

# 1395.09 EXISTING OFFENSES AND VIOLATIONS NOT DISCHARGED.

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Codified Ordinances of Sheffield Lake, OH  
CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO  
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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

1395.09 EXISTING OFFENSES AND VIOLATIONS NOT DISCHARGED.

CHAPTER 1395 Real Property Maintenance Code

1395.07 DUTIES OF OWNERS AND OPERATORS.

(a) Maintenance of Exterior of Premises Free of Hazards and Unsanitary Conditions. The exterior of the premises and the exterior of all structures thereon shall be kept free of all nuisances, unsanitary conditions and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises, and any of the foregoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of hazards which include, but are not limited to, the following:

(1) Refuse. An accumulation of brush, broken glass, stumps and roots that presents a safety hazard or of garbage, rubbish, trash and debris which presents an unsanitary and/or a safety hazard is prohibited. Compost piles, enclosed in a fenced-in area not exceeding twenty-four square feet and maintained no closer than ten feet from adjacent property lines, shall be exempt from this prohibition.

(2) Natural growth. Dead trees and limbs or other natural growth which, by reason of rotting or deteriorating conditions or storm damage, constitute a nuisance, visual, olfactory or otherwise, or a hazard to persons in the vicinity thereof, are prohibited.

(3) Overhangings and awnings. Loose and overhanging objects which, by reason of their location above ground level, constitute a danger of falling on persons in the vicinity thereof, are prohibited.

(4) Infestation with vermin or rodents. The owner, occupant or person in charge or control of

any premises shall not cause or knowingly permit such premises to become or to remain infested with vermin or rodents.

(5) Foundation walls. Exterior foundation walls shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.

(6) Chimneys and all flue and vent attachments thereto. Chimneys and all flue and vent attachments thereto shall be maintained structurally sound, free from defects and so maintained as to perform capable at all times the functions for which they were designed, and the same shall be capable of withstanding the action of flue gases.

(7) Gutters and downspouts. All gutters and downspouts shall be placed in compliance with this Building Code and maintained to collect surface water from roofs.

(8) Sidewalks. All sidewalks shall be kept in repair. Any grade separation greater than 1-1/2 inch on the surface of a sidewalk caused by cracks or settling shall be promptly replaced or repaired. Sidewalks having surfaces which are eroded or pitted to such an extent as to cause a safety hazard to pedestrians shall be replaced or repaired.

(9) Firewood. Front yards shall be kept free, and storage shall be prohibited, of all firewood, brush, logs or any other material intended to be used in fireplaces or other permitted burning facilities. Storage of such materials shall be permitted only in side or rear yards and only when materials are stored in such a manner so as not to constitute a fire hazard. Storage shall not exceed an amount sufficient for a one-year supply for the property wherein such materials shall be stored.

(b) Appearance of Exterior of Premises and Structures. The exterior of the premises, the exterior of structures, the exterior of dwelling structures and the condition of accessory structures shall be maintained by each owner or operator so that the appearance of the premises and all buildings thereon shall not constitute a nuisance, nor be kept in a condition unnecessarily offensive to the visual sensibilities of the average person which would materially and economically detract from the district or neighborhood.

(1) Residential. To effect the purposes of this section, the owner or operator of the premises shall use, maintain or refrain from using the premises and all buildings thereon, as the case may be, as follows:

A. Storage of commercial and industrial materials or waste. Equipment and materials relating to commercial or industrial uses or wastes shall be stored or used unless permitted under the Zoning Code for the premises.

B. Landscaping. Landscaping and ground covering on all premises shall be installed and maintained. Lawns, grass or grass-like ground coverings, hedges and bushes shall be trimmed and kept from becoming overgrown and unsightly where exposed to public view and where the same constitute a blighting factor depreciating adjoining property and impairing the good residential character of the immediate neighborhood. Grass in lawns, or other ground cover, permitted to grow in excess of six inches in height, shall be presumed to be a nuisance.

C. Signs. All signs permitted by reason of other regulations or as a lawful nonconforming use shall be maintained in good repair and printed matter, pictures or illustrations contained thereon shall be completely maintained or when no longer in use, completely removed.

