

1303.02 SCOPE

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CHAPTER 1303 Residential Code of Ohio

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Residential Code of Ohio

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CROSS REFERENCES

Ohio Building Code - see BLDG. Ch. 1301

1303.01 ADOPTION

The City of Sheffield Lake hereby adopts the Residential Code of Ohio as promulgated in the Ohio Administrative Code 4101:8 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. 30-10. Passed 6-22-10.)

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The provisions of the "Residential Code of Ohio for One-, Two-, and Three-Family Dwellings" shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every one-, two-, or three-family dwelling, any appurtenances connected or attached to such buildings or structures, or any

accessory structures. No building or its equipment or accessories, to which the rules of the board apply shall be erected, constructed, or installed, except in conformity with the rules of the board.

This code also applies to such other residential occupancies as referenced and to the extent indicated in section 310 of the "OBC".

Exceptions:

- (a) Manufactured homes
- (b) Multiple single-family dwelling structures more than three stories in height
- (c) The structural requirements of the OBC or section 116.2 of this code shall apply to residential structures comprised of detached one,-two and three-family dwellings which are more than three stories in height.
- (d) Residential buildings with attached occupancies that are within the scope of the OBC shall comply with the requirements of the OBC.

(Ord. 30-10. Passed 6-22-10.)

1303.03 INTENT.

The purpose of this code is to establish uniform requirements for the erection, construction, repair, alteration, and maintenance of residential 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:

(a) Performance. Establish such requirements, in terms of performance objectives for the use intended. Further, the rules shall consider the following:

- (1) The impact that the state residential building code may have upon the health, safety, and welfare of the public;
- (2) The economic reasonableness of the residential building code;
- (3) The technical feasibility of the residential building code;
- (4) The financial impact that the residential building code may have on the public's ability to purchase affordable housing.

(b) 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.

(c) 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.

This code does not prevent a local governing authority from adopting additional regulations governing residential structures if the regulations comply with this section.

(a) A local governing authority shall, and any person may, notify the board of building standards of any regulation the local governing authority adopts related to content within the scope of this code and request that the board of building standards determine whether that regulation conflicts with the state residential building code.

(1) Not later than sixty days after receiving a notice to review local regulations for conflict, the board shall determine, based upon a recommendation from the advisory committee, whether the regulation conflicts with the state residential building code and shall notify any person who submitted the notice and the local governing authority that adopted the regulation of the board's determination.

(2) If the board determines that a conflict does not exist, the board shall take no further action

with regard to the regulation. If the board determines a conflict exists and the regulation is not necessary to protect the health or safety of the persons within the local governing authority's jurisdiction, the regulation is not valid and the local governing authority may not enforce the regulation.

(3) If the board determines that a conflict exists and that the regulation is necessary to protect the health or safety of the persons within the local governing authority's jurisdiction, the board shall adopt a rule to incorporate the regulation into the state residential building code. Until the rule becomes a part of the state residential building code, the board shall grant a temporary variance to the local governing authority and any similarly situated local governing authority to which the board determines the temporary variance should apply.

(Ord. 30-10. Passed 6-22-10.)

1303.04 COMPLIANCE.

(a) No architect, engineer, builder, plumber, carpenter, mason, contractor, subcontractor, foreman, or employee shall violate or assist in the violation of Chapters 3781 and 3791 of the Revised Code or rules or regulations adopted pursuant thereto or of any order issued thereunder.

(b) 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. 30-10. Passed 6-22-10.)

1303.05 EXISTING STRUCTURES.

The provisions of section 115 shall control the alteration, repair, addition, and change of occupancy of any existing structure. The occupancy of any structure currently existing on the date of adoption of this code shall be permitted to continue without change provided the alleged occupancy can be shown to have existed and there are no orders of the building official pending, no evidence of fraud, or no serious safety or sanitation hazard. Buildings constructed in accordance with plans which have been approved prior to the effective date of this code are existing buildings.

(Ord. 30-10. Passed 6-22-10.)

1303.06 VIOLATIONS.

(a) Adjudication Orders, Required Before Legal Proceedings. Before any department or any political subdivision attempts to enforce this code by any remedy, civil or criminal, it shall issue an adjudication order within the meaning of sections 119.06 to 119.13 of the Revised Code or a stop work order as provided in section 114. Every adjudication order shall:

(1) Cite the law or rules directly involved and shall specify what appliances, site preparations, additions, or alterations to structures, plans, materials, assemblages or procedures are necessary for the same to comply with this code.

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

(b) Notice of Violation. The residential building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a residential building or structure. When the residential building official finds that work or equipment is contrary to approved residential

construction documents and the rules of the board, the residential building official shall send a notice in writing to the owner of said residential building or the owner's agent which shall state where and in what respect the work or equipment does not conform to the approved plans for same and the rules of the board. The notice shall specify a reasonable period of time in which to conform to said plans or the rules of the board.

Before any work may continue on the construction, erection, alteration, or equipment of any residential building for which the approval is invalid, the owner of the residential building shall resubmit the plans or drawings and specifications for approval as required under section 105.3.

(c) Prosecution of violation. Upon the issuance of any order provided for in this section or in section 114, the person receiving an order shall cease work upon the site preparations or structure to be constructed or shall cease using the appliance, materials, assemblages or manufactured product identified in the order until such time as the appeal provided for in accordance with the provisions of section 3781.19 of the Revised Code, and all appeals from such hearing have been completed, or the order has been released.

(d) Failure to File Construction Documents, Penalty. When an owner fails to file residential construction documents as required by this code and fails to comply with an adjudication order issued under section 113.1, said owner may be prosecuted and is subject to a fine of not more than five hundred dollars as provided for in section 3791.04 of the Revised Code.

(e) Failure to Comply with Order to Conform to Construction Documents, Remedy. If an owner fails to comply with an order issued by the residential building official, and fails to comply with an adjudication order issued under section 113.1 and the time of appeal has expired, then the residential construction documents required under section 3791.04 of the Revised Code are deemed not to have been filed and approved, and the conditions of section 113.4 apply.

(Ord. 30-10. Passed 6-22-10.)

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- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
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- order until such time as the appeal provided for in accordance with the provisions of section 3781
- order has been released
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- Order to Conform to Construction Documents, Remedy
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