

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 07-11 08-11
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 25, 2011
Revised for Amendment
April 28, 2011

AN ORDINANCE

AMENDING SECTION 1405.21 "MAINTENANCE OF EXTERIORS OF DWELLING STRUCTURES AND SECONDARY OR APPURTENANT STRUCTURES" OF CHAPTER 1405 "BASIC STANDARDS FOR RESIDENTIAL OCCUPANCY" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid recognizes the need to ensure garages and similar structures are maintained to safe and appropriate standards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 1405.21 "Maintenance of Exteriors of Dwelling Structures and Secondary or Appurtenant Structures" of Chapter 1405 "Basic Standards for Residential Occupancy" of Part Fourteen "Housing Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

1405.21 MAINTENANCE OF EXTERIORS OF DWELLING STRUCTURES AND SECONDARY OR APPURTENANT STRUCTURES.

(a) All exterior parts of every dwelling structure, including exterior walls, parapet walls, decorative additions, chimneys and all other exterior structures, either above or below the roof line, shall be reasonably maintained in a safe condition, weathertight, and so as to resist decay or deterioration from any cause.

(b) Any dwelling structure or secondary or appurtenant structure whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor repair must be repaired or razed.

(1) All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railings, trim and their missing members must be replaced and put in good condition.

(2) All replacements must reasonably match and conform to original design or be replaced completely.

(3) All exterior wood or exterior unfinished surfaces must be sealed and painted or surface covered with other approved protective coating or treated to prevent rot and decay and conform and match the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces must be properly protected against the weather where such are defective or lack weather protection, including lack of paint or surface covering or have weathered due to lack of proper protective covering.

(c) Any dwelling structure or secondary or appurtenant structure whose exterior surface is not in reasonably good condition, 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 has aluminum, vinyl, or other synthetic surfaces that are discolored and/or faded or other protective coating shall be repaired, repainted or resurfaced.

(1) All exterior surfaces shall be replaced or repaired in good condition preparatory to repainting or coating.

(2) All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner.

(3) All new or repaired bare surfaces shall be painted or coated.

(4) All exterior surfaces weathered with dirt and grime or which are peeling or flaking shall be painted or covered with approved protective coating or surface.

(5) Presentation of evidence that all exterior surfaces other than aluminum siding which have not, within five years prior to the date of inspection, been properly prepared and painted with at least one coat of good exterior paint or covered with other approved protective coating or surface shall be prima facie evidence of the exterior not being in good condition. However, such evidence may be properly rebutted by the owner.

(d) **On Rental and Vacant Building Inspections**, all garage floor slabs shall be maintained in good repair and free of holes, large cracks, loose or deteriorated materials or broken curbing. Garage floor slabs which are in a defective condition based on the following criteria are to be replaced with a new floor slab with proper footings and/or foundation in compliance with the building code:

- (1) Any portion of a garage floor slab having a crack with a vertical difference of three-fourths of an inch or more.
- (2) Garage floor slabs having depressions that impound water to a depth of one-half of an inch or more or do not drain water to the overhead door. All floor slabs shall be sloped to drain to the overhead door.
- (3) Garage floor slabs having multiple cracks or any single crack larger than one-half inch in width extending for a linear distance of one foot extending through the concrete curbing.
- (4) Garage floor slabs having disintegrated or deteriorated areas.
- (5) Portions of the garage floor slab may be replaced or repaired provided the perimeter curbing is intact and free of cracks. The replacement of a portion of the slab or repair must result in a floor slab that is in compliance with this code section. Prior to any replacement of a portion of the slab or a repair of a slab, the Building Official must review the condition of the existing garage floor slab before issuing a permit to replace or repair a portion of the garage floor slab.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. Such necessity exists by reason of the fact that the City’s Codified Ordinances should maintain consistency with the Ohio Revised Code. Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2011.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law