D. General maintenance. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair as set forth herein.

1. No owner or operator of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premises any condition which deteriorates, blights or debases the appearance of the neighborhood; or creates a fire, safety or health hazard or which is

a public nuisance; or which adversely alters the appearance and general character of the neighborhood and shall keep such premises free of any debris, objects, material or condition which may create a health, accident or fire hazard or which is a public nuisance. Lawns, landscaping, trees and driveways shall also be maintained.

2. All exterior parts of every dwelling and all accessory buildings shall be maintained weathertight and shall be maintained so as to resist decay or deterioration from any cause. This includes exterior walls, parapet walls, chimneys and other exterior structures either above or below the roof line.

3. Any dwelling or appurtenant structure whose exterior surface is bare, deteriorating, ramshackled, tumbledown, decaying, disintegrating or in poor repair shall be repaired or razed. All buckled, rotted or decayed or deteriorated walls, doors, windows, porches, floors, steps, ceilings, posts, sills, trim and their missing members shall be repaired and put in good condition. All replacements shall match and conform to original design or be replaced completely.

4. Any dwelling or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating or . whose exterior surface has weathered with dirt and grime or has been impaired through peeling or flaking of the paint or other protective coating shall be repaired, repainted or resurfaced. All exterior surfaces shall be replaced or repaired in good condition preparatory to repainting or recoating. All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner. All new or repaired bare surfaces shall be painted or coated.

E. Laundry. All laundry poles or lines for the drying of clothes shall be constructed and maintained only in the rear yard.

F. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, vermin, rodents or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing, whenever the occupant fails to maintain a dwelling in a rodent-proof or insect-proof condition or whenever infestation exists in two or more of the dwellings in dwelling unit, or in the shared or public parts of a dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

(2) Nonresidential. To effect the purposes of this section, the owner or operator shall use, maintain or refrain from using the premises and all buildings thereon, as the case may be, as follows:

A. Landscaping. Premises shall be maintained. Lawns, hedges and bushes shall be trimmed and kept from becoming overgrown and unsightly where exposed to public view. Grass and lawns permitted to grow in excess of six inches in height, shall be presumed to be a nuisance. Landscaping and ground covering on all premises shall be installed and maintained.

B. Signs and billboards. All permanent signs and billboards exposed to public view permitted by reason of other regulations or as a lawful nonconforming use shall be maintained in good repair. Any signs which have weathered or faded or those upon which the paint has peeled shall, with their supporting members, be removed forthwith or put into a good state of repair. All broken electrical signs shall be repaired or shall, with their supporting members, be removed forthwith.

C. Store fronts. All store fronts shall be kept in good repair, painted where required, and shall not constitute a safety hazard or nuisance. In the event repairs to a store front become necessary, such repairs shall be made with the same or similar materials used in the construction

of the store front in such a manner as to permanently repair the damaged area or areas. Any cornice visible above a store front shall be kept painted, where required, and in good repair.

D. Signs or advertising removal. Except for "For Rent" signs, and temporary signs, temporary window or other paper advertising material glued or otherwise attached to a window or windows otherwise exposed to public view shall be removed within thirty days after erection.

E. Awnings and marquees. Any awning or marquee and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event such awnings or marquees are made of cloth, plastic or similar materials, such cloth or plastic where exposed to public view, shall be maintained in good condition and shall not show evidence of weathering, discoloration, ripping, tearing or other holes. Nothing contained herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

F. Storage of industrial and commercial materials or waste and motor vehicle equipment. Equipment, materials, waste or motor vehicle equipment relating to commercial or industrial uses shall not be stored or used at a location visible from the sidewalk, street or other public areas unless expressly permitted under the Zoning Code for such premises. The parking or storage of boats, motor homes, recreational vehicles, travel trailers and truck trailers used for sales or storage between the property line at the street right of way and the front of every commercial or industrial building is prohibited. All such boats, motor homes, recreational vehicles, travel trailers and truck trailers used for sales or storage shall be stored in the rear yard and screened from view. In the event that the commercial or industrial building is located on a corner lot, boats, motor homes, recreational vehicles, travel trailers and truck trailers used for sales or storage shall not be stored or parked between the property line at the street right of way and the side of the building facing the street.

