

1395.01 SHORT TITLE.

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CHAPTER 1395 Real Property Maintenance Code

CHAPTER 1395

Real Property Maintenance Code

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1395.01 SHORT TITLE.

This chapter shall be known as and may be referred to and/or cited as the Real Property Maintenance Code of the City of Sheffield Lake or the Real Property Maintenance Code. References throughout this chapter to "this code" shall mean the Real Property Maintenance Code. (Ord. 57-93. Passed 5-25-93.)

1395.02 POLICY.

(a) Council and the administration of the City are deeply concerned about environmental problems developing within closely built-up urban areas. It is the desire of Council, therefore, to provide for the residents of this City, a clean, healthy, safe and protected environment in which to live. There have been found to exist within the City premises the structures used for residential and nonresidential use which are substandard, and that such conditions as viewed exhibit: exterior structural deterioration; lack of maintenance and appearance of premises and land areas; a disregard for proper maintenance of business and industrial property areas in storage of equipment and supplies; existence of fire hazards and unsightly, unsanitary conditions which constitute a menace and threat to the health, safety, morals, public welfare, comfort and well-being of the people of the City.

(b) It is hereby determined and declared by Council that because of the lack of property maintenance of the exterior of structures and premises, and permissive and progressive property deterioration, certain properties within this City are creating blighting conditions, initiating slums and fostering an unsanitary and unsightly environment.

(c) Council believes that unless these blighting, deteriorating, unsanitary and unsightly conditions, factors and characteristics are curtailed, removed and prevented from occurring in the future, they will lead to the continuation, extension and aggravation of urban blight.

(d) A thoughtful study of this Real Property Maintenance Code should serve to dispel impressions that it is repressive, punitive or aimed at total conformity. It is, in reality, the City's first effort to set a City-wide tone of orderliness and tidiness which are important elements in bringing about quality development and growth.

(Ord. 57-93. Passed 5-25-93.)

1395.03 PURPOSES.

The purpose of this Real Property Maintenance Code is to protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance and conditions of all residential and nonresidential premises; to fix certain responsibilities and duties upon owners and operators; to authorize and establish procedures for the inspection of residential and nonresidential premises; and to fix penalties for the violations of this Code. This Code is hereby declared to be remedial and essential for the public interest and it is intended that this Code be liberally construed to effectuate the purposes as stated herein.

(Ord. 57-93. Passed 5-25-93.)

1395.04 DEFINITIONS.

As used in this chapter, unless the context requires a different meaning:

(1) "Accessory structure" means a subordinate building located on a lot containing a main building and the use of which is customarily incidental to that of such main building.

(2) "Building" means a structure which is permanently affixed to the land, having one or more floors and a roof, being bounded by either open spaces or lot lines and which is used as a shelter or enclosure for persons, animals and/or property. This term shall be used synonymously with "structure" unless otherwise noted and shall be construed as if followed by the words "part or parts thereof".

(3) "Building Code" means the Building Code of the City.

(4) "Deterioration" means the condition or appearance of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay, neglect or lack of maintenance.

(5) "Developed area" means a subdivided land mass where lots comprising eighty percent (80%) of the lineal feet fronting on a street, to a depth of 300 feet from the street right of way, are occupied with a building or buildings.

(6) "Developed street" means a street where lots comprising eighty percent (80%) of the lineal feet fronting on such a street between any two intersecting streets are occupied with a building or buildings.

(7) "Dwelling" means a structure designed for occupation as a residence by one or more families, each living independently in a separate dwelling unit.

(8) "Dwelling unit" means rooms providing complete living facilities for one family, including equipment for cooking or provision for the same and individual rooms for living, sleeping and eating.

(9) "Exposed to public view" means any premises, or any part thereof, or any building or any part, which may be viewed by the public, or any member thereof, from a sidewalk, street, alleyway, open air parking lot or from the area of any adjoining or neighboring premises, normally used as part of the habitable portion of such premises.

(10) "Exterior of the premises" means those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

(11) "Fire Chief" means the Chief of the Fire Department of the City.

(12) "Fire hazard" means any thing or act which increases or may cause increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire, or which may obstruct, delay or be a hindrance to the prevention, suppression or extinguishment of fire or any other fire hazard in these Codified Ordinances.

(13) "Garbage" means putrescible, animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(14) "Immediate neighborhood" means an area separated by no appreciable space and specially denoting a limited number of properties in a very close space relationship to each other, such as properties located within the same block.

(15) "Infestation" means the presence of insects, rodents, vermin or other pests on the premises which constitute a health hazard.

(16) "Mixed occupancy" means any building containing one or more dwelling units or rooming units and also having a portion thereof devoted to nondwelling units.

(17) "Motor home" means a motor vehicle equipped as a place to live, usually with a bed or beds and cooking facilities.

(18) "Nuisance" means and includes:

A. Any public nuisance known in law or as provided by the statutes of the State or the ordinances of the City;

B. Conditions dangerous to human life or detrimental to health of persons on or near the premises where the conditions exist and where the condition is perilous by active and negligent operation thereof;

C. Unsanitary conditions or anything offensive to the senses or dangerous to health, in violation of this Real Property Maintenance Code; and

D. Fire hazards.

(19) "Operator" means any person who has charge, care or control of a building, structure, dwelling or premises, or a part thereof, whether with or without the knowledge and consent of the owner.

(20) "Owner" means the owner or owners of the premises, including the holder of title thereto, subject to contract or purchase, a trustee, a vendee in possession, a mortgagee or receiver in possession, a lessee or joint lessees of the whole thereof, a tenant, an agent or any other person, firm, corporation or fiduciary directly in control of the premises.

(21) "Premises" means a lot, plat or parcel of land, including the buildings or structure thereon.

(22) "Property Maintenance Officer" means the Building Inspector.

(23) "Refuse" means all putrescible and nonputrescible solid wastes (except body wastes), including, but not limited to, garbage, rubbish, ashes, street cleaning, dead animals and solid market and industrial wastes.

(24) "Registered mail" includes registered or certified mail.

(25) "Roomer" means a person other than a member of the family, who rents one or more rooms in the dwelling from the resident family.

(26) "Rooming unit" means any room or group of rooms forming a single habitable unit other than a dwelling unit, which is rented or available for rent for sleeping purposes, with or without cooking facilities.

(27) "Rubbish" means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, tin cans, yard clippings, leaves, wood, glass, crockery and similar materials.

(28) "Structure" means a combination of any materials, whether fixed or portable, forming a construction.

(29) "Vehicular recreational equipment" means all campers, travel trailers, mobile homes, converted buses, boats, trailers, whether for the transportation of portable tents, boats or other equipment or materials and stock cars, not exceeding thirty- one feet in length.

(30) "Weathering" means deterioration, decay or damage caused by exposure to the elements. (Ord. 57-93. Passed 5-25-93.)

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