per foot, discharging~~Footing drains shall discharge into the building storm sewer or other outlet approved by the Building ~~Inspector~~Commissioner. No coil or corrugated pipe shall be used. Refer also to Section 1381.20.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1353.04 BACKFILL OVER FOOTING DRAINS.

The backfill over footing drains shall be pervious material (not slag), of the type, size and gradation required for the particular type of drain construction being ~~used, and~~used and shall be carried up over drain tile ~~but not closer than~~to twelve inches ~~below~~to the established surface grade. The top twelve inches of the backfill shall consist of six inches of an impervious (clay) soil, topped with six inches of topsoil if the surface is to be covered with lawn or shrubs. If the surface adjacent to the foundation wall is to be paved or have some similar treatment, then the backfill near the top may be a suitable base for such construction.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1353.05 ROOF AND YARD DRAINAGE.

Roof drainage shall be handled by suitable collectors and downspouts which shall discharge into a sealed jointed storm drain of not less than four inches diameter with a slope s complying with the Residential Code of Ohio of one-fourth of an inch or more per foot, or, if collectors and downspouts are omitted, adequate drainage shall be provided by

other equally effective means in such manner as will protect the walls and foundation from damage and as will prevent such water from flowing onto sidewalks or walkways. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or into other devices, provided that no excess water will flow onto adjoining property or over sidewalks or walkways. The storm drain outlet, carrying roof water or yard drainage, shall be not less than six inches in diameter and shall not connect to the footing drain, but may intercept and receive the outlet of the footing drain by a wye connection above the spring line. The connection to a sanitary sewer of any pipe carrying roof water or yard drainage is prohibited. ~~See-Refer also to~~ Section 1381.20.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1353.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building-Village~~ Code penalty if no specific penalty is provided.)

CHAPTER 1355

LoadsClimatic and Geographic Design Criteria and Live Loads

1355.01 Design for dead and live loads; snow loads and wind loads.Climatic and Geographic Design Criteria and Live Loads

1355.99 Penalty.

CROSS REFERENCES

—Definitions—see BLDG. 1301.05

—Roofs—see BLDG. 1341.02

—Garages—see BLDG. Ch. 1351

—Roof materials—see BLDG. 1357.01

1355.01 DESIGN FOR DEAD AND LIVE LOADS; SNOW LOADS AND WIND LOADSCLIMATIC AND GEOGRAPHIC DESIGN CRITERIA AND LIVE LOADS.

—(a)—Dead loads shall consist of the weight of the walls, floors, roof, sheathing, floor finishes, roofing (two layers), insulation, ceilings and other structural members.

—(b)—Live loads shall include all loads except dead loads.

—(c)—All parts of structures shall be designed safely to carry the dead load and the following live loads:

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Floors	Pounds Per Square Foot
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Residential	40
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Garages	75
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—(d)—The roof shall be designed to safely carry the dead load, plus a snow load. Level snow load shall be calculated at a minimum of thirty pounds per square foot. The snow load shall be calculated under Section 111.0 of the Ohio Basic Building Code for slope, slide and drift accumulation (refer to Appendix A).

—(e)—Wind loads for the design of walls and for roof and structural stability shall be calculated under Section 1112.0 of the Ohio Basic Building Code (refer to Appendix A).

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA											
GROUND SNOW LOAD	WIND DESIGN SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM:			WINTER DESIGN TEMP.	ICE BARRIER UNDERLAYMENT REQUIRED	AIR FREEZING INDEX	FLOOD HAZARD	MEAN ANNUAL TEMP.	MIN. LIVE LOADS
			WEATHERING	FROST LINE DEPTH	TERMITES						
45 PSF; (NOTE 1)	115	B	SEVERE	42 INCHES	MODERATE TO HEAVY	5° F.	YES	1500 OR LESS	(NOTE 2)	48° F.	(NOTE 3)

NOTE 1: GROUND SNOW LOAD IS REDUCEABLE ACCORDING TO OHIO BUILDING CODE, STRUCTURAL DESIGN CHAPTER 16. BUILDINGS AND STRUCTURES MAY BE DESIGNED AND CONSTRUCTED USING 30 PSF WITHOUT REDUCTIONS FOR GROUND SNOW LOAD AND MINIMUM ROOF LOADS.

NOTE 2: REFER TO FLOOD INSURANCE RATE MAPS AS PUBLISHED BY FEMA.

NOTE 3: MINIMUM LIVE LOADS SHALL BE AS INDICATED IN RESIDENTIAL CODE OF OHIO, OR, WHERE APPROPRIATE, THE OHIO BUILDING CODE.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1355.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)

CHAPTER 1357

Materials

1357.01 General regulations; roofing; ~~siding~~exterior wall covering.

~~1357.02 Masonry.~~

~~1357.03 Concrete.~~

~~1357.04 Precast reinforced concrete joists and slabs.~~

1357.05 Iron and steel construction.

~~1357.06 Steel channel studs.~~

1357.07 Wood construction.

~~1357.08 New materials.~~

~~1357.09 Foam plastic insulation.~~

~~1357.10 Glazing (glass).~~

~~1357.11 Exterior wall insulation and finish systems (simulated stucco).~~

1357.12 Gypsum and plaster.

1357.99 Penalty.

CROSS REFERENCES

~~—Materials for chimneys—see BLDG. 1329.04~~

~~—Roofs—see BLDG. 1333.05, 1341.02~~

~~—Wood decks—see BLDG. 1351.05~~

~~—Concrete slab floors—see BLDG. 1365.08~~

~~—Plumbing materials—see BLDG. 1381.25~~

~~—Thermal insulation—see BLDG. 1381.31, 1385.07~~

~~—Materials for heating, ventilating and air conditioning systems~~

~~—see BLDG. 1385.01(f)~~

1357.01 GENERAL REGULATIONS; ROOFING; SIDING EXTERIOR WALL COVERING.

(a) All materials for construction are subject to the approval of the Building ~~Inspector~~Commissioner and the Architectural Board of Review, and materials appropriate for the type and style of architecture selected are required.

(b) In general, ~~however,~~ standard types of building materials which will be approved include brick, wood ~~(including Boral, Azek, fiber-cement, and similar materials)~~, stone, concrete, and stucco. No manufactured imitations of these materials will be permitted unless approved by the Building ~~Inspector~~Commissioner and the Architectural Board of Review.

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—(c)—Roofing materials shall be of slate, wood shakes, wood shingles, mineral fiber tiles, clay tiles, concrete tiles, copper, tin, terne or Underwriters Laboratories Class (A) fire-rated asphalt or fiberglass shingles with at least four bundles per square, a thirty-year warranty, and conforming to ASTM D3018 Type I self-sealing, ASTM D3462 tear strength ASTM D3161 wind resistance and ASTM E108 Class A fire resistance.~~

~~(1)—Not more than two layers of roofing shall be used.~~

~~(2)—Sheet metal flashing materials shall be of good quality, standard acceptable gauge, of any one of the following: copper, galvanized steel, terne, aluminum, zinc, stainless steel, lead or a combination thereof.~~

~~(3)—Flexible sheet flashing can be substituted for metal when the roofing system and architectural detail require it.~~

~~(4)—The following materials may be used: EPDM (ethylene propylene diene terpolymer membrane), metal bonded fabric, PVC (polyvinylchloride) and CPE (chlorinated polyethylene).~~

~~—(Ord. 1994-111. Passed 4-12-94.)~~

~~—(d)—All materials shall be of good quality for the purposes for which they are intended to be used, and shall conform to trade or manufacturers' standards. Each material shall be free from imperfection whereby its strength or durability is or may be impaired.~~

~~—(e)—Any material which is inferior in quality to that specified herein may be rejected.~~

~~—(f)—All structural materials, of whatever nature, shall be subject to tests to determine their character and quality, if required by the Building Inspector.~~

~~—(g)—Assumed live loads for buildings shall be as indicated in Section 1355.01.~~

~~—(h)—Aluminum siding may be used only after permission has been obtained from the Building Inspector after consultation with the Village's architectural consultants. Photographs of all four elevations of the structure shall be submitted. The siding shall be a minimum .024 inch thick tempered aluminum, with polyvinylchloride (PVC) coating. The siding shall have fiberboard backing. Aluminum covering for corner boards and for window and door casings may also be provided. Aluminum siding shall be properly grounded to protect the structure and its contents from electrical storms, as approved by the Building Inspector.~~

~~—(i) Vinyl and polyvinylchloride (PVC) siding may be used only after permission has been obtained from the Building Inspector, after consultation with the Village's architectural consultants. Photographs of all four elevations of the structure shall be submitted. The siding shall be a minimum .050 inch thick solid polyvinylchloride (PVC), with approximately six inches of breaks or less. The siding shall have rigid sheathing or furred backing. Vinyl covering for corner boards and for window and door casings may also be provided.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.02 MASONRY.~~

~~—Masonry construction shall be in accordance with Article 14 (Masonry) of the Ohio Basic Building Code (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.03 CONCRETE.~~

~~—Concrete shall be used in construction in accordance with and as required by Article 15 (Concrete) of the Ohio Basic Building Code (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.04 PRECAST REINFORCED CONCRETE JOISTS AND SLABS.~~

~~—Precast reinforced concrete joists may be used for floor beams and slabs. A layout showing the installation to be used shall be furnished and the plans shall be sealed by a registered structural engineer, certifying that the construction has been checked and each member designed to be of adequate strength to safely carry the loads imposed. All designs shall conform to American Concrete Institute 318-89 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1357.05 IRON AND STEEL CONSTRUCTION.

(a) The design, fabrication and erection of iron and steel shall be in accordance with the Residential Code of Ohio and the Ohio Building Code, latest specifications and requirements of the American Institute of Steel Construction (refer to Appendix A).

(b) The design shall be prepared by or under the supervision of a registered professional structural engineer whose seal shall appear on all drawings prepared by him or her~~the~~ engineer.

(c) At the Building ~~Inspector~~Commissioner's request, ~~he or she~~the design professional shall submit ~~his or her~~ design computations for examination and approval.

(d) ~~Open web steel, when used, shall conform to the latest specifications of the Steel Joist Institute (refer to Appendix A). Where open web steel joists are used over garages, the ceiling assembly shall have a minimum of a one-hour fire-rating resistance rating or shall be covered with two layers of 5/8-inch thick Type X or Type C gypsum board.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.06 STEEL CHANNEL STUDS.~~

~~—Channel studs shall be minimum twenty gauge galvanized steel channels with floor and ceiling runners to match.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.07 WOOD CONSTRUCTION.~~

Wood construction shall be in accordance with ~~Article 17 and Appendix C of the Ohio Basic Building Code (refer to Appendix A)~~the Residential Code of Ohio, except for the following items which exceed the minimum requirements in the Residential Code of Ohio:

(a) ~~All wood structural members shall be of sufficient size, quality and strength according to the purpose designed to be served. No wood structural member shall have defects in excess of those permitted for Grade 2, structural, as defined in the rules of the Southern Pine Association.~~

~~(b) The various panel configurations under the category of wood-based performance rated panels are to be used relative to their grading designations, good practice and this Building Code:~~

~~(1) Plywood used as sheathing shall be a minimum of five-eighths of an 5/8- inch thick, consisting of a minimum of five cross-laminated layers, with each layer consisting of one or more plies with a span rating meeting or exceeding the requirements included in the Residential Code of Ohio:-~~

~~(2b) Oriented Strand Board (OSB) used as sheathing shall be a minimum of 5/8- inch thick, with a span rating meeting or exceeding the requirements included in the Residential Code of Ohio five-eighths of an inch thick, consisting of compressed strand-like particles arranged in a minimum of five layers oriented at right angles to one another; and-~~

~~(3c) Waferboard, composite and particleboard, and similar wood panels are not to be used approved for use as structural panels.~~

~~—{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.08 NEW MATERIALS.~~

~~—The Building Inspector may permit the use of new or alternative materials which are proven to be of adequate stability, strength and quality by tests conducted by recognized authorities.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.09 FOAM PLASTIC INSULATION.~~

~~—(a) The provisions of this section shall govern the requirements and uses of foam plastic insulation.~~

~~—(b) Except where otherwise noted, all foam plastic or foam plastic cores in manufactured assemblies used in building construction shall have a flame-spread rating of not more than twenty-five and shall have a smoke-developed rating of not more than 175 when tested in the maximum thickness intended for use in accordance with American Society for Testing and Materials E84-1987 (refer to Appendix A).~~

~~—(c) Foam plastic may be used in a roof-covering assembly without the thermal barrier when the foam is separated from the interior of the building by plywood sheathing not less than five-eighths of an inch in thickness, bonded with exterior glue, with the edge supported by blocking, tongue and groove joints or other approved type of edge support, or an equivalent material.~~

~~—(d) Within an attic or crawl space, where entry is made only for service of utilities, foam plastics shall be protected against ignition by one and one-half inches thick mineral fiber insulation, five-eighths of an inch thick plywood, or five-eighths of an inch gypsum wallboard, or other approved material installed in such a manner that the foam plastic is not exposed. The protective covering shall be consistent with the requirements for the type of construction.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.10 GLAZING (GLASS).~~

~~—(a) All glazing used in hazardous locations shall use be tempered, laminated, wired or heat-strengthened to fulfill the requirements of the specific use.~~

~~—(b) All roof skylights using glass for glazing shall use tempered, laminated, heat strengthened or wire glass.~~

~~—(c) Exceptions to the hazardous use category are as follows:~~

~~(1) Openings indoors three inches or smaller;~~

~~{2}—Leaded glass panels;~~

~~{3}—Faceted and decorative glass.~~

~~—(d)—All glass areas in exterior walls subject to wind loading shall be capable of safely withstanding normal wind pressure as governed by accepted standards for size and thickness of given types of regular plate, float or sheet glass.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1357.11 EXTERIOR WALL INSULATION AND FINISH SYSTEMS (SIMULATED STUCCO).~~

~~—(a)—Approval by Building Inspector. Use of exterior wall insulation and finish systems shall be approved by the Building Inspector in a preliminary review proposal, if the use of expanded polystyrene insulation board as a base for the finish coating of acrylic-based adhesive with Portland cement is proposed. These systems are susceptible to impact and may be affected by their proximity to grade conditions.~~

~~—(b)—Installation. Details shall describe the method of construction to be used to avoid edge damage by moisture, to avoid substrate joint separation and to protect against impact damage. Heavy duty reinforcing mesh shall be used for all corners, joints and seams to counter stress points as well as to provide protection for impact locations.~~

~~—(c)—Approval of Color and Texture; Coating Specifications. The color and the texture shall be approved before construction with actual samples provided.~~

~~—The flame-spread ratings, as per ASTM E84-1987 (see Appendix A) for the coatings for these systems shall be less than twenty-five.~~

~~—(d)—Exception. Installation of acrylic-based adhesive-bonded Portland cement finishes that do not make use of foam base materials, need not be approved prior to construction. The approved substrate for this procedure shall be either brick, unit masonry or concrete.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1357.12 GYPSUM AND PLASTER.

The use of gypsum board and plaster shall comply with the Residential Code of Ohio, Article 16 of the Ohio Basic Building Code (refer to Appendix A), except for the following criteria which exceeds the requirements of the Residential Code of Ohio: All gypsum board used shall be a minimum five-eighths of an inch thick Type X gypsum board (or Type C at ceilings). A minimum of two layers of 5/8-inch thick gypsum board or 3/4-inch thick gypsum plaster shall be provided at the ceilings of the garage. Walls of the garage shall have two layers of 5/8-inch thick Type X gypsum board or 3/4-inch-thick gypsum plaster unless four inches of masonry or six inches of reinforced concrete are provided.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1357.99 PENALTY.

| *(EDITOR'S NOTE: See Section 1301.99 for general VillageBuilding Code penalty if no specific penalty is provided.)*

|

CHAPTER 1359

Moving of Buildings

- 1359.01 Permit required.
- 1359.02 Application information.
- 1359.03 Investigation by Building ~~Inspector~~Commissioner; report to Council.
- 1359.04 ~~Moving of unfit buildings~~Moved buildings and structures.
- 1359.05 Scope of permits.
- 1359.06 Permit conditions.
- 1359.07 Liability insurance.
- 1359.08 Permit issuance; fee.
- 1359.09 Notice of moving.
- 1359.10 Failure to perform work.
- 1359.11 Approval of streets; moving equipment.
- 1359.12 Foundation to be ready.
- 1359.13 Lights and barricades.
- 1359.14 Damage to streets; remedies of Village.
- 1359.15 Refund of deposit; liability for excess costs.
- 1359.16 Permit revocation or suspension; appeal.
- 1359.99 Penalty.

CROSS REFERENCES

- ~~—Duties of Building Inspector—see BLDG. 1301.02~~
- ~~—Definitions—see BLDG. 1301.05~~
- ~~—Permits; plans and specifications—see BLDG.~~
- ~~—Ch. 1303~~
- ~~—Dangerous and unsafe buildings—see BLDG. Ch. 1331~~
- ~~—Foundations—see BLDG. 1331.04, Ch. 1339—~~

1359.01 PERMIT REQUIRED.

No person shall move or cause to be moved any building within, into, through or from the Village, without first obtaining a permit ~~therefor~~ from the Building ~~Inspector~~Commissioner, such permit to be known as a house moving permit. Any person desiring such a permit shall file an application with the Building ~~Inspector~~Commissioner ~~a written application therefor~~.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1359.02 APPLICATION INFORMATION.

(a) Moving Within or Into Village. If such application is for a permit to move a building entirely within the Village limits or is for the moving of a building into the Village from another location, such application shall be subject to the approval of Council before a permit is issued and shall specify the following:

- (1) The character and size of the building to be moved;
- (2) The reason for such moving;
- (3) The purpose and occupancy for which such building is to be used;
- (4) The locations from which and to which such building is to be moved;
- (5) The plot plan showing the proposed location of the building upon the property to which such building is to be moved;
- (6) The streets on, over or through which it is desired to move such building, indicating exactly in detail the route to be followed in moving; and
- (7) Whether or not the building conforms to this Building Code and the Planning and Zoning Code of the Village and whether or not it conforms to the architecture of the buildings in the immediate area within which it is to be located.

(b) Moving Out of or Through Village. If the building is being moved from within or through the Village to a location outside of Village limits, the application shall contain the following:

- (1) The character and size of the building to be moved;
- (2) The reason for such moving;
- (3) The location from which and to which such building is to be moved;
- (4) The streets on, over or through which it is desired to move such building, including exactly and in detail the route to be followed in moving. A copy of this information shall also be given to the Chief of Police by the applicant.

(Ord. 1992-101. Passed 1-14-92.)

1359.03 INVESTIGATION BY BUILDING ~~INSPECTOR~~COMMISSIONER; REPORT TO COUNCIL.

Upon the filing of the permit application, the Building ~~Inspector~~Commissioner shall investigate the physical condition of the building. He or she shall report the results of the investigation to Council where its approval is required.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1359.04 ~~MOVING OF UNFIT BUILDINGS.~~ MOVED BUILDINGS AND STRUCTURES.

(a) The moving of residential structures including historic structures shall comply with the requirements of the Residential Code of Ohio.