(c) Structural Soundness and General Maintenance of Exterior; Residential and Nonresidential. Every owner or operator shall maintain the exterior of every structure or accessory structure free of nuisance. The exterior of every structure or accessory structure shall not be kept by any owner or operator in a condition unnecessarily offensive to the visual sensibilities of the average person which would materially and economically detract from the district or neighborhood.

To effect the purpose of this section, the owner or operator shall use, maintain or refrain from using the premises and all buildings thereon, as the case may be as follows:

(1) Painting and other protective coating. All surfaces susceptible to decay shall be kept at all times painted or otherwise provided with a protective coating sufficient to prevent deterioration or rot.

(2) Surfaces. All surfaces shall be maintained free of broken windows, crumbling stone or brick, peeling paint or any other condition reflective of deterioration or inadequate maintenance.

(3) Exterior walls, sidings and roofs. Exterior walls, sidings and roofs shall be kept structurally sound, in good repair and free from defects.

(4) Damaged materials. Damaged materials shall be repaired or replaced.

(5) Rotted or corroded materials. Materials showing signs of rot, deterioration or excessive corrosion shall be restored and protected.

(d) Reconstruction of Walls and Sidings.

(1) No owner or operator of any premises or buildings shall cause or permit to be reconstructed walls and sidings on any buildings unless all construction of walls and sidings is of

standard quality permitted by this Building Code and their appearance commensurate with the character of the properties on the same block and on both sides of the street on which the premises fronts.

(2) No owner or operator shall use any material of a kind that, by its appearance under prevailing appraisal practices and standards, will depreciate the value of neighboring and adjoining premises.

(e) Freedom from Infestation. No owner or operator of the premises or any building thereon shall maintain the exterior parts of the premises or buildings in a condition that will permit infestation by insects, rodents or other vermin.

(f) Landscaping. Any landscaping provided for herein shall be installed within sixty days of the issuance of any occupancy or re-occupancy permit. If the Building Inspector determines that the weather does not allow for such landscaping to be installed within that time period he may grant an extension of time to so install provided a bond in the amount of five hundred dollars (\$500.00) must be deposited by the person seeking the extension.

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

#### 1395.08 ADMINISTRATION.

(a) Director of Inspections to be Property Maintenance Officer. The Building Inspector and/or assistant is hereby designated to serve as the Property Maintenance Officer hereunder and all inspections, regulations, enforcement and hearings on violations of the provisions of this Real Property Maintenance Code, unless expressly stated to the contrary, shall be under his direction and supervision. He may appoint or designate, subject to the approval of the Mayor, such other public officials or employees of the City to perform duties that are necessary to the enforcement of this Code, including the making of inspections.

(b) Inspections; Residential and Nonresidential. All buildings and premises subject to this Code are subject to inspections at all reasonable times from time to time by the Property Maintenance Officer. At the time of such inspections, all exterior parts of the premises must be available and accessible for such inspections and the owner, operator and occupant are required to provide the necessary arrangements to facilitate such inspections. Such inspections shall be made during regular open hours of the business occupying the premises unless there is reason to believe a violation exists of a character which is an immediate threat to health or safety requiring inspection and abatement without delay.

(c) Conduct of Inspectors. Inspectors shall conduct themselves so as to avoid intentional embarrassment or inconvenience to occupants.

(d) Refusal of Access.

(1) Search warrant/access warrant. Where the Property Maintenance Officer or his agent is refused access to the property or is otherwise impeded or prevented by the owner, occupant or operator from conducting an inspection of the premises, the Property Maintenance Officer may, upon affidavit, apply to the Lorain Municipal Court for a search warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this Code exists on the premises. If the Court is satisfied as to the matter set forth in the affidavit, the Court may authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation exists. A warrant for access may be issued by the Court upon affidavit of the Property Maintenance Officer establishing grounds therefor.

(2) Penalties. If the Property Maintenance Officer is thereafter refused access to the property or is otherwise impeded or prevented by the owner, occupant or operator from conducting an inspection of the premises, such owner, occupant or operator shall be in violation of this Code and subject to the penalties provided in Section 1395.99 .

(e) Procedure Where Violation Discovered.

