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OH
Sheffield Lake
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Removal of unsafe structures - see Ohio R.C. 715.26(B), 715.261
Power to enact further and additional regulations - see Ohio R.C. 3781.01
Authorization by Board of Building Standards - see Ohio R.C. 3781.12
Enforcement - see Ohio R.C. 3781.03, 3781.031, 3781.10(E), 3781.102, 3781.19
Final jurisdiction - see Ohio R.C. 3781.04
Application - see Ohio R.C. 3781.06, 3781.10(E), 3781.11(A)
Submission of plans - see Ohio R.C. 3791.04
Dead bolt locks in apartment buildings - see Ohio R.C. 3781.103
Smoke detection system for apartments and condominiums - see Ohio R.C. 3781.104

Automatic sprinkler systems - see Ohio R.C. 3781.105, 3791.041 et seq.
Fire suppression systems - see Ohio R.C. 3781.108
Use of public buildings by handicapped persons - see Ohio R.C. 3781.111
Energy conservation - see Ohio R.C. 3781.181, 3781.182, 3781.21
Abandoned service stations - see Ohio R.C. 3791.11 et seq.
Safety standards for refuse containers - see Ohio R.C. 3791.21

1301.01 ADOPTION.

The City of Sheffield Lake hereby adopts the Ohio Building Code as promulgated in the Ohio Administrative Code 4101:1 et seq. by the Ohio Board of Building Standards pursuant to Ohio R.C. 3781 and 3791 and said rules shall apply and be enforced in the City.

(Ord. 29-10. Passed 6-22-10.)

1301.02 SCOPE.

The provisions of the "Ohio Building Code", the "Ohio Mechanical Code", and the "Ohio Plumbing Code" shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. As provided in division (B) of section 3791.04 of the Revised Code, no plans or specifications shall be approved or inspection approval given unless the building represented by those plans or specifications would, if constructed, repaired, erected, or equipped according to those plans or specifications, comply with Chapters 3781 and 3791 of the Revised Code and any rules adopted by the board. An owner may exceed the requirements of the "Ohio Building Code" in compliance with section 102.9.

Exceptions:

(1) This code applies to detached one-, two-, and three-family dwellings and structures accessory to those dwellings, only to the extent indicated in section 310 of this code;

(2) Buildings owned by and used for a function of the United States government;

(3) Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade; for the purposes of this section, a building or structure is not considered used in the business of retail trade if fifty per cent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller (see sections 3781.06 and 3781.061 of the Revised Code);

(4) Agricultural labor camps;

(5) Type A or Type B family day-care homes;

(6) Buildings or structures which are designed, constructed, and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. secretary of defense, pursuant to 10 U.S.C. Sections 18233(A)(1) and 18237, has acquired by purchase, lease, or transfer, and constructs, expands, rehabilitates, or corrects and equips, such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.

(7) Manufactured homes constructed under "24 CFR Part 3280," "Manufactured Home Construction and Safety Standards" and within the scope of the rules adopted by the Ohio Manufactured Home Commission.

(8) Sewerage systems, treatment works, and disposal systems (including the tanks, piping,

and process equipment associated with these systems) regulated by the legislative authority of a municipal corporation or the governing board of a county or special district owning or operating a publicly owned treatment works or sewerage system as stated in division (A) of section 6111.032 of the Revised Code.

(9) Building sewer piping.

(10) Portable electric generators and wiring supplying carnival and amusement park rides regulated by the Ohio Department of Agriculture.

(11) Structures directly related to the operation of a generating plant or major utility facilities regulated by the power siting board.

Appendices. The content of the appendices to the Administrative Code is not adopted material, but is approved by the board of building standards (BBS) and provided as a reference for code users.

(Ord. 29-10. Passed 6-22-10.)

1301.03 INTENT.

(a) The purpose of this code is to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of buildings, including construction of industrialized units. Such requirements shall relate to the conservation of energy, safety, and sanitation of buildings for their intended use and occupancy with consideration for the following:

(1) Performance. Establish such requirements, in terms of performance objectives for the use intended.

(2) Extent of use. Permit to the fullest extent feasible, the use of materials and technical methods, devices, and improvements which tend to reduce the cost of construction without affecting minimum requirements for the health, safety, and security of the occupants of buildings without preferential treatment of types or classes of materials or products or methods of construction.

(3) Standardization. To encourage, so far as may be practicable, the standardization of construction practices, methods, equipment, material and techniques, including methods employed to produce industrialized units.

(b) The rules of the board and proceedings shall be liberally construed in order to promote its purpose. When the building official finds that the proposed design is a reasonable interpretation of the provisions of this code, it shall be approved. Materials, equipment and devices approved by the building official pursuant to section 114 shall be constructed and installed in accordance with such approval.

(Ord. 29-10. Passed 6-22-10.)