(b) Moving of Unfit Buildings: No permit shall be issued to move any building which, in the opinion of the Building ~~Inspector~~Commissioner, is so constructed or is in such condition as to be dangerous; or is infected with pests or is unsanitary; or if it is a dwelling unfit for human habitation, in a dilapidated condition, defective or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to, or be materially detrimental to, other property or improvements in the Village; or if the building is of a type prohibited at the proposed location by any statute of the State or ordinance of the Village; or if the use of the building at the new location is in violation of the statutes of the State or the ordinances of the Village; or if the moving of the building would cause unreasonable damage to the trees, plants, shrubs or utility poles on or along the public streets. However, if the condition of the building, in the opinion of the Building ~~Inspector~~Commissioner, is capable of practicable and effective repair, the permit may be issued upon the terms and conditions hereinafter set forth.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1359.05 SCOPE OF PERMITS.

Issuance of a permit to an applicant shall not be construed as approval by the Village of any violation of a State statute or Village ordinance.

(Ord. 1992-101. Passed 1-14-92.)

1359.06 PERMIT CONDITIONS.

A house moving permit shall be granted only after the applicant accepts and complies with the following terms and conditions:

(a) The applicant shall not allow the building being moved to remain upon or in any manner obstruct the public streets, other than between the hours of 10:00 a.m. and 4:00 p.m. local time.

(b) The applicant shall deposit with the Building ~~Inspector~~Commissioner, prior to receiving the permit, a security deposit equal to ten percent of the market value of the building, plus an amount estimated by the Building ~~Inspector~~Commissioner to be sufficient to reimburse the Village for the cost of trimming, moving, removing or replanting of trees or shrubs and of moving, removing or displacing any poles or other structures supporting any wires, cables or other equipment upon such poles or structures belonging to the Village. The cost thereof shall be estimated by the Building ~~Inspector~~Commissioner, and ~~his~~ or her ~~the Building Commissioner's~~ determination as to the amount of the necessary security deposit shall be final.

(c) The applicant shall have procured in writing the permission of the owners of any trees, shrubs, fences, poles, wires, cables, or any other physical structures which are to be moved, removed, or displaced in order to allow passage of the building. The permit to move such building shall not be issued until such time as such written permissions are filed with the Building ~~Inspector~~Commissioner.

(d) The applicant shall deposit with the Building ~~Inspector~~Commissioner a sufficient sum to be used to pay the overtime wages of any policemen which the Chief of Police determines are necessary to employ in order to direct traffic and warn pedestrians and motorists of the obstruction of a building in the process of being moved over and upon public streets.

(e) The applicant shall file with the Building ~~Inspector~~Commissioner a liability insurance policy issued by a solvent insurance company authorized to do business in the State, which policy shall conform in all respects to the requirements of this chapter. However, in lieu of filing such insurance policy, a certificate of insurance may be filed which shows that a policy meeting the requirements of this section has been issued and which sets forth its expiration date.

~~—(Ord. 1992-101. Passed 1-14-92.)~~

1359.07 LIABILITY INSURANCE.

The liability policy required under this chapter shall insure the person, partnership, corporation, or other organization moving a building against loss from liability imposed by law for injury or death to any person, and for injury to the property of any person, including the Village, that occurs while the mover of a building is so engaged upon the streets of the Village. Such policy shall insure the mover in the amounts set forth hereinafter, exclusive of interest and costs:

(a) For injury to, or for the death of, any one person, five million dollars (\$5,000,000);

(b) For injuries to or for the deaths of, or for any combination of injuries and deaths of, more than one person arising from any single accident, five million dollars (\$5,000,000);

(c) For damage to the property of any person or persons, including the Village, arising from any single incident, five million dollars (\$5,000,000).

(Ord. 1992-101. Passed 1-14-92.)

1359.08 PERMIT ISSUANCE; FEE.

The permit shall be issued by the Building ~~Inspector~~Commissioner after the above conditions have been met and agreed to and after the applicant has paid the permit fee of one thousand dollars (\$1,000).

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.09 NOTICE OF MOVING.

Notice shall be given by the person to whom the permit is issued, or his or her representative, to both the Building ~~Inspector~~Commissioner and the Chief of Police not less than thirty-six hours nor more than forty-eight hours before the actual work of moving a building or structure is to commence.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.10 FAILURE TO PERFORM WORK.

(a) Whenever a default has occurred in the performance of any term or condition of a permit, written notice thereof shall be given to the permittee by the Building ~~Inspector~~Commissioner. Such notice shall state the work to be done, the estimated cost thereof and the period of time deemed to be reasonably necessary to complete such work.

(b) After receipt of such notice, the permittee shall, within the time therein specified, either cause the work to be done or pay over to the Village the estimated cost of doing such work as set forth in the notice, plus ten percent thereof. Upon receipt of such money, the Building ~~Inspector~~Commissioner shall cause the required work to be performed and completed. If the permittee defaults and fails to complete the moving of the building, the Village shall have the option, in lieu of completing the work required, to demolish the building and to clear, clean and restore the site or sites.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.11 APPROVAL OF STREETS; MOVING EQUIPMENT.

The streets over which any building is to be moved shall be approved by the Building ~~Inspector~~Commissioner and the Chief of Police. All equipment for moving buildings, except that provided with rubber treads, shall be provided with means to prevent the picking up of asphalt from the pavement. Such means may include automatic or manual application of kerosene, mineral spirits, or other suitable solvent, but only to the extent that no excess is

left on the pavement. Such means shall be used whenever necessary, in the opinion of the Building ~~Inspector~~Commissioner, to prevent damage to pavements. If ~~he or she~~the Building Commissioner shall find that such means are not in use when necessary, or are ineffective, ~~he or she~~the Building Commissioner shall immediately order the work stopped until the necessary precautions are taken to prevent damage.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.12 FOUNDATION TO BE READY.

No person, either as mover or the person causing the moving to be done, as owner of the real property, or as the owner of a building, shall permit any building which has been moved to be placed upon any real property within the Village unless a suitable foundation compliant with the requirements of the Residential Code of Ohio has already been erected and is ready for the building to be placed and anchored thereupon.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.13 LIGHTS AND BARRICADES.

The person having charge of the moving of any building shall maintain at all times proper flags, lights, barricades, and other danger signals, whenever such building is on any public street.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.14 DAMAGE TO STREETS; REMEDIES OF VILLAGE.

If the moving of any building for which a permit shall be granted herein causes damage to the public streets or other public property and improvements, then, in addition to any other remedy the Village may have, the Building ~~Inspector~~Commissioner may cause such damage to be repaired, and the costs thereof shall be deducted from the deposit required by Section 1359.06(b), or the Building ~~Inspector~~Commissioner may require the person to whom such a permit has been granted, or his or her authorized representative, upon written notification from the Building ~~Inspector~~Commissioner, to make all necessary repairs to such streets or property and improvements. However, should such person to whom such permit has been granted and to whom such notice has been given, or his or her authorized representative, fail to make such necessary repairs within the period of time designated in such written notice, the Building ~~Inspector~~Commissioner may cause such necessary repairs to be made and the costs thereof deducted from the deposit required by Section 1359.06(b) or may proceed to exercise any other remedies which the Village may have.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1359.15 REFUND OF DEPOSIT; LIABILITY FOR EXCESS COSTS.

When the moving of any building for which a permit has been granted is completed, and all damage to public streets or other public property has been repaired, and the cost of repairing the damage and of performing other work as provided for in this chapter shall have been paid out of the deposit required by Section 1359.06(b), such portion of the deposit then remaining unused shall be refunded, upon the surrender of the deposit receipt. Should the cost, however, of repairing the aforesaid damage or performing other work exceed the total amount of the deposit, the person to whom such permit was granted shall be liable for the amount of damages or other costs which are in excess of the amount deposited.

(Ord. 1992-101. Passed 1-14-92.)

1359.16 PERMIT REVOCATION OR SUSPENSION; APPEAL.

(a) The Building ~~Inspector~~Commissioner or Chief of Police may at any time, for sufficient cause, revoke or suspend any permit granted under this chapter. Any person excepting to any denial, suspension or revocation of a permit applied for or held by him or her pursuant to the provisions of this chapter, or to any other action taken by any official of the Village concerning such permit, may appeal, setting forth the specific grounds thereof.

(b) The notice of appeal shall be filed within fourteen days after notice of the action appealed from is received by the appellant, but in no event later than thirty days after the date of such action.

(c) The Clerk shall set the matter for hearing before Council at the next Council meeting and cause notice thereof to be given to the appellant to show cause, on the grounds specified in the notice of appeal, why the action excepted to should not be approved. Council may continue such hearing from time to time, and its decision on the appeal shall be final and conclusive in the matter.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1359.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Village Building Code penalty if no specific penalty is provided.)

~~CHAPTER 1361~~

~~Natural Light And Ventilation~~

~~1361.01 General requirement.~~

~~1361.02—Determination of required glass area.~~

~~1361.03—Required window, glazed door and skylight area.~~

~~1361.04—Additional window area required.~~

~~1361.05—Bathrooms and lavatories.~~

~~1361.06—Glazed doors; exterior doors in kitchens or bedrooms.~~

~~1361.07—Heater rooms.~~

~~1361.08—Basementless (crawl) spaces.~~

~~1361.09—Attic ventilation.~~

~~1361.99—Penalty.~~

~~CROSS REFERENCES~~

~~—Crawl spaces—see BLDG. 1335.02, 1339.06~~

~~—Attics—see BLDG. 1335.03~~

~~—Exit doors—see BLDG. 1335.04~~

~~—Bathroom area requirements—see BLDG. 1363.03~~

~~—Ventilation generally—see BLDG. Ch. 1385, 1389.02~~

~~—Artificial light—see BLDG. Ch. 1389~~

~~—1361.01 GENERAL REQUIREMENT.~~

~~—The lighting and ventilation of habitable spaces shall be such as to provide satisfactory and healthful living conditions and, in attic and basement areas, to prevent conditions conducive to deterioration.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.02 DETERMINATION OF REQUIRED GLASS AREA.~~

~~—In determining required glass area, the gross area within a sash, including all muntins, shall be considered. When the sill of a basement window is below the extended line of the finished grade at the window, only half of the below-grade glass area of that window shall be included in determining the required glass area.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1361.03 REQUIRED WINDOW, GLAZED DOOR AND SKYLIGHT AREA.~~

~~—All habitable rooms shall be provided with natural light by means of one or more windows, glazed doors or skylights or their equivalent located in outside walls or roofs. The required glass area in a habitable room shall be not less than ten square feet or ten percent of the floor area of the room, whichever is greater. Not less than forty percent of such required glass area shall open for ventilation, unless mechanical ventilation is installed in accordance with Chapter 1389.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.04 ADDITIONAL WINDOW AREA REQUIRED.~~

~~—If windows open on covered porches and terraces, or are in rooms any portion of which is more than eighteen feet from a window, the glass area shall be not less than fifteen percent of the floor area of the room.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.05 BATHROOMS AND LAVATORIES.~~

~~—Unless proper artificial light and mechanical ventilation are installed, natural light and ventilation for bathrooms and lavatories shall be provided by windows or skylights with a glass area of not less than three square feet or ten percent of the floor area, whichever is greater. The ventilating area shall be not less than four percent of the floor area. If a compartment containing a single fixture opens directly into the bathroom, it shall be considered a part of the bathroom floor area, may be lighted artificially and ventilated into the bathroom.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.06 GLAZED DOORS; EXTERIOR DOORS IN KITCHENS OR BEDROOMS.~~

~~—The glazed portion of doors in exterior walls may be included in determining compliance with the glass area requirements. However, an exterior door in a kitchen or bedroom shall not be used as the only means of providing natural ventilation.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.07 HEATER ROOMS.~~

~~—Ventilation for a heater room or space shall be provided by means of grilles, louvers or a duct arranged to supply air from outside or from a permanently ventilated underfloor or attic space. Ducts shall be screened and have a free area at least equal to the free area of flues or vents to which the fuel-burning equipment is connected. Grilles or louvers shall be in pairs, one located near the floor and the other near the ceiling, each to have a free area of at least one square inch for each 1,000 British Thermal Units per hour input rating of the heating device. Refer to Section 1389.03 for air circulation and make-up air.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.08 BASEMENTLESS (CRAWL) SPACES.~~

~~—See Section 1339.06 for ventilation of crawl spaces.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.09 ATTIC VENTILATION.~~

~~—(a) Fixed cross ventilation shall be provided for all spaces between roofs and top-floor ceilings. All ventilation openings shall be covered with corrosion-resistant fly screening or its equivalent.~~

~~—(b) Ventilation shall be provided in all areas under the roof. This ventilation shall be secured through eave vents, ridge vents, gable vents or soffit vents.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1361.99 PENALTY.~~

~~—(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)~~

CHAPTER 1362
Oil and Gas Wells

1362.01 Intent.

1362.02 Interpretation.

1362.03 Municipal regulations.

1362.04 Appeal.

1362.05 Severability.

1362.99 Penalty.

1362.01 INTENT.

It is the intent of Council to ensure to safe operation of oil and gas wells within the Municipality. Toward that end, this chapter has been adopted to supplement any State issued permits which authorize the drilling of an oil and gas well within the Municipality. The provisions of this chapter are based upon local conditions which may not be known to the State at the time such drilling was authorized. It is, further, the intent of the Municipality to exercise its local police authority, authorized under Article XVIII, Section 3 of the Ohio constitution, to the fullest extent permitted by law for the protection of the Municipality's residents and all emergency personnel who may be called upon to respond to an incident at an oil and gas well.

(Ord. 2005-115. Passed 9-13-05.)

1362.02 INTERPRETATION.

If any provision of this chapter is deemed to conflict with any constitutional general law of the State of Ohio, the general law shall prevail. In the event the general law of the State is silent as to any substantive regulation contained herein, the substantive regulation established by this chapter shall be applicable.

(Ord. 2005-115. Passed 9-13-05.)

1362.03 MUNICIPAL REGULATIONS.

Any person who has a permit to drill for oil and gas ("Permit Holder") within the Village of Hunting Valley, which permit has been issued by the Ohio Department of Natural Resources ("ODNR"), shall adhere to the following regulations:

(a) A copy of the permit issued by ODNR shall be filed with the Building ~~Inspector~~Commissioner not less than ten (10) days before the commencement of any operations preparatory to drilling in the Village. Upon receipt by the Building ~~Inspector~~Commissioner, a copy of such permit shall be delivered by the Building ~~Inspector~~Commissioner to all owners and/or occupants of all properties which adjoin the property where a well is to be drilled.

(b) With a copy of the permit, a letter will be filed with the Building ~~Inspector~~Commissioner which identifies the owner(s) of the subject property where the well is to be drilled by name and address, and identifies all persons, including but not limited to the Permit Holder, who are responsible for the drilling and operation of the well. The identification shall include, at a minimum, names, mailing addresses and work telephone numbers.

(c) Plan for all wells, tank batteries, all excavation work (including but not limited to boring pits) and all other site work shall be presented to the Building ~~Inspector~~Commissioner not less than ten (10) days prior to the commencement of any drilling or other operations. These plans shall show the topography of the site and of all vehicular access to the site from any public right of way.

(d) Plans showing all buildings on the subject premises, and all buildings within five hundred feet (500) of the well and tank sites, shall be provided.

(e) No well may be drilled, or tank batteries located, in any location where emergency vehicles (e.g. fire trucks and ambulances) cannot obtain reasonable access to the site.

(f) No well is allowed to be drilled within any distance of any structure or facility (e.g. a playground) which, based upon the specific facts and circumstances surrounding such structure or facility, creates a threat to the health, safety, and welfare of said structure, or facilities, or occupants, or users thereof.

(g) Proof of insurance shall be filed with the Building ~~Inspector~~Commissioner prior to the commencement of drilling. The proof of insurance must establish that the Permit Holder is insured by a solvent insurer, licensed to do business in the State of Ohio, with limits of three million dollars (\$3,000,000) per occurrence for personal injury and property damage.

(h) Emergency contact information for all persons engaged in drilling and operating the well shall be filed with the Building ~~Inspector~~Commissioner prior to the commencement of drilling. Such information shall be immediately updated upon any change of circumstance.

(i) In accordance with Ohio law, the Permit Holder shall do all of the following:

- (1) Remove all bore pits, and all well spoils from the subject property; and
- (2) Fill all bore pits with clean fill dirt, and restore the grade of the site to its previous elevation; and
- (3) Seed all disturbed sites with grass or other vegetative ground cover, and ensure such ground cover becomes established; and
- (4) Notify the Building ~~Inspector~~Commissioner that the site has been restored pursuant to the terms of this paragraph. The Building ~~Inspector~~Commissioner shall inspect the site within five (5) days of the notification to ensure that no grading of the property has occurred which materially alters the drainage of the subject property in a manner which is inconsistent with the drainage of the property prior to the commencement of any ground moving activities performed pursuant to the ODNR permit.

(j) At all times relative to the drilling, operation and plugging of the well, the well and all tank facilities shall be secured from access to the greatest extent possible, in a manner consistent with ODNR regulations.

(k) Within six (6) months after the drilling operations have been completed, the Permit Holder shall plant sufficient vegetation which, in conjunction with any fencing and natural vegetation, shall effectively and permanently screen all above-ground facilities from all neighbors and from all public and private rights of way, while such facilities are on the subject premises. The Building ~~Inspector~~Commissioner shall determine the sufficiency of the screening and may order the Permit Holder to plant more vegetation.

(l) The Permit Holder shall give the Building ~~Inspector~~Commissioner at least forty-eight (48) hours' notice before commencing to drill.

(m) The Permit Holder shall file a cash ~~bond~~deposit with the Building ~~Inspector~~Commissioner in accordance with the following provisions.

- (1) A cash ~~bond~~deposit of five thousand dollars (\$5,000) per well shall be filed with the Building ~~Inspector~~Commissioner to ensure the installation and maintenance of sufficient fencing and screening of facilities, as provided herein, and also to secure the repair or replacement of any Village owned infrastructure (e.g. roads and culverts) which may be damaged by any activity related to oil and gas production, including but not limited to the transportation of equipment or materials used in any manner for oil and gas production, or for the plugging of a well.
- (2) No Permit Holder shall be required to file more than four (4) cash ~~bonds~~deposits, totaling twenty thousand dollars (\$20,000), which shall be deemed to be a "blanket ~~deposit~~bond" for all additional wells drilled in the Village.
- (3) Fencing and screening shall be installed and maintained in a manner which accomplishes the intended goal of screening and securing the facilities.
- (4) In the event the Village is required to utilize the ~~bond~~cash deposit to install, maintain or repair the facilities which are secured by said ~~bond~~cash deposit, the Permit Holder shall file with the Village sufficient funds to restore the ~~bond~~deposit to its original amount.
- (5) Any ~~bond~~cash deposit filed with the Village shall be held until such time as all equipment has been removed from the site of the oil and gas production facilities, the well is plugged and the site has been appropriately restored, as required by state law. The municipality shall return the ~~bond~~cash deposit upon the restoration of the site, upon the determination by the Building ~~Inspector~~Commissioner that the interests to be secured by the ~~bond~~cash deposit are no longer at risk.

(n) Notwithstanding Section 509.08 of these Codified Ordinances, drilling operations may occur twenty-four hours per day until the permitted depth is reached.

(o) It shall be a violation of this section for a Permit Holder to violate the terms and conditions of the state issued permit, or any state statute or ODNR regulation.