(1) Written notice. Where a violation of this Code, or the regulation promulgated pursuant thereto is found to exist, a written notice from the Property Maintenance Officer shall be sent via regular U.S. mail to the last known address of the owner of the premises. Where it is ascertained that the owner does not reside on the premises, the last known address shall be the address of the owner as shown in the office of the County Auditor. If the last known address cannot be ascertained, the notice may be posted on the outside front entrance of the building. The date of service of the notice shall be the day of mailing.

Notwithstanding any other provision of this Code, where premises are subject to registration pursuant to Section 1361.02, and have been so registered, notice served upon the agent designate therein shall constitute service upon the owner, operator and lessor of the premises, jointly and severally. Where the owner, operator or lessor has failed to register the premises as required by Section 1361.02, or if the present premises have been registered and the agent designated therein cannot be found at the address given in the registration, the owner, operator or lessor affected thereby may be served by posting notice upon the premises in a conspicuous place as near to the front entrance thereon as possible.

(2) Referral of violations. Any violation of any ordinance other than this Code discovered by the Building Inspector or his representative shall be reported to the official or agency responsible for the enforcement of such ordinance.

(3) Should any violations of this Code remain uncorrected after ten (10) days from the date of the mailing of notice provided for at subsection (e)(1) herein, the violation(s) may be prosecuted by the filing of a complaint by the Property Maintenance Officer in either the Sheffield Lake Mayor's Court, or the Lorain Municipal Court, pursuant to Section 1395.99 of this Code.

(Ord. 14-24. Passed 4-9-24.)

#### 1395.09 EXISTING OFFENSES AND VIOLATIONS NOT DISCHARGED.

The repeal of any provisions of any other ordinance by this chapter shall not affect any action for prosecution or abatement under any such ordinance or any notice, complaint or order issued by any office or agency of the City prior to the effective date hereof or concerning any prosecution or other steps of enforcement which have been taken or are being taken within any administrative agency or in the Municipal Court for enforcement thereof.

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

#### 1395.10 POWERS AND DUTIES OF THE BUILDING INSPECTOR AND BOARD OF ZONING AND BUILDING APPEALS.

(a) Rules and Regulations. The Building Inspector is hereby authorized to promulgate such written rules and regulations as may be necessary for the proper interpretation and administration of the provisions of this chapter, provided that such rules and regulations do not conflict with this chapter and conform to the general standards prescribed by this chapter. The Building Inspector shall file copies of such rules and regulations with the Clerk of Council, the City Engineer, the Fire Chief and the Police Chief and shall make available in the Building Inspector's office a copy for inspection by members of the public during regular business hours.

(b) Variances. The Board of Zoning and Building Appeals shall have the power to withhold or extend strict enforcement of the requirements of this Code upon written application fee equal to

cost therefor by an owner, operator or occupant and after a public hearing provided that the Board determines that the conditions specified in subparagraph (1) or (2) hereof exist.

(1) Any variation or modification of a structure or use approved by the Board of Zoning and Building Appeals shall not in any material way alter the standards of this Code and cannot affect detrimentally the health, safety or welfare of occupants or owners or of adjacent premises or of the immediate neighborhood and strict enforcement of the provisions of this Code would constitute an undue and unnecessary hardship on the owner or operator because it would compel expenditures on the premises which would be substantially disproportionate to any benefit of health, safety or welfare that might be derived therefrom.

(2) The premises subject to this Code are contemplated for acquisition or are within an area where acquisition is contemplated by a public agency having the power of eminent domain and there is a reasonable likelihood that the premises will be acquired and razed or moved within a period of two years. However, any waiver of the provisions of this Code shall be canceled and the Building Inspector shall strictly enforce this Code if it is ascertained subsequent to the granting of the waiver that the premises are in fact not to be acquired for any public use or purpose.

(3) Notice of the time and place of the meeting of the Board, after an application has been filed under the provisions of this section, shall be sent to all property owners within a 500-foot radius of the property for which the application is made. Notice shall be sent by the Building Inspector by regular mail.

(4) Where variations or modifications are approved in any section of this Code or by the action of the Board of Zoning and Building Appeals or of any court of record, a written record thereof stating the name of the applicant, the address of the premises, the variation or modification approved, the date of approval and the reasons therefor satisfying the provisions contained herein, shall be prepared by the Board of Zoning and Building Appeals and filed both under the section or sections of this Code to which the variation or modification applies and under the address of the premises. Such files shall be available for public inspection in the office of the Building Inspector during regular business hours.