1301.04 COMPLIANCE.

(a) No owners, officers, member of a board or committee, or other person shall construct, erect, build, or equip an opera house, hall, theater, church, schoolhouse, college, academy, seminary, infirmary, sanitarium, children's home, hospital, medical institute, asylum, memorial building, armory, assembly hall, or other building used for the assemblage or betterment of people in any municipal corporation, county, or township in this state, or make any addition thereto or alteration thereof, except in case of repairs for maintenance without affecting the construction, sanitation, safety, or other vital feature of said building or structure, without complying with Ohio R.C. Chapters 3781 and 3791 or rules or regulations adopted pursuant thereto.

(b) No architect, engineer, builder, plumber, carpenter, mason, contractor, subcontractor, foreman, or employee shall violate or assist in the violation of Ohio R.C. Chapters 3781 and 3791 or rules or regulations adopted pursuant thereto or of any order issued there under.

(c) No owner shall proceed with the construction, erection, alteration, or equipment of any building until the plans or drawings, specifications, and data have been approved as this section requires, or the industrialized unit inspected at the point of origin. No plans or specifications shall be approved or inspection approval given unless the building represented would, if constructed, repaired, erected, or equipped, comply with Chapters 3781 and 3791 of the Revised Code and any rule made under those chapters.

(Ord. 29-10. Passed 6-22-10.)

1301.05 EXISTING STRUCTURES.

(a) The provisions of Chapter 34 shall control the alteration, repair, addition, and change of occupancy of any existing structure.

(b) The occupancy of any structure currently existing on the date of adoption of this code shall be permitted to continue without change provided there are no orders of the building official pending, no evidence of fraud, or no serious safety or sanitation hazard. When requested, such approvals shall be in the form of a "Certificate of Occupancy for an Existing Building" in accordance with section 111.2.

(c) Buildings constructed in accordance with plans which have been approved prior to the effective date of this code are existing buildings.

(Ord. 29-10. Passed 6-22-10.)

1301.06 VIOLATIONS.

(a) Adjudication orders required. When the building official denies any approval or takes action in response to findings of non-compliance, such action shall be initiated by issuing an adjudication order, prior to seeking any remedy, civil or criminal. Every adjudication order shall:

(1) Clearly identify the section of law or rules violated;

(i) Clearly identify, in a contrasting and obviously marked manner, all violations related to accessibility.

(2) Specifically indicate which detail, installation, site preparation, material, appliance, device, addition, alteration to structures, construction documents, assemblages or procedures are necessary to change to comply with the order;

(i) When issued to stop work, the order shall also clearly indicate the specific work that is required to cease, when the work must cease and the conditions under which the cited work will be permitted to resume. The order to stop work shall be given to the owner of the property involved, to the owner's agent and the person doing the work.

(3) Include notice of the procedure for appeal and right to a hearing if requested within thirty days of the mailing of the order. The order shall also indicate that, at the hearing, the owner may be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against the owner;

(i) Any hearing(s) scheduled for accessibility issues shall cause the building official or the appeals board to notify a local advocate organization for people with disabilities of the scheduled hearing. When a local advocate organization is not available, a state organization representing people with disabilities, such as the "Governor's Council on People with Disabilities" shall be notified;

(4) Specify a reasonable period of time in which to bring the item(s) on the order into compliance;

(5) Include the signature of the building official;

(6) The order shall be sent by certified mail, return receipt requested, to the owner and any individual designated as a representative or agent by the owner in such matters.

(b) Response to orders. The person receiving an order shall exercise their right to appeal within 30 days of the mailing of the order, comply with the order, or otherwise be released from the order by the building official.

(c) Prosecution and penalties. When an owner fails to comply with section 109.2, the owner may be prosecuted and is subject to a fine of not more than five hundred dollars ($500.00) as provided for in Ohio R.C. 3791.04.

(d) Unlawful continuance. Failure to cease work after receipt of an order to stop work is hereby declared a public nuisance.

(e) Unsafe buildings. Structures or existing equipment that are unsafe or unsanitary due to inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life, shall be deemed a serious hazard. Where a building is found to be a serious hazard, such hazard shall be eliminated or the building shall be vacated, and where such building, when vacated, remains a serious hazard, it shall be razed.

(f) Orders, injunction proceedings. Where the building official finds that a building is a serious hazard and the owner of such building fails, in the time specified in an order from the building official, to eliminate such hazard, or to vacate or raze the building, the building official shall proceed under Ohio R.C. 3781.15.

(g) Restoration. Where the structure or equipment is determined to be unsafe by the building official, it is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are intended to be made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with Chapter 34 and this chapter.

(Ord. 29-10. Passed 6-22-10.)

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- ORDINANCES OF SHEFFIELD LAKE
- ORDER
- Repealed)
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