(p) The Building ~~Inspector~~Commissioner or ~~his~~the Building Commissioner's designee shall, within two (2) business days of receipt of the plans pursuant to subsection (c) hereof, review said plans and immediately advise the Permit Holder if anything shown on the plans does not comply with the regulations set forth herein.

(q) In the event that any Permit Holder fails to comply with the regulations herein promulgated, the Building ~~Inspector~~Commissioner, shall provide written notice to the owner of the property and the Permit Holder within forty-eight (48) hours of the discovery of such failure to comply. Such service shall be made to the addresses identified in paragraph (b) hereof, and if no address has been provided, to any address identified on the permit issued by the State of Ohio. The notice shall advise the owner and the Permit Holder that if they wish to appeal the decision of the administrative official, the time for appeal is five (5) days after service of the notice.

~~—(Ord. 2007-108. Passed 4-10-07.)~~

1362.04 APPEAL.

If the Building Commissioner denies the application, the applicant or owner may appeal the decision in accordance with Section 1301.06.

Any decision, action, or determination made by the Planning and Zoning Commission, whether acting as the Commission or in their role as Board of Building Code Appeals shall be a final determination within the Village. A party aggrieved by a decision of the Planning and Zoning Commission may appeal such decision in the manner prescribed by law.

~~—The determination of the Building Inspector, in applying the regulations promulgated hereunder, which is adverse to the rights of any owner of property or any Permit Holder may be appealed to the Planning and Zoning Commission by filing a notice of appeal with the Building Inspector within five (5) days of notification by the Building Inspector that the permit holder has not complied with the regulation. The appeal shall be heard at the next Planning and Zoning Commission meeting, but such further hearings may be held as required for the Commission to resolve the appeal. The decision of the Planning and Zoning Commission shall be final within the municipality.~~

~~(Ord. 2005-115. Passed 9-13-05.)~~

1362.05 SEVERABILITY.

In the event any provision of this chapter is found to be unconstitutional or otherwise held to be invalid, the remainder of this chapter shall remain in full force and effect.

(Ord. 2005-115. Passed 9-13-05.)

1362.99 PENALTY.

(a) Whoever violates the provisions of this chapter shall be guilty of a misdemeanor of the first degree. A separate violation shall be deemed to occur on each day during or on which a violation or noncompliance occurs or continues.

(b) In lieu of or in addition to the prosecution of a violation of this chapter, and upon the authorization of the Mayor, the Law Director may institute an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful condition, to restrain, correct or abate a violation; or to require compliance with this chapter or other applicable laws, ordinances, rules, or regulations.

(Ord. 2005-115. Passed 9-13-05.)

~~CHAPTER 1363~~

~~Room And House Size~~

~~1363.01—Minimum space use requirements.~~

~~1363.02—Minimum areas and dimensions.~~

~~1363.03—Bathrooms.~~

~~1363.04—Minimum ceiling height.~~

~~1363.05—Minimum living space and first floor area; maximum height.~~

~~1363.06—Basement sleeping room.~~

~~1363.99—Penalty.~~

~~CROSS REFERENCES~~

~~Definitions—see BLDG. 1301.05~~

~~—Natural light and ventilation for bathrooms—
—see BLDG. 1361.05~~

~~—1363.01 MINIMUM SPACE USE REQUIREMENTS.~~

~~—Each dwelling unit shall contain a bathroom and an area for each of the following uses: living, cooking, dining and sleeping. In addition, each dwelling unit shall contain a cellar, a basement or a utility room. The utility room shall have a minimum floor area of 100 square feet. (Ord. 1992-101. Passed 1-14-92.)~~

~~—1363.02 MINIMUM AREAS AND DIMENSIONS.~~

~~—Areas and dimensions are measured at the inside faces of walls or partitions. No space intended for uses set forth below shall have a horizontal area or horizontal dimension less than indicated:~~

~~-~~

Space Use	Area (sq. ft.)	Least Dimension (ft.)
Living room	200	12
Dining area	100	10
First bedroom	150	10
Additional bedrooms	120	10
Kitchen	60	7
Bathroom	48	5

~~—Additional areas shall be provided for the necessary hallways, stairways or other interconnecting spaces, closets and that area occupied by partitions.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1363.03 BATHROOMS.~~

~~—Each dwelling unit shall contain at least a water closet, lavatory and tub or stall shower in a room or rooms in which the fixtures shall be arranged so as to provide at least a ninety-degree door swing, unless sliding doors are used.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1363.04 MINIMUM CEILING HEIGHT.~~

~~—(a)—In each dwelling unit, the following minimum ceiling heights are established:~~

~~-~~

Habitable rooms	8 feet-0 inches
Basement or cellar to bottom of floor joists	7 feet-6 inches
Bathroom, toilet compartments, utility rooms	7 feet-6 inches

~~—(b)—Rooms with sloping ceilings shall have a clear minimum height in at least two-thirds of their area. Areas with less than five feet of clear head room shall not be included in the required floor area.~~

~~—(c)—In the case of sleeping rooms lighted and ventilated by dormer windows with portions of the ceiling sloping with the roof, no vertical wall shall be less than five feet in height, and the air content of the room shall be a minimum of 750 cubic feet per occupant.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1363.05 MINIMUM LIVING SPACE AND FIRST FLOOR AREA; MAXIMUM HEIGHT.~~

~~—(a)—Each dwelling shall contain not less than 12,500 cubic feet of free living space bounded by inner walls, floors and ceilings, exclusive of the necessary prescribed basement area, garage, porch or outside accessory enclosures.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—(b)—Each dwelling shall contain a minimum of 2,000 square feet on the first floor and shall contain at least one bathroom, as defined in the Planning and Zoning Code.~~

~~{Ord. 1999-142. Passed 9-13-99.}~~

~~—(c)—At no point shall the height measurement around the perimeter of a dwelling exceed thirty five feet or two and one half stories in height, measured as set forth in the Planning and Zoning Code. The Planning and Zoning Commission may permit an increase in the height measurement for the side or rear elevation of a dwelling unit containing a direct, at grade walk-out basement access, provided that at no point shall the height measurement at such elevation exceed forty five feet. The Planning and Zoning Commission shall consider the topographic conditions of the site and the objectives of this Code when making such a determination.~~

~~{Ord. 1999-128. Passed 7-6-99.}~~

~~—1363.06 BASEMENT SLEEPING ROOM.~~

~~—No room in any basement shall be occupied as a sleeping room unless the finished floor under the required window is not more than three feet, six inches below the exterior finished grade.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1363.99 PENALTY.~~

~~—(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)~~

CHAPTER 1365 Sanitary Facilities

~~1365.01—Minimum fixtures.~~

~~1365.02—Sewage disposal.~~

~~1365.03—Sanitary outlet specifications; connections; joints.~~

~~1365.04—Water supply.~~

~~1365.05—Nonpotable water.~~

~~1365.06—Water supply line.~~

~~1365.07—Water service pipe material; trenches.~~

~~1365.08—Water piping specifications; installation in or under concrete slab floors.~~

1365.09 Ground water heat pump systems.

1365.10 Hot tubs and spas.

1365.99 Penalty.

~~CROSS REFERENCES~~

~~—Approval of sewage disposal facility by Board of Health—~~

~~—see BLDG. 1303.02~~

~~—Certificate of septic system evaluation—see BLDG. 1305.01~~

~~—Sewers generally—see BLDG. Ch. 1381~~

~~—Water piping—see BLDG. 1381.22, 1381.35~~

~~—Protection of potable water supply—see BLDG. 1381.23~~

~~—Sewage disposal generally—see BLDG. Ch. 1383~~

~~—Location of septic tanks—see BLDG. 1383.01~~

~~—Septic tank specifications—see BLDG. 1383.03~~

~~—1365.01 MINIMUM FIXTURES.~~

~~—Each living unit shall contain at least one kitchen sink, one water closet, one lavatory and one bathtub or shower stall.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.02 SEWAGE DISPOSAL.~~

~~—Each required sanitary fixture in a living unit shall be provided with sewage disposal by a water-carriage system to a sewerage system, unless otherwise provided by ordinance or Health Department ruling. See Chapter 1383.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.03 SANITARY OUTLET SPECIFICATIONS; CONNECTIONS; JOINTS.~~

~~—The sanitary outlet from a dwelling house shall be not less than four inches of cast-iron pipe, acrylonitrile butadiene styrene (ABS) or polyvinylchloride (PVC) pipe Schedule 40 and shall connect only to a sanitary or combined sewer system. Sanitary connections to a storm sewer or the connection of storm drains to a sanitary sewer are prohibited. Joints in the sanitary sewer line shall be made as provided in Chapter 1381.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.04 WATER SUPPLY.~~

~~—(a) A constant, dependable, potable supply of water, of a quality suitable for drinking purposes, shall be provided or developed for the use of the occupants of every dwelling or other structure, and the daily quantity of such water constantly available shall not be less than three gallons per minute for every dwelling, and a minimum of ten gallons per day for every horse, cow, mule or other large farm animal to be accommodated in a barn, stable or similar structure.~~

~~—(b) The source of such water supply may be public or private mains, deep wells or springs. No water for any use other than irrigation shall be used from any surface well or spring which, in the judgment of the Building Inspector, is exposed to contamination. Every deep well shall be cased or enclosed in such a way as effectually to exclude surface water or water from strata near the surface exposed to contamination.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.05 NONPOTABLE WATER.~~

~~—Nonpotable water may be used for flushing water closets and other purposes not requiring potable water, provided that such water is not readily accessible for drinking or culinary purposes. All piping conveying nonpotable water shall be adequately and durably identified by a distinctive yellow paint and by signs prominently affixed at all locations where error of utilization might be made so that it can be readily distinguished from piping carrying potable water. Potable and nonpotable water supply shall be distributed through systems entirely independent of each other, and any cross-connection between such supplies is prohibited.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.06 WATER SUPPLY LINE.~~

~~—All water piping shall be protected against freezing and shall be properly sloped to drain valves so as to permit drainage of the entire system within a building. A main shut-off valve on the main water supply line serving each dwelling unit shall be provided and a shut-off valve with drip shall be placed in a readily accessible location within the building. Supply lines taken from pressure or gravity tanks shall be valved near the tank.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.07 WATER SERVICE PIPE MATERIAL; TRENCHES.~~

~~—Water service pipes shall be of approved noncorrodible material. Water pipes shall not be in the same trench as sewer lines and shall be at least three feet apart and comply with County regulations. The backfill of all trenches shall be thoroughly compacted in a manner approved by the Building Inspector.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1365.08 WATER PIPING SPECIFICATIONS; INSTALLATION IN OR UNDER CONCRETE SLAB FLOORS.~~

~~—Water service piping, and piping under concrete slab floors, shall be Type "K" copper tubing. Copper tubing, in or under concrete slab floors, shall be installed without joints under the slab. {Ord. 1992-101. Passed 1-14-92.}~~

1365.09 GROUND WATER HEAT PUMP SYSTEMS.

Wells used to supply water to geothermal heat pumps, and wells used to return such water to the ground, are covered by Ohio EPA Regulations OAC 3745-9 and OAC 3745-41, ~~{refer to Appendix A}~~ and formal permits ~~therefor~~ are required to be issued by the Ohio EPA, pursuant to the Federal Safe Drinking Water Act. Pending the implementation of the permit program by the Ohio EPA, no such ground water heat pump system shall be constructed or installed within the Village of Hunting Valley.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1365.10 HOT TUBS AND SPAS.

(a) All hot tubs and spas ~~larger than normal residential size~~ shall be supported on foundations or beams to carry the fully loaded capacity of the units, both live and dead loads.

(b) The plumbing and electrical connections to the pumps shall be easily accessible through an access door or panel.

(c) Hot tubs used for soaking, not bathing, shall dissipate their contents into a storm drain, not a sanitary system.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1365.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building Village~~ Code penalty if no specific penalty is provided.)

CHAPTER 1367

Storage and Screening of Vehicles and Equipment

1367.01 Limitations on storage; recreational vehicles; screening; use for sleeping or eating prohibited.

1367.02 Complaints; action by Planning and Zoning Commission.

1367.03 Notices; appeals.

1367.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Screening of antennas—see BLDG. 1327.01~~

~~—Storage of fuel—see BLDG. Ch. 1347~~

1367.01 LIMITATIONS ON STORAGE; RECREATIONAL VEHICLES; SCREENING; USE FOR SLEEPING OR EATING PROHIBITED.

No vehicle shall be stored upon any premises in a residential use district within Hunting Valley except passenger automobiles, light-weight vans, horse trailers and pickup trucks used customarily as personal vehicles. Private mobile recreational facilities, including motor homes, boats and recreational trailers, used solely for recreational purposes by the residents of the premises, and vehicles and equipment customarily incident to a permitted use or accessory use of the premises, may be stored on the premises in a garage or other accessory building; but if the same are stored outside, they should be adequately screened, if visible from any adjoining premises, and shall not be used for sleeping or eating purposes within the Village.

(Ord. 1992-101. Passed 1-14-92.)

1367.02 COMPLAINTS; ~~ACTION BY PLANNING AND ZONING COMMISSION.~~

If a complaint is received from the owner of any adjoining premises that any such vehicle or equipment, other than a permitted passenger automobile, van, horse trailer or pick-up truck, is visible from the adjoining premises and is not adequately screened, the ~~Planning and Zoning Commission, pursuant to its planning function, Building Commissioner~~ shall consider the complaint and determine the need for and the adequacy of the screening based upon a screening plan submitted to the ~~Commission~~ Architectural Board of Review and upon the following factors:

- (a) The location of the screened area relative to the adjoining premises;
- (b) The size and condition of the vehicle or equipment;

- (c) The view of the screened area from the public or private street or access road; and
- (d) The size, quantity, and quality of the screening.

Adequate screening may consist of buildings, walls, or fencing, as approved by the Building Commissioner and the Architectural Board of Review. Planning and Zoning Commission.

~~—(Ord. 1992-101. Passed 1-14-92.)~~

1367.03 NOTICES; APPEALS.

If the actions of the Building Commissioner are not acceptable to any of the affected property owners, the affected property owner may appeal the decision in accordance with Section 1301.06.

When the ~~Planning and Zoning Commission~~Architectural Board of Review is to make a determination at a public hearing as to the adequacy of the screening plan under Section 1367.02, notice of the hearing shall be mailed to the applicant and owner of the land and to all abutting property owners not less than ten days prior to the hearing, excluding the day of mailing and including the day of the hearing. After such determination has been made, notice thereof shall be given promptly to the applicant and to the owners of such contiguous properties. Such determination shall not become effective for ten days thereafter, and if an appeal is filed with Council by an owner of any such contiguous properties within such period, such determination shall not become effective until such appeal has been decided by Council or for sixty days, whichever is earlier.

~~{Ord. 1996-119. Passed 8-27-96.}~~

1367.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)

~~CHAPTER 1369~~ ~~Temporary Buildings~~

~~1369.01—Observation stands, booths, platforms, sheds.~~

~~1369.02—Membrane structures.~~

~~1369.99—Penalty.~~

~~CROSS REFERENCES~~

~~—Agricultural buildings—see BLDG. Ch. 1323~~

~~—Dangerous and unsafe buildings—see BLDG. Ch. 1333~~

~~—Accessory buildings—see BLDG. 1333.07~~

~~—Final grade at buildings—see BLDG. 1353.01~~

~~—Moving of buildings—see BLDG. Ch. 1359~~

~~—Height of buildings—see BLDG. 1363.05~~

~~—1369.01 OBSERVATION STANDS, BOOTHS, PLATFORMS, SHEDS.~~

~~—(a)—The Building Inspector may issue permits for the erection of temporary frame observation stands, booths and platforms, when such erection, in his or her judgment, will not endanger the public health and safety. Such permits shall in each case specify the number of days which may elapse from the granting of each such permit until the temporary structure has been wholly removed.~~

~~—(b)—One story temporary frame buildings and sheds may be erected for the use of builders during the construction of permanent buildings on the same property, without a permit additional to the general building permit. In each case the Building Inspector shall prescribe the sanitary arrangements to be provided.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1369.02 MEMBRANE STRUCTURES.~~

~~—Structures using a fabric type membrane skin to cover interior space for permanent use shall not be allowed. Any system, whether it is air-inflated, air-supported, a cable structure or frame-covered, will be classed in this category.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1369.99 PENALTY.~~

~~—(EDITOR'S NOTE: See Section 1301.99 for general Building Code penalty if no specific penalty is provided.)~~

CHAPTER 1371 Topsoil Removal

1371.01 Permit required.

~~1371.02 Permit application; bond.~~

~~1371.03 Hearing; permit issuance or denial; appeal; bond.~~

1371.99 Penalty.

CROSS REFERENCES

~~—Definitions—see BLDG. 1301.05~~

~~—Permits; plans and specifications—see BLDG. Ch. 1303~~

~~—Erosion and sedimentation control—see BLDG. 1325.02~~

~~—Subsoil support—see BLDG. 1339.04~~

~~—Soil stacks—see BLDG. 1381.16~~

1371.01 PERMIT REQUIRED.

No person shall strip and remove or cause or permit the stripping and removal of any loam or topsoil from any land located within the Village, unless he or she is the holder of or in conformity with a permit to do so issued pursuant to the provisions of this chapter, Part 11 of the Hunting Valley Codified Ordinances, the Village Code, and applicable state and federal law.

~~(Ord. 1970-124. Passed 10-18-70.)~~

~~—1371.02 PERMIT APPLICATION; BOND.~~

~~—Any person desiring a permit to remove loam or topsoil shall file with the Building Inspector a written application therefor. The application shall be completed as follows:~~

~~(a) The full name and address of the applicant and, if the applicant is a partnership, the name and address of each of the partners and, if the applicant is a corporation, the names of its principal officers, shall be given.~~

~~(b) A description of the land from which the topsoil is to be stripped and removed, specifying the quantity of land involved, shall be included.~~

~~(c) If the applicant is not the owner of the land described, then the name and address of the owner shall be stated, and the owner's written consent to the work proposed shall be attached to the application.~~

- ~~(d) The method of stripping and removal to be employed shall be stated.~~
- ~~(e) The time within which the work will be commenced and completed shall be given.~~
- ~~(f) The type of reseeding and replanting proposed for the land shall be stated.~~
- ~~(g) The depth of topsoil now on the property, the amount proposed to be removed, and the amount to remain, shall be stated.~~
- ~~(h) The method of drainage to be used during the operation and after its completion, and the topography of the land after removal, shall be stated.~~
- ~~(i) The ultimate proposed use of the land after removal of the topsoil shall be stated.~~
- ~~(j) A statement that the applicant will bear the expense of a Village inspector, during the operation under the permit, shall be included.~~
- ~~(k) A statement that the applicant is capable of and will furnish a performance bond in the amount of two thousand dollars (\$2,000), for each acre or fraction thereof included in the permit, shall be included.~~
- ~~(l) Such other information as the Building Inspector shall deem necessary shall be given.~~

~~—1371.03 HEARING; PERMIT ISSUANCE OR DENIAL; APPEAL; BOND.~~

~~—(a) The Building Inspector shall investigate the statements contained in the application and shall submit the application and his or her findings to the Planning and Zoning Commission. When the Commission is to make a determination at a public hearing upon the application, notice of the hearing shall be mailed to the applicant and owner of the land and to all abutting property owners not less than ten days prior to the hearing, excluding the day of mailing and including the day of the hearing. If the Commission determines that the granting of the application will not adversely affect the public interest, health, safety or general welfare, it shall grant the application with conditions relating to the method of stripping and removal, the term of the permit, the amount of topsoil or loam to be left on the land (which shall not be less than three inches), the reseeding or replanting, the drainage or topography, and such other conditions as the Commission may deem necessary for the protection of the public interest, health, safety and general welfare, which conditions shall be made a part of the permit and shall constitute limitations thereon.~~

~~—(b) In the event the Commission denies an application, the applicant may appeal its decision to Council within thirty days, and Council shall decide upon the application, subject to the limitations set forth in this chapter.~~

~~—(c) Upon granting the application, the Building Inspector shall issue the permit containing the conditions imposed by the granting body. The permit shall be issued to the applicant upon the posting of a bond running to the Village conditioned upon the performance of the permit in accordance with its terms. Such bond shall be signed by the applicant and a surety company satisfactory to the Finance Director, or shall be a cash~~

~~bond, as determined by the Finance Director. The bond shall be in an amount of two thousand dollars (\$2,000) for each acre or fraction thereof of property covered by the permit. The bond shall be filed with the Finance Director.~~

~~{Ord. 1996-119. Passed 8-27-96.}~~

1371.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Village Code penalty if no specific penalty is provided.)