(5) Any recommended amendment, addition or modification of the provisions of this Code consonant with the field experience of the personnel charged with enforcement;

(6) A summary of the time sequence enforcement experience indicating the number of violations abated, the number of cases processed in the Municipal Court, the number of inspections made and such other and further pertinent information as will provide Council with a quarterly account of progress in securing the standards required by this Code; and

(7) Any further recommendation as to how this Code and the procedure and operations hereunder can be improved.

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

#### 1395.11 INSPECTION AND STATUS REPORTS.

(a) Application for Inspection. Whenever an owner, operator, occupant, bona fide prospective purchaser, mortgagee or bona fide prospective occupant applies to the Building Inspector for an inspection in order to ascertain if any section of this Real Property Maintenance Code has been violated, the Building Inspector shall, upon payment of the fee provided in subsection (d) hereof, cause an inspection to be made of the premises and issue an informational certificate or report of the inspection to the applicant, indicating therein any violations of this Code on the premises. The applicant for such inspection shall state in writing his full name, his address and the reasons and basis for which the inspection is requested. The Building Inspector may deny the application for failure to comply with this requirement.

(b) Application for Status Report. When, in lieu of an inspection, an owner, operator, occupant, lessee, bonafide prospective purchaser, mortgagee or bona fide prospective occupant requests a status report as to whether or not there are any known violations presently pending on the premises, a copy of any notice or order on any violation then pending shall be sent to the applicant upon payment of fees provided in subsection (d) hereof.

(c) Significance and Scope of Inspection or Status Report. No inspection report issued under subsection (a) hereof or status report issued under subsection (b) hereof shall be construed as providing a defense against any violation of this Code or any other ordinance of the City which may be discovered thereafter whether or not the condition or violation existed at the time of any such inspection or status report. The inspection or status report is provided as a convenience to the public and shall not constitute a limitation on the full enforcement of this Code. The inspection or status report shall include only such matters that are embraced in this Code.

(d) Inspection and Status Report Fees.

(1) The minimum fee for any inspection made pursuant to subsection (a) hereof shall be twenty dollars (\$20.00). Dwellings of more than two dwelling units or rooming units shall require an additional fee of two dollars (\$2.00) for each unit in excess of two.

(2) The fee for any status report or copy thereof issued pursuant to subsection (b) hereof shall be four dollars (\$4.00).

(3) Neither the City nor any of its agents shall be liable to any owner or subsequent purchaser of real property for violations of this Code not discovered at the time of inspection of the premises.

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

#### 1395.12 SEPARABILITY.

If any section, subsection, paragraph, sentence, clause, phrase or word contained in the Real Property Maintenance Code is declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Code which shall remain in full force and effect, and to this end the provisions of this Code are hereby declared to be separable.

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

#### 1395.13 ANNUAL RENTAL PERMITS REQUIRED FOR MULTI DWELLING UNITS.

All residential property within the City of Sheffield Lake owned for multi dwelling unit rental purposes or occupied by a party other than the owner for a period of more than six (6) months during any single calendar year, shall require an Annual Rental Permit from the Sheffield Lake Building Department. Traditional motels and hotels shall be excluded from the necessity of obtaining a Rental Dwelling or Rooming House Permit. Non-traditional (long-term) rentals in hotels and motels are not excluded.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.14 BIENNIAL RENTAL PERMITS REQUIRED FOR SINGLE DWELLING UNITS.

All residential property within the City of Sheffield Lake owned for single-family dwelling rental purposes or occupied by a party other than the owner for a period of more than six (6) months during any single calendar year, shall require a Biennial Rental Permit from the Sheffield Lake Building Department.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.15 APPLICATION FOR RENTAL PERMIT.

To obtain a Rental Permit, the owner of a single family or multi-family rental dwelling unit or rooming unit as defined by this code, shall apply to the Sheffield Lake Building Department. A Rental Permit shall be issued by the Building Inspector which shall state that the City will conduct periodic administrative inspections of the rental dwelling unit or rooming unit to ensure that the

rental dwelling unit, or rooming unit meets the building and zoning requirements of this code and that the owner is current on the payment of all real property taxes for the proposed rental dwelling unit or rooming unit. Upon application for a permit, the owner of a rental dwelling unit or rooming unit may rent or lease the premises at his or her own risk, subject to the subsequent approval of the permit by the Building Inspector.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.16 PERIODIC ADMINISTRATIVE INSPECTIONS OF RENTAL PROPERTY.

The Building Department shall conduct periodic administrative inspections of rental property in the City to ensure compliance with the building and zoning requirements of this code.

Administrative inspections shall be conducted upon a minimum of forty-eight (48) hours advanced notice to the owner and/or occupant of the rental property. Inspections shall be based upon the following:

- (a) Specific evidence of an existing violation derived from:
  - (1) A credible complaint received by the City;
  - (2) Credible information received by the City through other communications;
  - (3) Personal observations by an inspector or other employee of the City;
  - (4) Documents obtained by the City; or
- (b) A general inspection program based upon reasonable legislative or administrative standards including, but not limited to:
  - (1) The amount of time which has elapsed since the last inspection of the property;
  - (2) The nature of the building to be inspected;
  - (3) The condition of the area in which the property is located.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.17 REFUSAL OF OWNER OR OCCUPANT TO CONSENT TO INSPECTION.

Should an owner or occupant of residential rental property located in the City refuse to consent to an administrative inspection of the property as required by this Chapter, the City may seek an administrative search warrant for the property from a court of competent jurisdiction. Probable cause for the issuance of the administrative warrant shall be based upon the factors as set forth at Section 1395.16 of this Chapter.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.18 SUSPENSION OR REVOCATION OF PERMIT.

Any permit granted or issued under the terms of this code to an owner or operator may be suspended or revoked at any time by the Building Inspector upon satisfactory proof of a violation of any provision of this code or which could have been grounds for failure to issue an original permit, including satisfactory proof that the owner of the rental dwelling unit or rooming unit has allowed the real property taxes to become delinquent on the rental dwelling unit or rooming unit. If a permit is suspended or revoked, said permit shall be surrendered to the Building Department within five (5) days of notification of such suspension or revocation.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.19 ZONING CERTIFICATION REQUIRED.

Prior to the issuance of any Rental Permit, the Building Department shall first verify that the property in question is properly zoned for the proposed rental use.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.20 MAXIMUM OCCUPANCY.

The Rental Permit shall state the maximum number of persons who may occupy the rental dwelling unit or rooming unit as determined by this code and other ordinances of the City of

Sheffield Lake. (Ord. 18-18. Passed 5-8-18.)

#### 1395.21 AUTHORIZED AGENT.

No Rental Permit shall be issued or received unless the applicant designates, in addition to himself, an agent for the receipt of process. Said agent must be designated in writing on the application for said permit. Such agent must reside within Lorain County.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.22 NOTICE OF CHANGE OF OWNERSHIP.

Any person selling or otherwise relinquishing ownership or control of a rental dwelling unit or rooming unit for which a Rental Permit has been issued shall notify the Building Department of said change in ownership within five (5) days of the effective date of transfer.

Such notice shall be in writing and shall include:

- (a) The name and address of the new owner.
- (b) The name and address of the previous owner; and
- (c) The agent for the new owner as required under the provisions of Section 1395.21 herein.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.23 EXPIRATIONS AND RENEWALS.

Every Multi-Unit Rental Permit shall be renewed annually on January 2. Every Single-Family Rental Permit shall be renewed biennially on January 2.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.24 FEES.

Nothing herein contained shall prohibit the owner of a dwelling used for rental purposes from treating all the required fees as a normal business expense incidental to the renting of property and, therefore, an appropriate consideration in the determination of debt. The fees for Rental Permits shall be as follows:

Number of Dwelling Units or Rooming Units

Fee

1

\$100.00/biennially

2-10

200.00/annually

11-25

375.00/annually

26-50

550.00/annually

51-99

750.00/annually

100-149

900.00/annually

150 and up

1,200.00/annually

(Ord. 18-18. Passed 5-8-18.)