TITLE FIVE - Plumbing, Mechanical, and Electrical Systems

Chap. 1381. Plumbing and Sewers.

Chap. 1383. Sewage Disposal.

Chap. 1385. Heating, Ventilation, and Air Conditioning.

Chap. 1387. ~~National~~Electrical Code.

~~Chap. 1389. Artificial Light and Mechanical Ventilation.~~

~~Chap. 1391. Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings.~~

~~APPENDIX A Referenced Standards~~

CHAPTER 1381
Plumbing and Sewers

1381.01 ~~GIn~~ general.

1381.02 Codes and standards referenced.

~~1381.03 Materials, quality and weight.~~

~~1381.04 Fittings.~~

~~1381.05 Hangers and supports.~~

~~1381.06 Type and tightness of joints and connections.~~

~~1381.07 Special joints, unions, prohibited joints and connectors, and increasers and reducers.~~

~~1381.08 Water closet, bidet, service sink and pedestal urinal connections.~~

~~1381.09 Cooling system wastes and other permissible indirect drains.~~

~~1381.10 Installation of traps; fixture trap and waste branch size.~~

~~1381.11 Installation of building traps.~~

~~1381.12 Prohibited traps.~~

~~1381.13 Floor, area and garage, and roof drains.~~

~~1381.14 Floor surfaces in areas with plumbing fixtures.~~

~~1381.15 Grease interceptors.~~

~~1381.16 Soil, waste and vent stacks.~~

~~1381.17 Building sewer systems.~~

~~1381.18 Sewers exterior to the building.~~

~~1381.19 Clean-outs.~~

~~1381.20 Storm drainage.~~

~~1381.21 Roof gutters.~~

~~1381.22 Water service and distribution piping system.~~

~~1381.23 Protection of potable water supply.~~

~~1381.24 Plumbing fixtures.~~

~~1381.25 Used plumbing fixtures and materials.~~

~~1381.26 Prohibited and defective fixtures.~~

~~1381.27— Supports for fixtures.~~

~~1381.28— Hot water heaters and storage tanks.~~

1381.29 Plumbing equipment and appliances.

~~1381.30— Fuel piping.~~

~~1381.31— Thermal insulation.~~

~~1381.32— Inspections and tests.~~

~~1381.33— Testing of drainage and vent systems.~~

~~1381.34— Air testing of drainage and vent systems.~~

~~1381.35— Testing of water supply and distribution systems.~~

~~1381.36— General testing.~~

1381.99 Penalty.

~~CROSS REFERENCES~~

~~—Wastewater disposal—see S.U. & P.S. Ch. 942~~

~~—Approval of sewage disposal facility by Board of Health—see~~

~~—BLDG. 1303.02~~

~~—Certificate of septic system evaluation—see BLDG. 1305.01~~

~~—Sewage disposal systems—see BLDG. 1365.02~~

~~—Sewage disposal—see BLDG. Ch. 1383~~

1381.01 ~~IN~~ GENERAL.

(a) Scope, Application, and Intent of Chapter. This chapter shall govern the design, installation, alteration, removal, replacement, and repair of the complete plumbing system in or about a dwelling house and its accessory structures, supplemented by other provisions of ~~this Building~~the Village Code and by the more restrictive requirements of any statute and the rules or regulations promulgated thereunder. It is the intent of this chapter to provide a properly designed and installed residential plumbing system. Where not covered in the Residential Code of Ohio or this Building~~the Village~~ Code, the plumbing equipment, materials, and installation shall comply with the provisions of the Ohio Plumbing Code and/or regulations of the Ohio Department of Health and/or the County Board of Health. ~~(refer to Appendix A).~~

(b) Installations; Permits Required. Except for minor repairs, no drainage system, plumbing system, or parts thereof shall be installed in or about a dwelling house without a separate permit, ~~therefor.~~

(c) Supervision by Qualified Installer Required. All plumbing work or systems, for which a permit is required, shall be done under the direct supervision of installers who are licensed and authorized to do such work under applicable provisions of registration, licensing, or certificates of qualifications.

~~—(d)—Access and Service. Plumbing fixtures and equipment shall be installed in such a manner as to afford ready access for cleaning, service and replacement. All fixtures and equipment shall include in the water supply connection isolation valves to serve as an isolation means for disconnection, service and/or replacement. Unless otherwise approved by the Building Inspector, all pipes shall be run to the nearest wall.~~

(ed) Design ~~and Sizing~~ Standards; Roof Penetration of Sanitary Vents.

~~(1)—The plumbing system for a building shall be designed and all components sized in accordance with applicable codes, standards, regulations and accepted engineering practice. Accepted engineering practice means that calculations and design are in accordance with appropriate Engineering Society manuals and guidelines.~~

~~(2)—System equipment capabilities, pipe sizing and physical arrangement shall be such as to meet usage requirements, function safely and properly, provide durability and operate at low noise levels.~~

(13) Systems shall be designed by a professional engineer registered in the State of Ohio, and the drawings submitted as part of the architectural building plans shall include the ~~information included in Section 1303.05. size and location of sewers, water distribution, gas and water service size and location, fixture location, and equipment type and capacity.~~ Drawings shall also include an isometric or stack-type diagram of the sanitary sewer, waste, and vent system.

(42) Roof penetration of sanitary vents shall be located on the rear or other portion of the roof that will conceal the vent and piping from the front approach and/or street side of the structure.

(3) Vents, terminations, and similar appurtenances which penetrate the roof shall be painted or concealed with metal to match the shingles or flashings in a manner approved by the Building Commissioner. No white PVC piping or similar piping or terminations shall be visible.

1381.02 CODES AND STANDARDS REFERENCED.

~~Except where restrictions, qualifications, exclusions or additional requirements are stipulated in this Building Code, t~~The Residential Code of Ohio and the Ohio Plumbing Code

~~shall be the applicable codes for plumbing work, except where restrictions, qualifications, exclusions, or additional requirements are stipulated in the Village Code. applicable provisions, requirements and documents of the Codes listed in Appendix A shall be considered a part of this Building Code, and the plumbing system and installation shall comply accordingly. The Code with standards stipulating the higher degree of quality shall take precedence unless specifically approved otherwise by the Building Inspector. (Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.03 MATERIALS, QUALITY AND WEIGHT.~~

~~—(a)—Material Standards.~~

~~(1)—Except as qualified or restricted in this Building Code, the material used in plumbing systems shall have quality and weight in accordance with the requirements and standards listed in the Ohio Basic Building Code (Plumbing), Section 4101:2-51-05 (refer to Appendix A).~~

~~(2)—Materials, fixtures and devices used in a plumbing system shall be new, in compliance with the Code and free from defects. Used and refurbished materials, fixtures and equipment may only be used after inspection by and upon specific approval of the Building Inspector.~~

~~—(b)—Acceptable Materials and Material Qualifications.~~

~~(1)—Water service, at the entrance to the building from a public utility or a well, shall be of electric-conducting material for a minimum of twenty-five feet from the building wall to six inches inside the wall so as to provide an adequate ground for the building's electric system. The balance of service lines may be of Schedule 40 polyvinylchloride (PVC) plastic pipe. It shall be stamped with the manufacturer's approval.~~

~~(2)—The domestic water distribution system within the building shall be Type "L" or "K" hard copper. Pipe of other materials may only be used upon submission of samples and specific approval of the Building Inspector.~~

~~—A.—The supply piping from a well to a pressure or storage tank from six inches inside the building wall and the piping around the tanks may be Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) plastic or other approved material.~~

~~—B.—The water distribution piping within two feet of a pressure or storage tank may be Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) plastic.~~

~~(3)—Potable water below-grade piping and piping below concrete slabs shall be Type "K" copper.~~

~~(4)—Below grade building sewers or drain lines within a building to five feet outside a building wall may only be cast iron, Type "K" copper, Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) pipe with fittings to match the pipe. Exterior sewers beyond five feet of a building may only be approved cast iron, vitrified sewer,~~

reinforced concrete, Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) pipe. No hub piping is not permitted below grade.

(5) ~~Natural gas piping into a building and distribution piping to gas burning equipment and appliances shall be Schedule 40 black steel with malleable steel fittings. Cast fittings in gas piping are prohibited.~~

(6) ~~Shut-off or isolation valves for water or gas piping branches and equipment shall be ball-type with 100 percent shut-off, except that stop valves may be used at water fixture connections.~~

(7) ~~Natural gas service lines, valves and accessories from the utility main to the meter shall only be of pipe materials approved and directed by the gas utility company.~~

(8) ~~Sanitary vent branches and mains may be Type "L" or "K" hard copper, Schedule 40 galvanized steel, service weight cast iron or Schedule 40 polyvinylchloride (PVC) and acrylonitrile butadiene styrene (ABS) plastic.~~

(9) ~~Sanitary waste and sewer piping and inside rain conductors shall be minimum service weight cast iron or Schedule 40 polyvinylchloride (PVC) and acrylonitrile butadiene styrene (ABS) plastic. Branch or runouts two inches or smaller may be installed using the above materials or Schedule 40 galvanized black steel or Type "L" or "K" hard copper.~~

~~—(c) Approvals.~~

(1) ~~No plumbing material, device, fixture, equipment, appliance or other item, other than those specified or permitted in this Building Code, shall be installed without the specific approval of the Building Inspector.~~

(2) ~~Tentative approval or permission may be granted by the Building Inspector when it is impractical to conduct an adequate test prior to installation, but final approval shall not be given until tests have been conducted after installation to verify that the items meet the intent of this Building Code, and such approval shall be contingent upon the results of such tests.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.04 FITTINGS.~~

~~All fittings used in plumbing piping systems shall match and be fully compatible with the piping material, and shall be in compliance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-10, "Fittings" (refer to Appendix A).~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.05 HANGERS AND SUPPORTS.~~

~~—(a)— All piping shall be supported and secured in accordance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-11, "Hangers and Supports" (refer to Appendix A). Grommets or plastic sleeves, inserts or shields shall be used between piping and the structure or the pipe support to prevent noise generation and transmission resulting from pipe rubbing against other material during expansion or contraction.~~

~~—(b)— Piping shall be installed, supported and/or anchored, or other provisions shall be taken into account, for expansion and contraction without causing excess strain to the piping or causing other damage.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.06 TYPE AND TIGHTNESS OF JOINTS AND CONNECTIONS.~~

~~—The type and tightness of the joints and connections in the plumbing system shall be in accordance with the Ohio Basic Building Code (Plumbing), Sections 4101:2-51-12 and 4101:2-51-13 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.07 SPECIAL JOINTS, UNIONS, PROHIBITED JOINTS AND CONNECTORS, AND INCREASERS AND REDUCERS.~~

~~—Special joints, unions, prohibited joints and connectors, and increasers and reducers shall comply with the Ohio Basic Building Code (Plumbing), Sections 4101:2-51-14, 4101:2-51-15, 4101:2-51-17 and 4101:2-51-18 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.08 WATER CLOSET, BIDET, SERVICE SINK AND PEDESTAL URINAL CONNECTIONS.~~

~~—Fixture connections between drainage pipes and water closets, bidets, floor outlet service sinks or pedestal urinals shall comply with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-16 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.09 COOLING SYSTEM WASTES AND OTHER PERMISSIBLE INDIRECT DRAINS.~~

~~—(a)— Cooling System Wastes. The interface between air conditioning or cooling system drain pans and the sanitary waste system shall be installed in accordance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-19 (refer to Appendix A).~~

~~—(b)— Other Permissible Indirect Waste.~~

~~(1) The waste from a laundry tray or sink receiving only fluid wastes may discharge into a trapped floor drain.~~

~~(2) Scum gutters and surface drains around swimming pools may be installed as an indirect waste.~~

~~(3) Refrigerators, water treatment devices, small bars, counter or laboratory sinks or other small fixtures, determined by the Building Inspector to be of a similar type, may be installed with indirect waste where direct waste connections are impractical.~~

~~(4) Clear water waste, water lifts, expansion tanks, cooling jackets, sprinkler systems, overflow pans or similar devices, discharging clear water only, may discharge onto a roof.~~

~~—(c) Air Gap Between Indirect and Sanitary Waste. All indirect wastes shall have an air gap between the indirect and sanitary waste, which shall be accessible and visible for inspection. (Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.10 INSTALLATION OF TRAPS; FIXTURE TRAP AND WASTE BRANCH SIZE.~~

~~—Traps shall be installed for all fixtures and in accordance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-19 (refer to Appendix A). The fixture trap and waste branch size shall be in accordance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-15 and Tables 4101:2-51-45(A) and (B) (refer to Appendix A). (Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.11 INSTALLATION OF BUILDING TRAPS.~~

~~—Building traps (house traps) shall be installed only when specifically approved by the Building Inspector and, when so installed, shall be vented and provided with cleanouts and fresh air inlet.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.12 PROHIBITED TRAPS.~~

~~—(a) No form of trap shall be used whose seal depends upon the action of movable parts. No form of trap shall be used with partitions, except in a fixture with an integral trap.~~

~~—(b) Double trapping of fixtures is prohibited.~~

~~—(c) Bell or full "S" traps are prohibited.~~

~~—(d) Back venting within two pipe diameters of the trap weir is prohibited.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.13 FLOOR, AREA AND GARAGE, AND ROOF DRAINS.~~

~~—(a) Floor Drains.~~

~~(1) Floor drains shall be trapped and installed in accordance with the provisions of the Ohio Basic Building Code (Plumbing), Section 4101:2-51-21 and 4101:2-51-22 (refer to Appendix A).~~

~~(2) All floor drains shall be equipped with strainers, and sediment sumps where required, to prevent gravel, lint and similar material from entering the drainage system.~~

~~(3) Floor drains and shower drains shall be flashed and sealed around the perimeter with approved materials.~~

~~(4) Floor drains shall not be connected to the sanitary sewer.~~

~~—(b) Area and Garage Drains. Area and garage drains shall be provided where required to drain an area. Area drains shall include gratings or strainers, and sediment sumps shall be trapped and connected to the storm drainage.~~

~~—(c) Roof Drains. Roof drains that are to be connected into an interior leader shall be located so as to provide complete drainage of the roof area served, and the drains shall be equipped with a strainer. Roof drains shall be installed with a minimum of two feet of approved flashing around the drain perimeter to prevent leakage into the building around the drain.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.14 FLOOR SURFACES ON AREAS WITH PLUMBING FIXTURES.~~

~~—(a) Floor surfaces where floor drains are located, in bath rooms, toilet rooms and utility rooms, shall be waterproof.~~

~~—(b) The waterproofed floor shall have an effective seal at the walls or partitions around the perimeter of the room.~~

~~—(c) The basin or receptor in shower rooms or shower areas shall have waterproofing around the perimeter and extending up to above the water level that may occur in the receptor.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.15 GREASE INTERCEPTORS.~~

~~—Grease interceptors are permitted to be installed in the kitchen waste lines to reduce the quantity of grease that enters or accumulates in the septic system. Grease interceptors shall~~

~~comply with the Ohio Basic Building Code (Plumbing) (refer to Appendix A) and the appropriate Cuyahoga or Geauga County Board of Health regulations, and be designed and installed in accordance with accepted engineering practice.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.16 SOIL, WASTE AND VENT STACKS.~~

~~—(a) In General.~~

~~(1) The plumbing system soil, waste and vent stacks shall be designed in accordance with the Ohio Basic Building Code (Plumbing), Sections 4101:2-51-55 and 4101:2-51-56 (refer to Appendix A).~~

~~(2) Building drain stacks and branch sizing shall be in accordance with the Ohio Basic Building Code (Plumbing), Table 4101:2-51-46. Vent stack minimum sizes and length of vents shall be in accordance with the Ohio Basic Building Code (Plumbing), Table 4101:2-51-56 (refer to Appendix A).~~

~~(3) Pipe materials that may be used for soil, waste and vent stacks shall be in accordance with Section 1381.03 of this Building Code.~~

~~—(b) Specific Requirements.~~

~~(1) Soil or waste stacks shall be no smaller than the largest horizontal branch connected to the stack, except that a four by three inch water closet connection shall not be considered a reduction in pipe size.~~

~~(2) Whenever floor drains or other plumbing fixtures are installed in a building for human occupancy, there shall be at least one stack not less than three inches in diameter which shall extend upward from the building drain to the outer air. See prescribed termination for stack vents below.~~

~~(3) No soil stacks shall be less than three inches in diameter and no waste stack shall be less than one and one-half inch in diameter.~~

~~(4) When the waste stack or vent receives the discharge of a kitchen-type sink, and also serves as a vent for a fixture connected to the horizontal branch served by the waste stack, the minimum size of the waste stack to the highest sink branch connection shall be two inches in diameter. Above the connection point, the vent size shall be governed by the total number of fixture units to be vented by the stack.~~

~~(5) All piping shall be securely and adequately supported. Vertical stacks shall be supported at the base and shall be secured at sufficiently close intervals to keep the pipe in alignment and carry the weight of the pipe and contents. Support for the pipe shall be secured without excessive strain on joints or connections and shall transmit the load to the building structure or to independent posts, piers or foundations. Building drains shall not be installed or arranged so as to support load from the vertical piping. Pipe supports shall~~

be approved by the Building Inspector. Pipe hooks shall not be used as supports for piping that is more than one and one-half inches in diameter.

~~(6) Horizontal piping shall be supported at points sufficiently close to keep it in alignment and prevent sagging, in accordance with Section 1381.05.~~

~~(7) When an offset in a soil or waste stack is at an angle greater than four degrees to the vertical, no horizontal branch shall connect within two feet above or below the offset.~~

~~—(c) Vents and Vent Stacks.~~

~~(1) Vents shall be of a size and installed in accordance with Sections 4101:2-51-56 through 4101:2-51-65 of the Ohio Basic Building Code (Plumbing) (refer to Appendix A).~~

~~(2) Vent terminals shall not be located on the front slope or a street side slope of the building, and the vent terminals shall not be used for the purpose of attaching or anchoring flagpoles, television aerials or similar devices.~~

~~(3) No soil, waste or vent pipe extensions of a building shall be run or placed outside of a wall, but shall be carried inside of the building. There shall be no terminations below a roof overhang.~~

~~(4) Vent extensions and vent terminals shall be no less than four inches in diameter. A change in diameter, if required, shall be made at least one foot below the roof connection. Copper vent terminals are prohibited.~~

~~(5) Vent pipes shall be supported so as to be free from droops or sags, and installed to drip back to the stack into which they are connected.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.17 BUILDING SEWER SYSTEMS.~~

~~—(a) General Requirements.~~

~~(1) Building sanitary sewer and drainage systems shall be designed and installed in accordance with the applicable provisions of the Ohio Basic Building Code (Plumbing), Sections 4101:2-51-39 through 4101:2-51-49 (refer to Appendix A), and such as to conduct the waste water and sewage from the building in an acceptable manner.~~

~~(2) The building sewers, storm and sanitary, shall be considered extensions from within the building to a point five feet outside the inner face of the building wall.~~

~~(3) The pipe and fitting shall conform to applicable standards as listed in the Ohio Basic Building Code (Plumbing), Table 4101:2-51-05 (refer to Appendix A) and Section 941.03 of this Code.~~

~~(4) The building sewers shall be designed and installed to be free from leakage due to defective materials, imperfect connections, corrosion, settlement, vibrations, expansion, contractions, freezing or other causes.~~

~~—(b) Fixture Units and Drain Sizing. The fixture unit sewer load, required trap sizes and drain pipe sizes shall be in accordance with the Ohio Basic Building Code (Plumbing), Tables 4101:2-51-45A and 4101:2-51-45B (refer to Appendix A). The values in these Tables shall be used in calculating the total load to be carried by the drain piping.~~

~~—(c) Sewers Stacks and Branches. The maximum number of fixture units that may be connected to building drains, stacks and branches shall be in accordance with the Ohio Basic Building Code (Plumbing), Table 4101:2-51-46 (refer to Appendix A).~~

~~—(d) Limitations and Restrictions.~~

~~(1) Water over 140 degrees Fahrenheit shall not be permitted to enter a drain or lateral.~~

~~(2) Pressure drains or waste lines shall not be directly connected to a sewer system.~~

~~(3) Indirect wastes and their discharge into the sewer or drainage system shall comply with the applicable provisions of the Ohio Basic Building Code (Plumbing), Section 4101:2-51-52 "Indirect Waste" (refer to Appendix A).~~

~~(4) When waste or drainage facilities within a building are below the sewer, a sump with a lift pump is required. Sumps shall be constructed and installed in accordance with the Ohio Basic Building Code (Plumbing), Section 4101:2-51-54 (refer to Appendix A).~~

~~—(e) Backwater Valves. Backwater valves, where necessary, or other suitable means of preventing backup of sewage or storm water into a building, shall be installed immediately inside the outside wall in a location for ease of inspection and maintenance. An alternative location outside the building shall have a masonry or other durable manhole with a removal cover at grade. When in a full open position, backwater valves shall have a capacity not less than the pipe in which they are installed.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.18 SEWERS EXTERIOR TO THE BUILDING.~~

~~—(a) Sewers which receive discharge from a building sanitary sewer and convey sewage to the sanitary curb connection or disposal plant shall be four inches or larger, as required, in diameter for cast iron pipe, Type "L" or heavier copper or Schedule 35 polyvinylchloride (PVC) or heavier pipe. Other approved pipe, such as vitrified clay, shall be six inches or larger in diameter.~~

~~—~~

~~—(b) Storm sewer pipe receiving drainage from the subsoil, building storm drain or downspouts shall be six inches or larger for Schedule 35 or heavier polyvinylchloride (PVC) plastic, vitrified clay or other approved pipe.~~

~~—(c)—Sewer piping shall be installed as follows:~~

~~(1)—The minimum slope shall be not less than one-fourth of an inch per foot, except when the computed fluid velocity is not less than two feet per second, based upon Manning's or Kutter's Formula, with the value of "n" equal to 0.013.~~

~~(2)—Where ferrous soil or waste pipe, other than a horizontal branch, connects to an underground nonmetallic building drain, the section of building drain at the connection shall be cast iron for a length of not less than eighteen inches.~~

~~(3)—The minimum cover shall be three feet (where possible) for underground sewers or drains installed outdoors, or where they are subject to frost conditions.~~

~~(4)—Bedding and initial backfill to six inches above the pipe shall be clean sand.~~

~~A.—Within the boundaries of a street, the balance of backfill shall be course interlocking aggregate and puddled as directed by the Building Inspector.~~

~~B.—When not within the boundaries of a street, backfill shall be clean earth free from rocks and debris.~~

~~C.—Backfill shall be thoroughly compacted.~~

~~——(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.19 CLEAN-OUTS.~~

~~—(a)—Required Locations.~~

~~(1)—Clean-outs are required to provide a ready means of cleaning out and removing blockage from all sewer and waste piping.~~

~~(2)—Clean-outs are required near the base of each vertical soil and waste stack, for wye branches and other approved locations.~~

~~(3)—Clean-outs are required near a building exterior wall, between the building sewer and the exterior sewers.~~

~~(4)—Clean-outs are required in horizontal interior drainage lines of a diameter four inches or less at not more than fifty-foot intervals, in larger diameter pipe at not more than 100-foot intervals, and at each change in direction of the sewer at an angle of forty-five degrees or greater.~~

~~—(b)—Specifications.~~

~~(1)—Clean-outs shall conform to the requirements of the Ohio Basic Building Code (Plumbing), Section 4101:2-51-21, "Clean-outs" (refer to Appendix A).~~

~~(2)—Clean-outs shall be of the same diameter as the pipe into which they are installed.~~

~~(3) Bolted or screwed floor or wall connections and accessible fixture traps may be regarded as clean-outs.~~

~~(4) All clean-outs shall be located so as to be readily accessible. Exterior clean-outs shall be extended to within eight inches of the surface. Clean-outs shall be installed so as to provide a clearance of not less than eighteen inches for rodding.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.20 STORM DRAINAGE.~~

~~—(a) Storm water shall be collected and drained from roofs, paved areas, yards, courts, shafts, open excavations and that part of a lot or premises where water accumulates, except as provided under subsection (b) hereof.~~

~~—(b) The provisions of this section shall not be interpreted to prohibit construction or maintenance of a pool or fountain provided with approved drainage and in which the water is not permitted to become stagnant, contaminated or polluted.~~

~~—(c) Storm drains shall be run separately to public storm sewers, creeks or approved ditches or gullies. Storm drains shall not be connected into a sanitary sewer.~~

~~(1) Connections to a public sewer shall be made in accordance with the sewer authority having jurisdiction.~~

~~(2) Terminations at creeks, ditches, gullies or swales shall be made with a concrete headwall to protect the pipe from damage or erosion.~~

~~—(d) Storm drains, conductors and leaders, including prohibitions, shall be in accordance with the provisions of the Ohio Basic Building Code (Plumbing), Sections 4101:51-69, 70 and 71, along with the appropriate sizing Tables 4101:2-51-77 (A) and (B) (refer to Appendix A).~~

~~(1) The size of a drain line from a small roof or area to be drained may be reduced from the smallest size listed in the Ohio Basic Building Code (Plumbing), Section 4101:2-51-71 (refer to Appendix A), in accordance with the following limitations:~~

~~-~~

Pipe Diameter	Roof Area (sq. ft.) For 1/4 in. Slope	For 1/2 in. Slope	Area for Vertical Leader (sq. ft.)
2	350	500	720
2-1/2	550	780	1300

~~(2) A rain conductor or leader shall not receive any soil or waste connections or serve as a sanitary vent.~~

~~(3) Where there is a continuous or semicontinuous discharge into a storm drain or sewer from a pump, ejector, air conditioning unit or similar device, the flow shall be added to the drainage area total on the basis of twenty-four square feet of area for each gallon per minute.~~

~~—(e) The type of pipe that may be used for leaders and storm drainage shall be in accordance with Section 1381.03 of this Building Code.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.21 ROOF GUTTERS.~~

~~—For roof drainage see Section 1353.05.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.22 WATER SERVICE AND DISTRIBUTION PIPING SYSTEM.~~

~~—(a) Water Service.~~

~~(1) The water service from a public utility shall be installed and metered in accordance with the utility company requirements, including sizing and meter requirements.~~

~~—A. Water service into a building shall be of Type "K" copper from six inches inside the building wall for a minimum of twenty-five feet outside the building. The balance of the service shall be in accordance with Section 1381.03 of this Building Code.~~

~~—B. The service shall be sized to accommodate the fixture load in the building and provisions for other water requirements such as automatic fire protection sprinklers, irrigation systems and systems which may require substantial quantities of water.~~

~~—C. There shall be a conveniently located shut-off valve ahead of the water meter.~~

~~(2) The water supply from an on-site well to the pressure tank in the building shall be sized for the pump flow rate and shall be of conducting metal pipe for a minimum of twenty-five feet from the building wall plus six inches inside the building.~~

~~(3) All water service lines shall be installed in a manner to prevent freezing and with a minimum of four feet of cover.~~

~~—(b) Water Distribution.~~

~~(1) Water distribution piping within the building shall be Type "L" or "K" copper. All below-grade or below-concrete slab piping shall be Type "K" copper. Plastic water piping is not permitted within the building without specific prior approval of the Building Inspector.~~

~~(2) Water distribution piping shall be installed in a manner and in locations where freezing of the water in the pipe cannot occur. In situations where it is impractical to avoid~~

freezing locations, the piping shall be protected with insulation and an adequate heat supply to prevent the water in the pipe from freezing. Piping in freezing locations and the protection provided shall be approved by the Building Inspector and shall be inspected and approved prior to any concealment.

(3) —Where the water service is above sixty pounds per square inch or higher gauge pressure, pressure reducing valves shall be installed to regulate the distribution pressure at an acceptable level.

(4) —Water supply lines to hot water heaters, irrigation systems and other water-using equipment shall be connected from the main prior to water distribution. All branch connections shall be valved and equipped with identification tags, except where the equipment served is located within sight of the main, in which case the equipment, sprinkler or hydrant shut-off and isolation valve may serve as the branch valve.

(5) —Hot and cold water piping shall be installed through one or more accessible manifolds from which branch piping to fixture groups is extended. Each fixture group branch hot and cold water valve shall be permanently identified with a metal tag or attached rigid laminated plastic.

(6) —Minimum water supply pipe sizes to fixtures shall be in accordance with the Ohio Basic Building Code (Plumbing), Table 4101:2-51-37 (refer to Appendix A).

(7) —Water piping shall be installed in a manner as to allow for thermal expansion and contraction and shall be isolated from the structure in a manner such as not to transmit objectionable noise.

(8) —Stops or valves shall be installed in accessible locations to provide for service or replacement without affecting the water supply to other fixtures.

(9) —Where water piping may be isolated, such as between two valves, adequate expansion air cushions and/or relief valves shall be installed to prevent excessive pressure buildup.

(10) —Air cushions and/or shock absorbers shall be installed in the piping system to prevent water hammer and shock.

(11) —Water piping shall be tested, made leak-free and checked by the Building Inspector prior to concealment or application of insulation.

(12) —After opening of the supply water service valve and prior to use for consumption, all water lines shall be purged of air and flushed to remove any residue dirt or debris.

(13) —Wall hydrants fitted with backflow preventers and with hose connections are required on the exterior walls of the building, such that all exterior areas can conveniently be served with garden hoses.

—(Ord. 1992-101. Passed 1-14-92.)

—1381.23 PROTECTION OF POTABLE WATER SUPPLY.

~~—(a)— Backflow. Every potable water distributing pipe shall be protected against backflow by having the outlet end from which the water flows spaced a distance above the overflow level rim of the receptacle into which the water flows sufficient to provide the "minimum required air gap" defined in the appropriate standards listed in the Ohio Basic Building Code (Plumbing) (refer to Appendix A). Where the required air gap is not possible, the fixture shall be equipped with an accessibly located backflow preventer conforming to the provisions of the Ohio Basic Building Code (Plumbing), Section 4101:2-51-58, "Backflow" (refer to Appendix A).~~

~~—(b)— Pumps, Wells and Other Appliances. All water pumps, tanks, wells, filters, softeners, appliances and similar devices shall be protected from superficial ground or surface water or other contamination, by covers, walls, coping or castings, approved under the regulations of the County Board of Health and, in the absence of such regulations, then under the regulations of the Ohio Department of Health or the County District Board of Health. In the event of their inconsistency, the strictest regulation shall apply.~~

~~—(c)— Water Supply Tanks. All potable water supply tanks shall be properly covered or sealed to prevent entrance of foreign material into the water supply. Soil or waste lines shall not pass directly over nonpressure water supply tanks or over manholes in pressure tanks. Water supply (house tanks) shall be fabricated and installed to County Board of Health requirements.~~

~~—(d)— Protection Against Freezing. All water pipes, water tanks and water supplied appliances and devices shall be protected against freezing, unless otherwise specifically approved by the Building Inspector. All water supply piping exposed to frost action shall have a cover of not less than four feet.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.24 PLUMBING FIXTURES.—~~

~~—(a)— Quality. Except as restricted in this section or other sections of this Building Code, all plumbing fixtures shall be made of materials with smooth, impervious surfaces, free from defects, and shall conform in quality and design with the applicable standards listed in the Ohio Basic Building Code (Plumbing), Table 4101:2-51-05 (A), "Plumbing Fixtures", and with the CABO One and Two Family Dwelling Code, Chapter 23 and Chapter 26, Standards, Section S-26.2301, and Table P-2301 (refer to Appendix A).~~

~~—(b)— Prohibited Materials. Water closets and lavatories made of plastic products are prohibited.~~

~~—(c)— Laundry Trays, Showers, Hot Tubs and Whirlpools. Laundry trays, showers, hot tubs and whirlpools fabricated of plastic material may be installed if they meet the appropriate standards for such products listed in the Ohio Basis Building Code.~~

~~—(d)—Alternative Materials. Sinks, lavatories and specially made fixtures may be made of soapstone, copper, copper-based alloy, nickel, nickel-copper alloy, corrosion-resistant steel or other corrosion-resistant material.~~

~~—(e)—Installation of Fixtures. Plumbing fixtures shall be rigidly supported with fittings securely attached in a manner consistent with the purpose of the fitting and shall be installed in accordance with the Ohio Basic Building Code (Plumbing) (refer to Appendix A). No fixture shall be supported on the piping connection thereto, except where the fixture and piping are specifically designed in that manner.~~

~~—(f)—Water Closets.~~

~~(1)—Water closets shall be manufactured in accordance with standards set forth in the Ohio Basic Building Code (Plumbing) (refer to Appendix A) and shall be of a type to provide flushing capability and capacity for the entire interior of the bowl.~~

~~(2)—Water closet bowls and traps shall be made of one piece.~~

~~(3)—Water closets with a flush-valve seat below the rim of the bowl shall be constructed such that, in case of trap stoppage, water will not flow continuously over the rim of the bowl.~~

~~(4)—Flush pipes shall not be less than two inches for low tanks and one and one-fourth of an inch for high-tank combinations.~~

~~(5)—Fill valves and fill water supply shall be of the tight shut-off type, arranged to refill the bowl to level of the trap and constructed in a manner to prevent backflow.~~

~~(6)—Direct flush valves cannot be used without the specific approval of the Building Inspector.~~

~~(7)—Water closets of the washout type are prohibited.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.25 USED PLUMBING FIXTURES AND MATERIALS.~~

~~—(a)—Used plumbing fixtures and materials shall be thoroughly cleaned, sanitized and fully refurbished.~~

~~—(b)—Used plumbing fixtures shall not be installed unless they have been inspected by the Building Inspector and found to be in satisfactory physical and sanitary condition. In order to meet the requirements of this Building Code, used plumbing fixtures shall be identified as being approved by a sticker affixed to the fixture by the Building Inspector.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.26 PROHIBITED AND DEFECTIVE FIXTURES.~~

~~—(a)—Fixtures that are not manufactured according to the standards for fixtures set forth in the Ohio Basic Building Code (Plumbing) (refer to Appendix A), are prohibited and shall not be used.~~

~~—(b)—Latrines shall not be installed except for temporary use and then only upon the specific approval of the Building Inspector.~~

~~—(c)—Wooden trays and sinks are prohibited except when installed for special use and upon the approval of the Building Inspector.~~

~~—(d)—Defective fixtures and fixtures which do not provide sufficient air gap, or may otherwise cause contamination of the water supply, shall not be used or re-installed. Fixtures which are altered to overcome these deficiencies shall be approved by the Building Inspector.~~

~~—(e)—Existing fixtures which are defective, existing fixtures which do not conform to the provisions of this Building Code governing new installations and any fixture deemed unsanitary and a hazard to health by the Building Inspector, shall be removed and replaced with a Code conforming fixture or the connections sealed.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.27 SUPPORTS FOR FIXTURES.~~

~~—(a)—Fixtures shall be firmly and securely supported and fastened.~~

~~(1)—Wall-hung fixtures shall be supported on metal hangers.~~

~~(2)—Fixtures attached to solid brick or concrete masonry shall be fastened by means of expansion bolts or shield in the masonry.~~

~~(3)—Plugs of wood, plastic or fiber composition shall be used in concrete block masonry when such masonry is deemed capable of supporting the fixture.~~

~~(4)—Floor fixtures shall be secured to the floor by screws and bolts.~~

~~—(b)—Water closets shall not be set directly on a wood floor. The surface below a water closet shall be waterproofed.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.28 HOT WATER HEATERS AND STORAGE TANKS.~~

~~—(a)—Hot water heaters in conjunction with storage tanks, whether integral or separate from the heater, shall be installed for each building of sufficient storage and recovery capacity to serve the hot water requirements for fixtures and other uses in the building based upon the anticipated usage.~~

~~—(b)— Gas-fired hot water heaters shall be AGA tested and labeled (refer to Appendix A). Electric and oil-fired hot water heaters shall be UL listed (refer to Appendix A) and bear the “UL” stamp and shall not be modified or jacketed so as to affect the UL or AGA ratings (refer to Appendix A).~~

~~—(c)— Safety devices for hot water heating units and hot water storage tanks shall be used in accordance with applicable provisions of the Ohio Basic Building Code (Plumbing), Section 4101.2-51-30 (refer to Appendix A).~~

~~(1)— Pressure and temperature relief devices shall be installed at all required locations.~~

~~(2)— Automatic controls are required to maintain the required water temperature in the storage tank on leaving the heater. Water temperature supplied to fixtures normally used by people shall be no higher than 140 degrees Fahrenheit.~~

~~(3)— There shall be an automatic fuel shut-off in the event of flame or pilot failure.~~

~~—(d)— Tanks shall be marked and stamped where required in accordance with the Ohio Basic Building Code (Plumbing), Section 4101.2-51-31 (refer to Appendix A).~~

~~(1)— Tanks shall be fabricated of materials suitable for hot water heating and storage and lined or otherwise protected to resist corrosion and calcification buildup.~~