#### 1395.25 DISPLAY OF PERMIT.

It shall be the responsibility of the owner, operator or agent of a rental dwelling unit or rooming unit to give notice of his or her permit from the City of Sheffield Lake to tenants in one of the following authorized methods prior to the commencement of a rental term with said tenant:

(a) Display the permit in a conspicuous place within the common ways of the rental dwelling or rooming house or in the rental office of a multi-family residential building of eleven (11) or more units; and

(b) Place upon all written rental agreements the following notice:

“This rental dwelling has received a permit from the City of Sheffield Lake for the period of (date) to (date) for not more than (number) occupants.”

(Ord. 18-18. Passed 5-8-18.)

#### 1395.26 REINSTATEMENT.

When the owner or agent has been ordered by the Building Inspector to correct violations that may exist in a dwelling, as noted in the procedure in Section 1395.16, the Inspector shall re-inspect the property to verify compliance with the original order.

(Ord. 18-18. Passed 5-8-18.)

#### 1395.99 PENALTY AND EQUITABLE REMEDIES.

(a) Whoever fails to obtain an annual or biennial rental license as required by Sections 1395.13 and 1395.14 of this chapter, or who continues to allow rental units to be occupied after his or her license has been revoked or suspended shall be fined as follows:

Number of Dwelling or Rooming Units

Fine

1

\$500

2-10

\$600

11-25

\$775

26-50

\$950

51-99

\$1150

100-149

\$1300

150 and up

\$1600

A separate violation shall be deemed committed every thirty (30) days of the failure by any person or entity to comply with the permit requirements of Sections 1395.13 or 1395.14 of this Chapter.

(b) Other Violations. Whoever violates or fails to comply with any other provision of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00) for each violation. Each violation of a section or subsection of this chapter shall constitute a separate and distinct violation independent of any other section or subsection or any order issued pursuant to this chapter. A separate violation shall be deemed committed for each day of failure by any person or entity to comply with any of the provisions of this chapter after notice and final order.

(c) Application to Officers or Agents. Where the defendant is other than a natural person, subsections (a) and (b) hereof shall also apply to any agent, superintendent, officer, member or partner who has charge, care or control of the premises either alone or with others.

(d) Other Legal Action. The imposition of any penalty shall not preclude the Director of Law or Prosecutor from instituting any appropriate action or proceeding in a court of law or Prosecutor from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance; or to restrain, correct or abate a violation; or to prevent the occupancy of a building, structure or premises; or to require compliance with the provisions of this Code or other applicable laws, ordinances, rules or regulations, or the orders or determinations of the Building Inspector or the Zoning Board of Appeals.

(Ord. 18-18. Passed 5-8-18.)

#### CODIFIED ORDINANCES OF SHEFFIELD LAKE

Disclaimer: This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken.

For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588.

# Detected legislative history

- Ordinances of Sheffield Lake, OH
- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- Repealed)
- ordinance with the foregoing, they shall, together with their supporting members, be removed forthwith
- Ord. 57-93
- ordinance other than this Code discovered by the Building Inspector or his representative shall be reported to the official or agency responsible for the enforcement of such ordinance
- Ord. 14-24
- ordinance by this chapter shall not affect any action for prosecution or abatement under any such ordinance or any notice, complaint or order issued by any office or agency of the City prior
- effective date hereof or concerning any prosecution or other steps of enforcement which have been taken or are being taken within any administrative agency or in the Municipal Court for enf
- ord, a written record thereof stating the name of the applicant, the address of the premises, the variation or modification approved, the date of approval and the reasons therefor sat
- order to ascertain if any section of this Real Property Maintenance Code has been violated, the Building Inspector shall, upon payment of the fee provided in subsection (d) hereof, ca
- order on any violation then pending shall be sent to the applicant upon payment of fees provided in subsection (d) hereof
- ordinance of the City which may be discovered thereafter whether or not the condition or violation existed at the time of any such inspection or status report
- ord contained in the Real Property Maintenance Code is declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Code which shall remain
- Ord. 18-18
- ordinances of the City of Sheffield Lake
- effective date of transfer

- ordered by the Building Inspector to correct violations that may exist in a dwelling, as noted in the procedure in Section 1395
- order
- order issued pursuant to this chapter
- ordinances, rules or regulations, or the orders or determinations of the Building Inspector or the Zoning Board of Appeals
- Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality
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