~~(2)— Tanks shall be insulated as provided in Section 1381.31.~~

~~—(e)— Hot water heaters and storage tanks which are installed in piping systems, or portions thereof, which do not provide for, or have capability of compensating for, thermal expansion, shall be equipped with adequate capacity expansion tanks to prevent excessive pressure from building up in the system or discharging the relief valves.~~

~~—(f)— In systems with hot water circulating pumps, the circulators, valves and piping shall be installed in accordance with the manufacturer's instructions and in a manner to maintain warm water throughout the hot water distribution system. The circulators shall be manufactured with materials suitable for the application.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

1381.29 PLUMBING EQUIPMENT AND APPLIANCES.

~~—(a)— The Hunting Valley Architectural Board of Review shall be vested with the authority to review and approve or deny the proposal based upon the external aesthetics of significant roof and exterior wall terminations including vents and similar appurtenances. Plumbing and accessories shall be manufactured of materials and shall have such capacity as provided in this Building Code, and shall operate in a manner suitable for their intended purpose.~~

~~(1)— Materials shall be compatible with other materials in the system.~~

~~(2) The equipment shall be installed in accordance with the manufacturer's recommendations, accepted engineering practices and in accordance with applicable codes and regulations.~~

~~(3) The equipment and installation shall be such as to not contaminate the potable water system.~~

~~(4) All necessary safety devices, relief valves and controls shall be included to provide safe operation.~~

~~—(b) Appliances which are to be connected to the potable water system and/or which discharge an effluent to the waste or drain system shall be manufactured and installed in a safe acceptable manner and in accordance with applicable provisions of this Building Code.~~

~~(1) The water service to the appliances and connections shall include an accessible isolation valve and a means of ready disconnection for service or replacement.~~

~~(2) The piping connection shall be made in a manner such as to prevent backflow or cross-contamination of the water system, and the water discharge and/or drain lines shall be piped to safe waste in accordance with this Building Code and applicable regulations.~~

~~(3) Appliances shall be "UL" tested and bear the "UL" label (refer to Appendix A) or other recognized testing laboratory certification. Appliances with electrical components shall be properly grounded.~~

~~(4) Appliances with plumbing connections shall be constructed with all necessary safety devices.~~

~~(5) Installations of appliances with plumbing connections are subject to the approval of the Building Inspector.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.30 FUEL PIPING.~~

~~—Refer to Chapter 1347 for fuel piping requirements.~~

~~(Ord. 1992-101. Passed 1-14-92.)~~

~~—1381.31 THERMAL INSULATION.~~

~~—(a) Thermal insulation shall be applied to piping where required to prevent freezing, to limit temperature losses in hot water piping, to prevent excessive condensation, and where surface condensation can result in damage to the building or contents, and where required to meet energy conservation requirements.~~

~~—(b)— Hot water storage tanks without heating capabilities shall be insulated to prevent excessive temperature loss and shall comply with all applicable energy conservation requirements.~~

~~—(c)— Insulation shall be applied to pipe and fittings in accordance with the manufacturer's instructions. All seams and joints shall be sealed. Insulation applied shall be for service intended.~~

~~—(d)— All insulation shall be jacketed to prevent damage and to restrict vapor or moisture migration. Jackets for the insulation of hot water tanks shall be corrosion-resistant metal.~~

~~—(e)— Where condensation may occur, hangers shall be placed outside of the insulation and shall include adequate shields or saddles to prevent damage.~~

~~—~~

~~—(f)— Insulation shall be of a thickness and have thermal "R" values appropriate for the application.~~

~~—(g)— Insulation shall have a flame spread of 25 or less and smoke developed of 50 or less, when tested in accordance with ASTM E84 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.32 INSPECTIONS AND TESTS.~~

~~—(a)— Request for Inspection. It shall be the responsibility of the person to whom the plumbing permit has been issued to give sufficient advance notice to the Building Inspector when plumbing work is ready for testing or inspection. No work shall be covered or concealed without specific authorization to do so from the Building Inspector.~~

~~—(b)— Preliminary Tests. The person to whom the permit is issued and who is requesting the inspection shall conduct preliminary tests in order to make certain that the work will stand the prescribed test before making the request required in subsection (a) hereof.~~

~~—(c)— Retesting and Reinspection. If the Building Inspector finds that the work does not pass the test or inspection, the necessary corrections shall be made and the work shall then be resubmitted for retesting or reinspection.~~

~~—(d)— Responsibility of Installer. The equipment, material, power and labor necessary for inspections or tests shall be furnished by the installer who shall perform the tests.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.33 TESTING OF DRAINAGE AND VENT SYSTEMS.~~

~~—(a)— The piping of drainage and vent systems shall be tested with water or air. After the plumbing fixtures have been set and the traps filled with water, the entire drainage system~~

shall be submitted to a final inspection. The Building Inspector may require the removal of clean-outs or plugs or the unsealing of traps to ascertain whether the test medium has reached all parts of the system. All tests for acceptance shall be witnessed by the Building Inspector.

~~—(b)—The water test shall be applied to the drainage and vent system, either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest openings, and the system filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test, and each section shall be filled with water, by section, except that the building storm sewer and its connected yard and area drain, shall be tested with less than a ten-foot head of water. In testing successive sections above the building drain, at least the upper ten feet of the next preceding section shall be retested so that no joint or pipe in the building, except the uppermost ten feet of the system, shall have been submitted to a test of less than a ten-foot head of water. The water shall remain in the system, or in the portion under test, for at least fifteen minutes before inspection starts. The system shall be watertight.~~

~~—(c)—The building storm sewer and yard and area drains, including all piping from the curb to within five feet of the building, shall be tested separately. All traps, pipe fittings and joints shall be exposed to view when the test is made. Water shall be introduced into the system at a test "T" designated by the Building Inspector and in such quantity as deemed necessary by him or her. To be approved, the flow of water through the system shall be unobstructed and there shall be no leakage from any pipe, joint, trap or fitting.~~

~~—(d)—All interior leaders or downspouts shall be tested, made leak free and inspected in the same manner as the waste and vent system.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.34 AIR TESTING OF DRAINAGE AND VENT SYSTEMS.~~

~~—(a)—An air test shall be made by attaching an air compressor or testing apparatus to a suitable opening, and, after closing all other inlets to the system, forcing air into the system until there is a uniform gauge pressure of five pounds per square inch, sufficient to balance a column of mercury ten inches in height. This pressure shall be held, without the introduction of additional air, for a period of at least fifteen minutes.~~

~~—(b)—Other types of tests, such as smoke or peppermint, may be performed where appropriate or necessary to locate leaks or to test the proper drainage of fluid from the system. These tests shall be made in accordance with accepted practice for such tests. However, such tests shall not replace the air or water pressure tests for the drainage or vent system unless specifically approved by the Building Inspector.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.35 TESTING OF WATER SUPPLY AND DISTRIBUTION SYSTEMS.~~

~~—(a) The water supply system for the building from either a public utility or well system, upon completion of the service line to the building, shall be tested and proved to be leak-free and tightly sealed under water pressure not less than 1.25 times the maximum service pressure or working pressure expected for the system.~~

~~(1) The service lines shall be tested before backfilling or covering.~~

~~(2) The test shall be made with water from the system or other clean water which will not contaminate the piping.~~

~~(3) The service lines shall be flushed and made free of dirt or foreign material in the piping prior to connection to the distribution system.~~

~~(4) When the water service tests are verified, the installer shall certify that the water supply pressure will maintain a thirty pounds per square inch gauge pressure or higher at the building under normal flow conditions.~~

~~—(b) Testing of the water supply system from a well shall include the pressure and storage tank and related piping and connections.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1381.36 GENERAL TESTING.~~

~~—(a) The plumbing system or any part thereof shall not be covered until it has been inspected, tested and approved as prescribed in this chapter.~~

~~—(b) Upon the satisfactory completion and final test of the plumbing system, a written approval may be issued to the plumber by the Building Inspector.~~

~~—(c) Where, in the opinion of the Building Inspector, the drainage and vent system of any building has become unsanitary or defective, such drainage and vent system shall be subject to correction and re-testing to certify the integrity of the system.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1381.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Building Village Code penalty if no specific penalty is provided.)

CHAPTER 1383 Sewage Disposal

1383.01 Connections; untreated sewage; prohibited devices; location of private systems.

1383.02 Public sewer connections.

1383.03 Private sewage treatment system specifications.

1383.04 Electrical work.

~~1383.05 Grease traps.~~

~~1383.06 Maintenance.~~

1383.07 Registration.

1383.08 Inspection and certification.

1383.99 Penalty.

~~CROSS REFERENCES~~

~~—Wastewater disposal—see S.U. & P.S. Ch. 942~~

~~—Approval of sewage disposal facility by Board of Health—see~~

~~—BLDG. 1303.02~~

~~—Certificate of septic system evaluation—see BLDG. 1305.01~~

~~—Sewage disposal systems—see BLDG. 1365.02~~

~~—Plumbing and sewers—see BLDG. Ch. 1381~~

1383.01 CONNECTIONS; UNTREATED SEWAGE; PROHIBITED DEVICES; LOCATION OF PRIVATE SYSTEMS.

(a) The plumbing system sanitary sewer shall be connected to a public sanitary sewer or, where no public sanitary sewer exists, shall be connected to a private sanitary sewage treatment and disposal system. Such private system shall be deemed an integral part of the structure or structures that it is intended to serve. Drawings and specifications for construction are to be submitted as required under Chapter 1303.

(b) No untreated sewage shall be discharged into any natural or artificial watercourse, ditch, or storm sewer or upon the surface of the ground.

(c) Box or pit privies, chemical closets and other such devices are prohibited.

(Ord. 1992-101. Passed 1-14-92.)

(d) All components of a private sewage treatment system, including a leach field, shall, whenever possible, be located a minimum of fifty (50) feet from all property lines and buildings arranged or intended for human occupancy, a minimum of one hundred (100) feet from a well used for domestic purposes, a minimum of seventy-five (75) feet from any protected watercourse, as defined in Section 1151.06 of the Planning and Zoning Code, and any deviation from these separations shall require the written approval of the ~~Building Inspector~~Planning and Zoning Commission.

~~(Ord. 2000-145. Passed 10-9-01.)~~

1383.02 PUBLIC SEWER CONNECTIONS.

Sanitary sewers to be connected to public sewers shall be designed and installed in accordance with the provisions of Chapter 1381. The connections to a public sanitary sewer shall be in accordance with the requirements and regulations of the public sewer authority. Approvals and/or permits, as required, shall be obtained from the public sewer authority having jurisdiction.

(Ord. 1992-101. Passed 1-14-92.)

1383.03 PRIVATE SEWAGE TREATMENT SYSTEM SPECIFICATIONS.

(a) The waste line from the building to the treatment system shall be a minimum of four inches inside diameter and shall be installed in accordance with the provisions of Chapter 1381.

(b) The system shall be capable of complete treatment of the type and volume of sewage to be received by the plant. The treatment system shall be designed and installed to function in an acceptable manner.

(c) The sewage treatment system shall be designed, constructed, and installed in accordance with regulations and requirements of the Ohio EPA ~~(refer to Appendix A)~~ or the County Board of Health for the county in which the system is to be installed. All data and tests required shall be provided. Copies shall be furnished the Building ~~Inspector~~Commissioner.

~~(Ord. 1992-101. Passed 1-14-92.)~~

1383.04 ELECTRICAL WORK.

(a) The electrical wiring and power feed required for a sanitary sewage or disposal system shall comply with the Chapter 1387 Residential Code of Ohio and the National Electric Code (NFPA 70) as currently adopted by the State of Ohio.

(b) Prior to cover and backfill of cable or conduit and other electrical components, the installation shall be inspected and approved by the Building ~~Inspector~~Commissioner.

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1383.05 GREASE TRAPS.~~

~~—(a)—Grease from sink, cooking or kitchen waste may adversely affect the operation of the treatment plant. Grease traps are permitted to be installed in the sanitary waste branch line from the kitchen.~~

~~—(b)—Manufactured grease traps shall be installed as required by the applicable County Board of Health.~~

~~—(c)—Grease traps shall be installed in a location and in such a manner as to provide adequate means of access for inspection, cleaning and maintenance.~~

~~—(d)—The grease which accumulates in the trap shall be removed as required and the trap kept in a sanitary condition. It shall be cleaned at least once each year.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~1383.06 MAINTENANCE.~~

~~—The owner or occupant of any building which discharges sewage into a private treatment system shall maintain such system in good and sanitary condition. Satisfactory treatment of sewage and operation of the plant shall be constantly maintained. The Building Inspector shall enforce maintenance requirements of all private sewage treatment systems.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1383.07 REGISTRATION.

Every sewage treatment system installed in Hunting Valley shall be registered with the Building ~~Inspector~~Commissioner and the Geauga County or Cuyahoga County Health Department by the installing contractor and, for existing systems, by the owners or occupants of the properties where the system is located.

~~{Ord. 1992-101. Passed 1-14-92.}~~

1383.08 INSPECTION AND CERTIFICATION.

Every sewage treatment system shall be inspected at least once every three years by a licensed company engaged in the cleaning and servicing of the type of system installed

Every aeration sewage treatment system shall be regularly monitored pursuant to a maintenance contract and shall be inspected annually. It shall be the duty of the owner or occupant of the property to notify the Building ~~Inspector~~Commissioner and the Geauga County or Cuyahoga County Health Department, by a certificate from the inspecting company, that the treatment system has been inspected as required, is in proper working order and is in a sanitary condition.

~~{Ord. 1994-129. Passed 12-13-94.}~~

– 1383.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general ~~Building-Village~~ Code penalty if no specific penalty is provided.)

CHAPTER 1385

Heating, Ventilation, ~~A~~ and Air Conditioning

1385.01 ~~G~~In general.

1385.02 Ventilation, combustion air, make-up air, ~~A~~ and flue venting.

~~1385.03 Fuel piping.~~

~~1385.04 Hydronic system piping.~~

~~1385.05 Refrigerant piping and coil condensate drains.~~

~~1385.06 Ductwork and air distribution.~~

~~1385.07 Thermal insulation.~~

1385.08 Equipment and appliances.

~~1385.09 Balancing and adjusting.~~

~~1385.99 Penalty~~

CROSS REFERENCES

~~— Natural ventilation — see BLDG. Ch. 1361, 1389.02~~

~~— Heater rooms — see BLDG. 1361.07~~

~~— Heat pump systems — see BLDG. 1365.09~~

~~— Vent stacks — see BLDG. 1381.16~~

~~— Hot water heaters — see BLDG. 1381.28~~

~~— Testing of ventilation systems — see BLDG. 1381.33,
1381.34~~

~~— Mechanical ventilation — see BLDG. Ch. 1389~~

1385.01 ~~IN~~ GENERAL.

(a) Application of Chapter. The provisions of this chapter shall govern the installation, alteration, replacement and repair of heating, ventilation, ~~A~~ and air conditioning systems. When alterations or additions are made to existing systems, the provisions of this chapter shall apply to the new work and systems.

(b) Qualified Installers. All heating, ventilation and/or air conditioning installation and alterations shall be done under the direct supervision of installers, licensed, ~~A~~ or authorized to do such work under the applicable provisions of ~~this Building~~the Village Code relating to registration, licensing, ~~A~~ and certificates of qualification.

(c) Permits. Except for minor repairs ~~and/or~~ adjustments, no heating, ventilation, or air conditioning system shall be installed, altered, modified, or supplemented without obtaining a permit ~~therefor~~.

(d) Drawings, Layout and Design Data. Before a permit is issued for the installation or alteration of a heating, ventilation or air conditioning system, the applicant shall submit engineering drawings, with layouts and design data as indicated in Section 1303.05, to the Building ~~Inspector~~Commissioner. The drawings and design data shall be sealed by a licensed mechanical engineer registered in the State of Ohio.

- (1) Design of the heating, ventilation and/or air conditioning system shall be in accordance with accepted engineering practice compliance with the Residential Code of Ohio and the requirements of the Village Code which exceed the requirements of the Residential Code of Ohio. The load calculations for heating and air conditioning are to be based upon expected occurrences of outside temperatures, relative humidity and wind velocity that occur at the building location. ~~The temperature and relative humidity occurrences at the building location may be at variance with those published in the ASHRAE Handbook of Fundamentals and the ASHRAE Heating and Cooling Load Calculation Manual (refer to Appendix A).~~

~~—A. The system shall be designed to maintain uniform indoor temperatures and humidity levels to provide a proper comfort level for the occupants at outdoor design-day conditions.~~

~~—B. The system shall be zoned or divided and controlled in a manner to accommodate significant variations in thermal performance of various spaces within the building.~~

~~—C. The selected equipment output capacities shall be based upon the thermal requirements necessary to maintain uniform conditions at a proper comfort level based upon usage, and shall include allowances for equipment and system efficiency and thermal losses in the distribution system, and shall have the capability to return space temperature to a normal thermostat setting from setback at outdoor design-day conditions within a reasonable period of time.~~

~~—D. The ventilation system shall be designed to provide ventilation required for occupancy and usage, and shall have the capacity to prevent negative pressures from occurring in the space of sufficient magnitude to adversely affect the operation of combustion equipment or fireplaces.~~

~~(2) The system design and equipment selection shall be in accordance with accepted engineering and safe practice. Safe practice criteria shall comply with the standards and recommendations of the appropriate organization and codes listed below.~~

~~—(e) Codes, Standards and Engineering Practices. The equipment, materials, installation requirements, design and engineering practice shall be in accordance with appropriate sections of the latest edition of the codes and standards listed and/or referenced herein, except as qualified or where other requirements are stipulated in this Building Code. The~~

qualification or requirements within this Building Code shall take precedence over the referenced codes or standards. Codes and standards that are to be considered as being incorporated into this Building Code shall be as follows:

(1) ~~Referenced Codes (refer to Appendix A); and~~

(2) ~~Referenced standards of organizations for manufacture and/or engineering practice (refer to Appendix A).~~

~~—(f) Materials and Definitions. Definitions of terms shall be in accordance with the latest edition, Part IV, Chapter 10, "Mechanical – Materials and Definitions" of the CABO One and Two Family Dwelling Code (refer to Appendix A) and Article 2 [OAC 4101:2-34] of the Ohio Basic Building Code (Mechanical) (refer to Appendix A).~~

(1) ~~Standards for materials as listed in the CABO One and Two Family Dwelling Code, Chapters 10 through 19, where applicable, shall be considered a part of this Building Code (refer to Appendix A).~~

(2) ~~Standards for materials as listed in the mechanical section of the Ohio Basic Building Code, including the standards referenced, where applicable, shall be considered a part of this Building Code (refer to Appendix A).~~

(3) ~~All materials and components incorporated into the equipment or system shall be of high quality and appropriate for the application.~~

(4) ~~Materials shall either be new or used. Where used materials are applied, the same shall be fully restored to equivalent items of new quality, and the restored materials shall be subject to the approval of the Building Inspector. (Ord. 1992-101. Passed 1-14-92.)~~

1385.02 VENTILATION, COMBUSTION AIR, MAKE-UP AIR, AND FLUE VENTING.

~~—(a) Provisions shall be included within the system to supply air for mechanical ventilation that may be necessary to meet the requirements of Chapter 1389 outside air requirements in the Residential Code of Ohio and the make-up air to offset exhaust systems, hoods, and other means of exhausting air from the building. The make-up outside air shall be in quantities sufficient to prevent negative pressure from developing in the building of a magnitude that would result in unsatisfactory or improper fuel combustion and the venting of the products of combustion.~~

~~—— Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be mechanically provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with not less than one damper.~~

~~—— (b) Make-up air and/or combustion air for heating units may be by gravity inlet, sized in accordance with good engineering practice, and of a quantity required for the equipment, or by the induction of outside air into the fan inlet side of the distribution system, and it shall be in sufficient quantities to assure proper fuel combustion. Fuel-~~

burning equipment shall be installed in a location not subject to negative pressure or in a room or enclosure separating the equipment from other spaces in the building.

~~—(c)—Combustion air may be induced into air-handling systems which supply the ventilation air requirements, provided that a sufficient quantity is distributed to the fuel-burning equipment location. No air return to the air circulation system is permitted from the space in which the equipment is located.~~

~~—(d)—Combustion air for high-efficiency “condensing” or “pulse” heating units, which require balanced pressure for combustion and flue venting, shall be ducted or piped directly to and from outside the building to the unit connections in accordance with the manufacturer's requirements. The low temperature products of combustion shall be ducted or piped directly to the outside as required.~~

~~(1)—Combustion air intakes and low temperature flue exhaust shall not be located in the front of a building or on the front slope of the roof. Termination shall be located a minimum of five feet from any window or door in a horizontal dimension. No low temperature vent shall be installed directly below a window or other opening to the building. Combustion air terminations shall be in accordance with NFPA 54 and 211 and Ohio Basic Building Code (Mechanical), Article 10 [OAC 4101:2-41] (refer to Appendix A).~~

~~(2)—Air inlet and exhaust terminations shall be in locations and placed sufficiently above grade to provide unrestricted operation. Openings shall be protected or terminated in a manner as to prevent water, snow, insects or animals from entering through the pipe or duct.~~

~~(3)—The combustion and flue exhaust air assembly for self-contained, separated combustion, gas burning units may be installed directly to the outside of a building. The assembly shall be a minimum of three feet above grade and shall not be located beneath a window.~~

~~—(e)—An exhaust system air discharge termination shall be installed directly to the outside. No high humidity or contaminated air shall be discharged into an attic or other unoccupied space, even though such space may be ventilated to the outside.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1385.03 FUEL PIPING.~~

~~—(a)—In General.~~

~~(1)—Fuel piping, natural gas, liquid propane and oil shall conform to codes and standards indicated below. Fuel piping shall fully conform to applicable provisions of the latest edition of the National Fire Protection Association Codes and Standards, Volume 2, Sections 24-90 (refer to Appendix A).~~

~~(2)—Refer to Chapter 1347 of this Building Code for storage requirements.~~

~~(3) All vents from fuel piping and relief valves shall terminate outdoors with a minimum of ten feet separation from windows and doors.~~

~~—(b) Natural Gas and Liquid Propane Piping.~~

~~(1) Natural gas and liquid propane piping shall conform to the CABO One and Two Family Dwelling Code, Chapter 19, "Fuel Supply Systems", except as qualified below (refer to Appendix A).~~

~~(2) Natural gas and liquid propane piping shall conform to the requirements and regulations of the utility company supplying the fuel.~~

~~(3) Shut off and isolation valves for fuel burning equipment shall be ball type and pressure rated for system gas contents and the minimum gauge pressures that may occur within the piping and shall have 100 percent shut off capability.~~

~~(4) All fittings in a steel piping system shall be of malleable iron. Cast iron fittings are not permitted.~~

~~(5) Testing and inspection of fuel piping is required prior to concealing or utilization of the pipes.~~

~~—(c) Fuel Oil Piping. Fuel oil piping shall comply with the appropriate provisions of the Ohio Basic Building Code (Mechanical), (refer to Appendix A), Article 9 [OAC 4101.2-40] "Fuel Oil Piping", and the CABO One and Two Family Dwelling Code (refer to Appendix A), Chapter 19.~~

~~—(d) Piping Specifications.~~

~~—(1) Piping shall be kept to a minimum, and the piping system inside the buildings shall be fully exposed and connected directly to the burning equipment.~~

~~—(2) Below grade piping shall be buried a minimum of two feet and shall be of a material that will not corrode or that is fully corrosion protected. Piping located below driveways, walks and patios shall be enclosed within a protective sleeve to facilitate replacement.~~

~~—(3) Below grade piping shall be inspected and approved by the Building Inspector. (Ord. 1992-101. Passed 1-14-92.)~~

~~—(e) Pipe Material. Piping material for natural gas and propane fuel systems shall be Schedule 40 (or heavier) black iron pipe, or by special permission of the Building Inspector, "Corrugated Stainless Steel Tubing" (CSST), and piping material for oil burning systems shall be copper piping Type "L" or "K" or Schedule 40 steel. All steel fittings shall be malleable iron and copper fittings. Wrought copper cast fittings are not permitted.~~

~~(Ord. 2003-114. Passed 4-8-03.)~~

(a)___

~~—1385.04 HYDRONIC SYSTEM PIPING.~~

~~—(a)— In General. Hydronic piping requirements are stipulated herein and shall apply to all hot water heating, low-pressure steam, chilled water and chilled glycol systems. The piping for these systems shall be installed in a manner to provide for the fluid distribution between the generating equipment components and terminal devices. Except as modified below, hydronic piping systems shall comply with applicable provisions of the Ohio Basic Building Code (Mechanical) (refer to Appendix A), Article 7 [OAC 4101:2-38], "Hydronic Piping", and the ASHRAE Handbook of Fundamentals, 1989, Chapter 3, "Pipe Sizing" (refer to Appendix A).~~

~~—(b)— Materials; Installations.~~

~~(1)— Systems circulating a heated fluid shall be copper Type "L" or "K" pipe, Schedule 40 steel pipe, brass pipe, or polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) plastic pipe, with compatible fittings and accessories.~~

~~(2)— Piping shall be installed in a manner so as to provide for thermal expansion and contraction of the piping without damage to piping, equipment or structure.~~

~~(3)— Provisions shall be included for fluid expansion, air removal and draining of the system. ASME (refer to Appendix A) rated relief and pressure reducing valves shall be incorporated into the system as required for safety and proper operation.~~

~~(4)— Hydronic equipment and terminal devices shall be provided with valves and other accessories required to isolate components, balance the system, vent and control fluid flow.~~

~~(5)— Piping shall be tested, made leak free and inspected by the Building Inspector prior to furring, concealment, insulation or placing the system in operation.~~

~~—(c)— Panel Heating Systems; Materials; Installations. Panel heating systems with water or glycol as a fluid and a maximum fluid temperature of 120 degrees Fahrenheit shall use only Type "L" or "K" copper, Schedule 40 steel or Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) plastic piping. These provisions are applicable to circulating fluid snow melting systems.~~

~~(1)— The joints in the imbedded or concealed piping shall be at a minimum.~~

~~(2)— When installed in the floor, the floor or concrete slab shall be insulated below the piping (R-6 minimum) and there shall be at least three-fourths of an inch of concrete fully encasing the pipes.~~

~~(3)— At slab penetrations, plastic inserts with sufficient flexibility shall be installed to protect the pipe and to prevent corrosion and piping rupture.~~

~~(4)— A maximum of 105 degrees Fahrenheit fluid temperature may be circulated in a floor or concrete slab.~~

~~—(Ord. 1992-101. Passed 1-14-92.)~~

~~—1385.05 REFRIGERANT PIPING AND COIL CONDENSATE DRAINS.~~

~~—(a)—Refrigerant piping shall be fabricated and/or installed in accordance with the applicable provisions of the Ohio Basic Building Code (Mechanical), Article 13 (OAC 4101:2-44), "Mechanical Refrigeration"; the ASHRAE Refrigeration Handbook "Systems and Applications", Chapter 3, "System Practices for Halocarbon Refrigerants"; ANSI/ASHRAE Standard 15, "Safety Code for Mechanical Refrigeration"; ANSI/ASHRAE Standard 34, "Refrigerant Safety Classification and Designation"; and provisions listed below (refer to Appendix A).~~

~~—(b)—Refrigerant piping, except manufacturer supplied precharged and preinsulated tubing packages, shall be assembled using Type "L" or "K" copper with wrought copper fittings. Solder for joints and connections shall have a melting point of 1100-degrees Fahrenheit or higher.~~

~~—(c)—Refrigerant piping shall be installed in a manner and in locations such that it cannot be easily damaged. Refrigerant piping shall be isolated such that no vibrations are transmitted to the structure. All penetrations of exterior walls shall be completely sealed.~~

~~—(d)—Refrigerant accessories required include a desiccant strainer drier, charging and refrigerant removal valves or ports, a liquid indicator at the evaporator connection and the required pressure relief devices for each system.~~

~~—(e)—Piping installation below grade, below concrete slabs or in nonaccessible locations shall be avoided when possible. Where avoidance is not feasible, the installation of nonaccessible piping shall be approved by the Building Inspector. Below-grade or nonaccessible piping shall be installed as follows:~~

~~(1)—There shall be no joints in the nonaccessible portions of the piping system.~~

~~(2)—All refrigerant pipes, liquid, suction or hot gas, shall be insulated with a minimum one-half inch thick flexible nonabsorbent insulation on the nonaccessible portions. There shall be no seams or joints in the nonaccessible portions of the piping.~~

~~(3)—The piping shall be installed within a Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene (ABS) plastic conduit with inside diameter to provide for ease of insertion or removal of the refrigerant pipes and with adequate clearance.~~

~~(4)—Provision in the piping shall be made to permit removal and replacement of the concealed pipe sections.~~

~~(5)—The installation shall be made in a manner to drain any moisture from the piping conduit and shall be protected from insect or pest entrance into the conduit or building.~~

~~—(f)—Field fabricated refrigerant piping systems or a portion thereof shall be tested using inert gas and made 100 percent leak free. After testing the piping, the system shall be evacuated or purged of all moisture, water vapor and noncondensibles, and the system then inspected by the Building Inspector prior to charging and/or any concealment of the piping.~~

~~—(g)—Drain pans shall be provided for condensate from cooling coils. The pans shall be piped by means of a Schedule 40 polyvinylchloride (PVC) or acrylonitrile butadiene styrene~~

~~(ABS) plastic, Type "L" copper or galvanized steel pipe to a safe waste. The traps and drain piping shall be installed in a manner to permit internal cleaning.~~

~~—(h)—A secondary drain shall be installed below all equipment located above a ceiling in attic space or over occupied space. A separate drain line shall be run from the secondary drain pan to a safe waste.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1385.06 DUCTWORK AND AIR DISTRIBUTION.~~

~~—(a)—Air distribution, exhaust and air handling systems, except as qualified below, shall be installed in accordance with applicable provisions of the Ohio Basic Building Code (Mechanical), Article 3 [OAC 4101.2-35] and SMACCNA "HVAC" duct construction standards for metallic ducts and for design guidelines (refer to Appendix A).~~

~~—(b)—Ductwork shall be constructed of galvanized steel, aluminum or copper with gauges or thicknesses as recommended in the reference standards. Fiberglass ductwork is not permitted except upon approval by the Building Inspector in locations which are not accessible and where damage cannot occur.~~

~~—(c)—Ductwork shall be isolated in such a manner as to prevent noise and vibration transmission to the structure. Flexible connectors are required at the duct connection to air handling and air moving equipment which may generate noise or vibration.~~

~~—(d)—The air distribution system shall be engineered and installed to provide for the distribution of sufficient quantities of air and at the required temperature to provide for uniform conditions in all rooms without objectionable drafts or noise.~~

~~—(e)—Ductwork joints shall be sealed with two-inch wide duct tape where required to prevent excess air leakage.~~

~~—(f)—All branch ducts and take-offs for run-outs shall be tapered transition-type or with extracting vanes. Accessible balancing dampers with locking quadrants and identification tags shall be installed in all branches and run-outs.~~

~~—(g)—Ductwork shall be thermally insulated in all nonheated and nonconditioned spaces, and in those locations where surface condensation could occur and result in damage. Insulation shall also be applied as necessary to prevent changes in the air temperature which would adversely affect the performance of a system. See Section 1385.07.~~

~~—(h)—All wall penetrations for outside air intakes for exhaust systems shall be sleeved, sealed around the perimeter, louvered and screened or protected to prevent water, snow or pests from entering the ductwork system or the building.~~

~~—(i)—Below-grade or below-floor ductwork shall be constructed using noncorroding material and a sheet metal that is coated or otherwise protected to prevent water~~

~~infiltration or deterioration. Below-grade joints shall all be taped and ductwork fully encased in a minimum of two inches of concrete.~~

~~—(j)—Below-grade ducts shall be pitched to an accessible sump or drain to provide for removal of any water that may collect in the ductwork.~~

~~—(k)—At duct penetration of fire-rated walls or partitions, UL-rated fire dampers and access doors or panels for service shall be installed. The damper construction and installation shall be to NFPA Standards (refer to Appendix A).~~

~~—(l)—Where stud or joist spaces are used for return air, sleeved floor penetration headers and air stops shall be included as required.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1385.07 THERMAL INSULATION.~~

~~—(a)—Thermal insulation shall be applied to heating and air conditioning system components where required to reduce thermal losses and to prevent surface condensation or to prevent excessive temperature changes in the air stream.~~

~~—(b)—Duct insulation shall be of material and rating as described in the Ohio Basic Building Code (Mechanical), Article 3 [OAC 4101:2-30], Section M.304.0 (refer to Appendix A). Insulation shall be applied per the manufacturer's recommendations. Ductwork insulation shall include a vapor barrier and be installed with complete integrity of seams and joints maintained by taping and adequate securing means.~~

~~—(c)—Hydronic piping and low pressure steam piping shall be insulated in accordance with the Ohio Basic Building Code (Mechanical), Article 7 [OAC 4101:2-38] (refer to Appendix A). Chilled water and glycol piping shall be insulated when the circulated fluid temperature will be sixty degrees Fahrenheit or below. All cold pipe fittings shall be insulated, and the insulation of pipes and fittings shall include vapor barrier jackets.~~

~~—(d)—Refrigerant suction piping shall be insulated with minimum three-eighths of an inch flexible foamed plastic or equivalent foamed fiberglass or rigid foam insulation. Seams and joints of the insulation shall be sealed and the integrity of the vapor barrier maintained throughout.~~

~~—(e)—Insulation shall have a flame spread rating of 25 or less and a smoke developed rating of 50 or less when tested in accordance with ASTM E84-1987 (refer to Appendix A).~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1385.08 EQUIPMENT AND APPLIANCES.

~~—(a)—The Hunting Valley Architectural Board of Review shall be vested with the authority to review and approve or deny the proposal based upon the external aesthetics of all roof~~

and exterior wall mechanical and plumbing penetrations as well as vents, louvers, and similar terminations. In General. Heat-producing and comfort-cooling equipment and appliances shall be of high quality and bear the label of an approved testing laboratory. Heating equipment shall be installed in a safe manner and with the minimum clearance as listed in Chapter 11 and shall fully comply with NFPA requirements. All furnaces and boilers shall be installed inside the building. Rooftop installations are not permitted. A drain shall be installed below all furnaces and air handling equipment installed in attic space or above the ceiling. The installation of heating and cooling equipment and heat producing appliances, equipment accessories and system components shall fully conform to the manufacturer's instructions and recommendations.

~~—(b) No mechanical equipment, condensers, or similar appurtenances shall be located in the front (street-facing or most public-facing) of the residence. Gas-Burning Furnaces and Appliances (Liquid Propane or Natural Gas).~~

~~—(1) Gas-burning furnaces and appliances must be UL or AGA approved, or have otherwise received approval by another nationally recognized testing lab.~~

~~—(2) Only furnaces, wall heaters or unit heaters which have fully separated and totally enclosed combustion chambers, isolated from the circulated air in the heated space, may be installed in garages or other storage buildings. The combustion air intake and flue products from such units shall be extended to the outside of the building and terminate with matching accessories and wall caps a minimum of three feet above the grade at the point of exit.~~

~~—(3) Open flame radiant heaters are not permitted in living spaces, garages or storage buildings.~~

~~—(4) Gas heating units which are equipped with atmospheric burners or have the combustion chambers open to heated space are prohibited in garages and all other locations where fuel, volatile fluids or combustible materials are stored.~~

~~—(5) The following units are permitted, provided that the specifications of paragraph (b)(6) hereof have been met:~~

~~—A. Through-the-wall gas room heaters which have totally enclosed combustion and are wall-mounted may be located in garages or accessory buildings, but not in the living space of a dwelling.~~

~~—B. Radiant tube gas fired heaters which have totally enclosed combustion and are ceiling-mounted may be located in garages or accessory buildings, but not in the living space of a dwelling.~~

~~—C. Vented gas-fired fireplaces which have totally enclosed combustion and require a field installed direct vent system, installed as specified by the fireplace/appliance manufacturer.~~

~~—(6) A. A direct vent, when installed through walls, ceilings, attics, crawl spaces, and similar structural elements of a building, will be so arranged as to allow periodic~~

~~inspections/elevations so that deterioration, if any, can be identified and addressed at its earliest stages.~~

~~—B. The Hunting Valley Architectural Board of Review shall be vested with the authority to review and approve or deny the proposal based upon the external aesthetics of all roof and wall vent terminations.~~

~~—(c) Oil Furnaces.~~

~~—(1) Oil furnaces shall be manufactured in accordance with standard UL listings.~~

~~—(2) Installation, combustion air requirements, draft control, and flue venting shall be in full compliance with the manufacturer's instructions.~~

~~—(3) Oil-burning furnaces or heaters are not permitted in garages.~~

~~—(d) Boilers and Hydronic Equipment.~~

~~—(1) Boilers.~~

~~—A. Hot water and low pressure steam boilers and hydronic equipment shall be manufactured and rated in accordance with the applicable ABMA rating and standards (refer to Appendix A).~~

~~—B. Gas boilers shall be AGA approved and bear the AGA label.~~

~~—C. Oil burners for boilers shall be UL approved.~~

~~—D. Boilers shall be installed in accordance with the manufacturer's instructions. All systems shall include safety relief valves and safety shut-off devices for fuel supply on low-water conditions, conform to the latest ASME standards, and shall include provisions for water expansion and contraction in the system without activating the relief valve or adversely affecting system pressure.~~

~~—(2) Hydronic heating units and appliances. Hydronic heating units and appliances shall be rated and constructed in accordance with IBR standards. The terminal heating units shall be located and installed in a manner to produce uniform space conditions. All boilers and hot water generators shall have name tags which include performance, fuel and electrical data.~~

~~—(e) Electric Heating Equipment. Electric boilers shall conform to ABMA standards and shall be UL approved. The electric heating elements for boilers, furnaces and other electric components shall be in accordance with the applicable provisions of the National Electrical Code. All electric heating equipment shall be manufactured to NEMA standards. ABMA, UL and NEMA labels shall be attached.~~

~~—(1) Electric heating installations and components shall be in full compliance with the National Electrical Code.~~

~~—(2) Terminal heating elements shall be located and installed in a manner as to prevent contact with, and provide required separation from, all combustible materials.~~

~~—(f) Air Conditioning and Cooling Equipment. Air conditioning and cooling equipment shall be manufactured, tested and rated in accordance with ARI standards and bear the UL label.~~

~~—(1) Equipment shall be installed with necessary controls to properly function and in full accordance with the manufacturer's instructions.~~

~~—(2) Interconnecting and fluid-distribution piping shall be in accordance with piping requirements previously described in this chapter.~~

~~—(3) Outdoor air cooled condensing and gas-fired absorption units shall be installed on reinforced concrete pads a minimum of four inches in thickness, placed on firm ground and of sufficient area to support the unit.~~

~~—A. Units shall be located and installed so as not to restrict or to recirculate the heat rejection air, and in such a manner that there shall be adequate access for proper service of the equipment and system.~~

~~—B. Outdoor units shall not be located below or immediately adjacent to windows or other openings and shall be appropriately screened.~~

~~—C. Outdoor units shall operate at low and acceptable noise levels.~~

~~—(4) Cooling coils for air conditioning systems shall be installed in ductwork and in required locations and with access capability for inspection, service and cleaning. Coated and insulated pans shall be included to collect and drain the water condensed from the air on the coil surface. Secondary drain pans below the equipment are required in attic spaces and above ceilings. See Section 1385.05(h).~~

~~—(5) Heat pump equipment and systems shall conform to the same construction and installation requirements of other cooling and air conditioning equipment. See Section 1365.09 for use of ground water heat pumps.~~

~~—A. Supplemental heaters shall be included in heat pump systems with sufficient capacity to maintain comfort level temperatures in the building when the heat pump unit may be inoperable.~~

~~—B. The outdoor section of the heat pump unit shall be elevated and installed in such a manner that ice formation from condensate will not create conditions which would prevent the unit from performing properly and to avoid damage from ice and snow falling from the roof. Defrost provisions shall be included in accordance with the manufacturer's recommendations.~~

~~—(Ord. 2020-7. Passed 6-9-20.)~~

~~—1385.09 BALANCING AND ADJUSTING.~~

~~—(a) After completion of the installation, the heating and air conditioning systems shall be prepared for operation and placed in operation in accordance with the manufacturer's~~

~~instructions. The refrigerant system and hydronic system shall be fully charged and filled with required fluids.~~

~~—(b)—The equipment and controls shall be fully checked and proper operation verified. Controls shall be calibrated.~~

~~—(c)—Air and water systems shall be balanced to provide the fluid distribution required for uniform comfort conditions.~~

~~—(d)—Fan speeds, pump operation, damper and balancing valves shall be adjusted as required for proper system balance, and all balancing items shall be secured in place.~~

~~—(e)—Equipment shall be adjusted such that no electrical component will operate in an overloaded condition.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

1385.99 PENALTY.

(EDITOR'S NOTE: See Section 1301.99 for general Village Code penalty if no specific penalty is provided.)

CHAPTER 1387

~~National~~ Electrical Code

1387.01 Current edition adopted.

~~1387.02 Amendments.~~

1387.99 Penalty.

CROSS REFERENCES

~~—Power to license electricians—see Ohio R.C. 715.27~~

~~—Adoption of technical codes by reference—see Ohio R.C.
—731.231~~

~~—Electricity—see S.U. & P.S. Ch. 946~~

~~—Definitions—see BLDG. 1301.05~~

~~—Electrical work in sewage disposal systems—see BLDG.
—1383.04~~

~~—Electric heating equipment—see BLDG. 1385.08(e)~~

1387.01 CURRENT EDITION ADOPTED.

Pursuant to Ohio R.C. 731.231, there is hereby adopted by the Village, for the purpose of regulating and safeguarding the use of electricity, electric installations and electric materials within the Village, that certain code known as the National Electrical Code (NFPA 70), as is currently adopted by the Ohio Board of Building Standards ~~and recommended by the National Fire Protection Association (NFPA-70)~~. A complete copy of such Code shall be kept on file in the ~~office of the Village Clerk, the~~ office of the Building Inspector~~Commissioner~~, and the County Law Library. The Village Clerk shall keep copies available for distribution to the public at cost.

~~{Ord. 2016-5. Passed 4-12-16.}~~

~~1387.02 AMENDMENTS.~~

~~– The National Electrical Code, as adopted in Section 1387.01, is hereby amended as follows:~~

~~(a) Subsection A4 of Section 210-19 of Article 210, entitled “Other Loads”, shall read and provide, in its entirety:~~

~~—A4 Branch-Circuit Conductors. Branch-circuit conductors shall have an ampere capacity sufficient for the loads served and shall not be smaller than No. 12 copper.~~

~~(b) Exception No. 3 of Subsection A4 of Section 210-19 of Article 210, entitled "Other Loads", shall read and provide, in its entirety:~~

~~Exception 3: 15 ampere, No. 14 copper conductors permitted for kitchen, under wall cabinet lighting.~~

~~(c) Exception No. 4 of Subsection A4 of Section 210-19 of Article 210, entitled "Other Loads", shall read and provide, in its entirety:~~

~~Exception 4: 15 ampere, No. 14 copper conductors permitted for clothes closet lights operated by door jamb switches.~~

~~—(d) Article 110 shall be amended by an amendment to Section 110-5, which shall read and provide in its entirety as follows:~~

~~110-5. Conductors. Except as provided in this Section, all conductors shall be made of copper. Overhead Supply-Drop Conductors, identified in Article 230 Part II of this Code, and Underground Service Lateral Conductors, identified in Article 230 Part III of this Code, and Service Entrance Conductors identified in Article 230 Part IV of this Code (only to the line side of the Utility Main Service Disconnects), may be made of copper, aluminum or copper-clad aluminum.~~

~~—(Ord. 2013-118. Passed 12-10-13.)~~

~~—1387.99 PENALTY.~~

~~(EDITOR'S NOTE: See Section 1301.99 for general Building-Village Code penalty if no specific penalty is provided.)~~

~~CHAPTER 1389~~

~~Artificial Light And Mechanical Ventilation~~

~~1389.01—Minimum requirements.~~

~~1389.02—Allowance for natural ventilation.~~

~~1389.03—Use of outside and recirculated air; engineering studies.~~

~~CROSS REFERENCES~~

~~—Warning lights—see BLDG. 1359.13~~

~~—Natural light—see BLDG. Ch. 1361~~

~~—Vent stacks—see BLDG. 1381.16~~

~~—Testing of ventilation systems—see BLDG. 1381.33, 1381.34~~

~~—Ventilation generally—see BLDG. Ch. 1385~~

~~—1389.01 MINIMUM REQUIREMENTS.~~

~~—Where natural light and ventilation in an occupied room or space is not provided, artificial light and mechanical ventilation may be substituted, provided the minimum requirements listed in Table 1389A are met.~~

Table 1389A Minimum Requirements

-		
TYPE OF ROOM OR AREA	ARTIFICIAL LIGHT	MECHANICAL VENTILATION (AIR CHANGED PER HOUR) (CU. FT.)
Bathrooms	5 foot candles on floor area at plumbing fixtures	8
Lavatories containing water closets	5 foot candles on floor area at plumbing fixtures	6
Kitchens	Natural light required	15
Stairs	1 foot candle on tread surfaces	2
All other habitable rooms	Natural light required	2
-		

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1389.02 ALLOWANCE FOR NATURAL VENTILATION.~~

~~—Where a part of the ventilation is provided by natural means, the requirements for mechanical ventilation may be decreased proportionately.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

~~—1389.03 USE OF OUTSIDE AND RECIRCULATED AIR; ENGINEERING STUDIES.~~

~~—(a) Outside air shall be supplied in quantities acceptable to the Building Inspector as necessary to provide air that is free from objectionable odors or excessive quantities of carbon dioxide or excessive negative pressure in the structure. The remainder of the air for the required air changes may be recirculated air of a purity, temperature and humidity acceptable to the Building Inspector. No air shall be recirculated from a kitchen, bathroom or lavatory compartment. See Section 1361.07 for heater room ventilation requirements.~~

~~—(b)—It is important to determine whether the resulting indoor pressure and air-intake capacity in the residence is capable of supporting the maximum combustion and exhaust requirements. This will require an engineering study for accurate determination and can be requested by the Building Inspector.~~

~~{Ord. 1992-101. Passed 1-14-92.}~~

CHAPTER 1391

Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings

{EDITOR'S NOTE: This chapter has been relocated to Chapter 1301 and substantially modified.}

~~1391.01—Definitions.~~

~~1391.02—Intent.~~

~~1391.03—Adoption of the Village Code.~~

~~1391.04—Interpretation.~~

~~1391.05—Enforcement personnel.~~

~~1391.99—Penalty.~~

~~—1391.01 DEFINITIONS.~~

~~—(a)—“State Code” shall mean the Residential Code of Ohio, adopted by rule at Ohio Administrative Code 4101:8 by the Ohio Board of Building Standards, or current equivalent if the title or rules are renamed or renumbered.~~

~~—(b)—“Village Code” shall mean the “Village of Hunting Valley Residential Code for One-, Two-, and Three-Family Dwellings,” a chapter of the Codified Ordinances of the Village of Hunting Valley (the “Village”) which is enacted to govern construction of residential buildings within the Village. The Village Building Department will not be certified to enforce the State Code, and the State Code will, by operation of Ohio R.C. 3781.10(A)(2), not be applicable within the Municipal corporation limits of the Village.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~—1391.02 INTENT.~~

~~—It is the intent of the Village Council, as the legal authority which best knows the conditions of and affecting residential buildings within the Village, to fully exercise all of its constitutionally granted powers of local self government and such police powers as do not conflict with general laws of the State of Ohio, for the protection of health, safety, and welfare of the residents of the Village. Accordingly, the Village is adopting the Village Code, which shall be substantially identical to the State Code, but which will be enforced under~~

~~the Village's police powers granted by Article XVIII, Section 3 of the Ohio Constitution. Other provisions of the Village Codified Ordinances shall continue in full force and effect, so long as they do not conflict with any general law of the State of Ohio.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~—1391.03 ADOPTION OF THE VILLAGE CODE.~~

~~—Pursuant to Ohio Revised Code Section 731.231, there is hereby adopted by the Council of the Village of Hunting Valley, Ohio, and incorporated by reference for the purpose of regulating the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of one-, two-, and three-family dwellings in the Village, the substance of that certain code known as the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings, adopted by rule at Ohio Administrative Code 4101:8, or its current equivalent, as adopted by the Ohio Board of Building Standards, which shall serve as the model code being particularly adopted and incorporated as if fully set forth herein; for purposes of plan review and enforcement it shall be considered as and referred to as the "Residential Code of the Village of Hunting Valley for One-, Two-, and Three-family Dwellings" (or "Village Code"). The Village Administrator shall maintain a current copy of the State Code (as adopted under law), for purposes of reference in determining the current law of the Village, but no municipal official shall enforce the State Code.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~—1391.04 INTERPRETATION.~~

~~—The Village Code is intended to incorporate, substantially, the substantive provisions of the current State Code. In the event other chapters of the Village Building or Fire Codes have requirements which are not required by the State of Ohio, such requirements are mandatory unless they conflict with a general law of the State of Ohio. In the event of a conflict, the general law of the State of Ohio shall prevail.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~—1391.05 ENFORCEMENT PERSONNEL.~~

~~—No person shall be authorized to interpret or enforce the Village Code unless that person has sufficient training and experience to become certified by the State of Ohio to interpret or enforce the State Code. Persons who have been certified to enforce the State Code may enforce the Village Code, but such personnel are not required to be certified by the State. All personnel employed to interpret and enforce the Village Code shall obtain such additional and continuing training as the Mayor deems reasonable and necessary, and which is funded by an appropriation by the Village Council.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~—1391.99 PENALTY.~~

~~—Whoever violates the provisions of this chapter shall be guilty of a misdemeanor of the third degree, punishable by a fine of up to five hundred dollars (\$500.00), or imprisoned up to sixty days, or both.~~

~~{Ord. 2006-122. Passed 11-14-06.}~~

~~APPENDIX A~~

~~REFERENCED STANDARDS~~

~~ABMA — American Boiler Manufacturing Association~~

~~— 950 N. Glebe Road, Suite 160~~

~~— Arlington, Virginia 22203~~

~~ACI — American Concrete Institute~~

~~P.O. Box 19150~~

~~— Redford Station~~

~~— Detroit, Michigan 48219~~

~~— 318-89 – Building Code Requirements for Reinforced Concrete~~

~~AGA — American Gas Association~~

~~— 1515 Wilson Boulevard~~

~~— 6th Floor~~

~~— Arlington, Virginia 22209~~

~~— AGA Tested and Labeled~~

~~AISC — American Institute of Steel Construction, Inc.~~

~~400 North Michigan Avenue~~

~~Chicago, Illinois 60611~~

~~— 9th edition, 1989~~

~~ANSI — American National Standards Institute, Inc.~~

~~1430 Broadway~~

~~— New York, New York 10018~~

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— ~~A 17.1-1987~~

~~Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks~~

— ~~1991 edition, Refrigeration Classification and Designation Code~~

—

— ~~Standard 34-91~~

—

~~ARI—Air Conditioning and Refrigeration Institute~~

~~11501 Wilson Boulevard~~

~~6th Floor~~

— ~~Arlington, Virginia 22209~~

— ~~ARI Rated, Tested and Labeled Self-Contained Air Conditioning Units~~

— ~~168~~

~~ASHRAE—American Society of Heating, Refrigerating and Air Conditioning
Engineers, Inc.~~

~~1791 Tullie Circle, N.E.,~~

— ~~Atlanta, Georgia 30329-2305~~

~~1991 edition, Safety Code for Mechanical Refrigeration~~

— ~~Standard 15-91~~

— ~~1989 edition, Handbook of Fundamentals, Chapters 32 and 33~~

— ~~1991 edition, Handbook of Applications, Cooling & Heating,~~

— ~~Chapters 1, 2 and 3~~

— ~~1991 edition, Load Calculation Manual~~

— ~~1989 edition, Handbook of Fundamentals~~

— ~~Chapter 23, Pipe Sizing~~

— ~~1990 edition, Refrigeration Handbook, Chapter 3, System Practices for~~

— ~~Halocarbon Refrigeration~~

~~ASME—American Society of Mechanical Engineers~~

~~United Engineering Center~~

~~—345 East 47th Street~~

~~—New York, New York 10017~~

~~ASTM—American Society for Testing and Materials~~

~~1916 Race Street~~

~~Philadelphia, Pennsylvania 19103-1187~~

~~—E84-1987 Test Method for Surface Burning Characteristics of Building~~

~~—Materials~~

~~Flame-spread rating~~

~~—Noncombustible material~~

~~—Smoke-development rating~~

~~—Flame Spread and Smoke Development Rating Standard ASTM E84~~

~~CABO—Council of American Building Officials~~

~~5205 Leesburg Pike~~

~~—Suite 201~~

~~—Falls Church, Virginia 22041~~

~~One and Two Family Dwelling Code, 1989 edition~~

~~—Part IV, Mechanical, Chapters 10 through 19; Part V, Plumbing,~~

~~—Chapters 20 through 24 (Chapter 19, Fuel Supply Systems; Chapter 11,~~

~~Equipment Tables M-1101, M-1102a and M-1102b)~~

~~GCBH—Cuyahoga County Board of Health~~

~~—One Playhouse Square~~

~~—1375 Euclid Ave.—5th Floor~~

~~—Cleveland, Ohio 44115~~

~~—1991 Regulations for Waste Treatment~~

~~GCBH—Geauga County Board of Health~~

~~—219 Main Street~~

~~——Chardon, Ohio 44024~~

~~——1991 Regulations for Waste Treatment~~

~~NEMA——National Electrical Manufacturing Association~~

~~——2101 L Street, N.W.~~

~~——Suite 300~~

~~——Washington, D.C. 20037~~

~~NFiPA——National Fire Protection Association~~

~~——Batterymarch Park~~

~~——Quincy, Massachusetts 02269~~

~~——1389 Installation of Sprinkler Systems, dated 1989~~

~~——Uniform Fire Code Standard 10-1 1988~~

~~1990 edition, National Fire Codes~~

~~——30-87 Flammable and Combustible Liquids Code~~

~~——31-87 Installation of Oil Burning Equipment~~

~~——54-88 National Fuel Gas Code~~

~~——211-88 Chimneys, Fireplaces, Vents and Solid Fuel Burning~~

~~——Appliances~~

~~OBBC——Ohio Basic Building Code~~

~~Banks Baldwin Law Publishing Co.~~

~~——University Center, P.O. Box 1974~~

~~——Cleveland, Ohio 44106~~

~~Building Code Article 2 (OAC 4101:2-2)~~

~~January, 1992, Issue~~

~~——Building Code Article 11 (OAC 4101:2-11) Structural Loads (Section 1111.0-snow load; Section 1112.0-wind load), January, 1992, Issue~~

~~Building Code Article 14 (OAC 4101:2-14) Masonry 1-12, January, 1992, Issue~~

~~Building Code Article 15 (OAC 4101:2-15) Concrete 1-1, January, 1992,~~

~~Issue~~

~~Building Code Article 16 (OAC 4101:2-16) Gypsum and Plaster 1-1,
January, 1992, Issue~~

~~—— Building Code Article 17 (OAC 4101:2-17) Wood 1-1, January, 1992, Issue~~

~~Building Code Article 31 (OAC 4101:2-31) Energy Conservation, January, 1992, Issue~~

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~~—— Mechanical Code Article 2 (OAC 4101:2-34) Definitions (Mechanical),
January, 1992, Issue~~

~~—— Mechanical Code Article 3 (OAC 4101:2-35) Air Distribution Systems
(Mechanical), January, 1992, Issue~~

~~—— Mechanical Code Article 7 (OAC 4101:2-38) Hydronic Piping
(Mechanical), January, 1992, Issue~~

~~—— Mechanical Code Article 9 (OAC 4101:2-40) Fuel Oil Piping
(Mechanical), January, 1992, Issue~~

~~—— Mechanical Code Article 11 (OAC 4101:2-42) Clearance Reduction
(Mechanical), January, 1992, Issue~~

~~—— Mechanical Code Article 13 (OAC 4101:2-44) Mechanical Refrigeration (Mechanical),
January, 1992, Issue~~

~~—— Plumbing Code Chapter (OAC 4101:2-51), January, 1992, Issue~~

~~OEPA—— Ohio Environmental Protection Agency~~

~~—— 2110 East Aurora Road~~

~~—— Twinsburg, Ohio~~

~~—— OAC 3745-9 (Water Well Standards)~~

~~—— OAC 3745-41 (Water Well Waivers)~~

~~SJI—— Steel Joist Institute~~

~~—— 1205 48th Avenue, North~~

~~—— Suite A~~

~~—— Myrtle Beach, South Carolina 29577~~

~~—— SJI-86 Standard Specifications, Load Tables for Weight Tables for~~

~~——Steel Joist and Joist Girders~~

~~SMACNA——Sheet Metal and Air Conditioning Contractors National Association, Inc.~~

~~——8224 Old Courthouse Road~~

~~——Vienna, Virginia 22180~~

~~——Duct Construction Manual for Metallic Ducts, 1985 edition~~

~~——Duct Construction for Fibrous Glass Ducts, 1979 edition~~

~~UL——Underwriters Laboratories, Inc.~~

~~——333 Pfingsten Road~~

~~——Northbrook, Illinois 60062~~

~~——Standard 727~~

END -- CODIFIED ORDINANCES OF HUNTING VALLEY