

TITLE XV: LAND USAGE

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CHAPTER 150: BUILDING CODE

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- Fees for zoning certificates, see § 152.020
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BUILDING PERMITS

§ 150.01 PERMIT REQUIRED; APPLICATION.

(A) No person shall commence the construction, erection, or reconstruction of any building, or addition thereto, within the village, which would be subject to, or cause an increase in taxation under the laws of the state, unless such person has first obtained a permit therefor from the Village administrator. Such permit shall be obtained by filing with the Director a sworn application signed by the owner of the premises on which the proposed construction erection, or reconstruction is to be made, or his agent, and shall be accompanied by plans and specifications for the same. If such plans and specifications do not show that proper provisions have been made for public fire or sanitation protection, or for police control or for prevention of a nuisance, the Director shall refuse to grant the permit. Such applications shall contain a statement of the approximate cost of such construction, erection, or reconstruction and a brief description with reference to the street and number of the premises on which the structure will be situated, and if such mode of description is not practicable, then reference shall be made to lot numbers, streets, alleys, and other public highways in the vicinity, or to other buildings, premises, and surroundings as will adequately indicate the location of such structure.

(B) All construction, erection, or reconstruction of any building, or addition thereto, must be commenced within one year of application date, and must be completed within one year after construction begins. For good cause shown, permits can be extended by application to the Village administrator.

Penalty, see § 150.99

§ 150.02 ISSUANCE AND APPROVAL; FEE AND FLOOD CONSIDERATIONS.

(A) All permits issued under the provisions of § 150.01 shall be issued and signed by the Village administrator. However, all such permits issued for construction, erection, or reconstruction of buildings in the fire limits in the village shall be countersigned by the Fire Chief after he has examined and approved the plans and specifications therefor and is satisfied that all the ordinances pertaining to fire protection in the fire limits shall be complied with.

(B) All permits issued under the provisions of § 150.01 shall be issued and signed by the Village administrator. However, all other permits issued shall be issued only on certification by the Director that such property is not subject to federal flood insurance regulations or that such insurance has been obtained for such property.

Cross-reference:

Flood hazards, see Ch. 151
Roscoe Village, see § 153.04

§ 150.03 RECORDS OF DIRECTOR; INFORMATION REQUIRED.

The Village administrator shall keep a record of all applications received and permits issued under this chapter, stating therein the name of the person applying for the permit, the address at which such proposed structure as is named therein shall be situated, the approximate cost thereof, a brief description of the premises on which the structure shall be situated, the disposition of the application, the date of the permit, if one is issued, and such other facts as may be deemed pertinent and appropriate.

§ 150.04 FEES.

A fee shall be charged by the Village administrator for each permit so issued under the provisions of this chapter. The amount of such fee shall be \$1 per each \$1,000 or any fraction thereof, of the approximate cost of such construction, erection, or reconstruction as is set forth in the application for the permit. However, if the building, or addition thereto, to be constructed, erected, or reconstructed, or any part thereof, is being or will be used for other than residential purposes, the fee shall be \$2 per each \$1,000 or any fraction thereof, of such approximate cost.

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§ 150.05 INAPPLICABILITY TO CERTAIN STRUCTURES OR ALTERATIONS.

The provisions of this chapter shall not apply to any structure as provided for in § 150.01, the cost of which does not exceed \$100 or to any such reconstruction as provided for therein which does not bring about a material enlargement of the building so reconstructed, or to the roofing, painting, or normal repair of any building.

DANGEROUS BUILDINGS

§ 150.10 PROHIBITION.

No person shall construct or maintain within the village any building which shall be deemed by Council to be insecure, dangerous, or hazardous to property adjacent or contiguous thereto, or to any of the residents of the village.

Penalty, see § 150.99

§ 150.11 COMPLAINTS.

It shall be the duty of the Village administrator on complaint to him made in writing by any person that his property or person is endangered by reason of the maintenance of any dangerous, insecure, or hazardous building to report such complaint to Council at its first meeting after receiving the same, whereupon the matter of complaint shall be referred to a committee to be then and there appointed, with instructions to examine such building as is mentioned in the complaint, and report thereon at the next meeting of Council.

§ 150. 12 COMMITTEE INSPECTION.

It shall be the duty of the committee referred to in § 150.11, as soon thereafter as practicable, having first given due notice of the time thereof to the owner or person having principal charge thereof, to examine and inspect such buildings with and for the purpose of ascertaining whether the same are insecure, dangerous, or hazardous, and report thereon at the next meeting of Council.

§ 150. 13 REMOVAL OR ABATEMENT.

On report of such committee that the buildings complained of are in fact insecure, dangerous, or hazardous, Council may, by resolution, order the same to be removed or abated.

§ 150. 14 SERVICE OF RESOLUTION; COMPLIANCE.

It shall be the duty of the Village administrator immediately after the passage of the resolution referred to in §150. 13 to furnish the owner or person having principal charge of such insecure, dangerous, or hazardous building, or the owner of the lot on which the same may be situated, with a copy of the resolution of Council declaring such building to be a nuisance, together with a notice to remove or abate the same within 20 days from the service of same.

§ 150.15 FAILURE TO REMOVE OR ABATE; RECOVERY OF COSTS.

- (A) If the owner, or person having principal charge of any building or the owner of any lots on which the same may be situated neglects or refuses to remove and abate the same within the time specified in the notice, Council may cause the same to be done and may sue for and collect the costs and expenses of the same from the owner or person having charge of such insecure, dangerous, or hazardous building or the owner of the lot on which the same may be situated.
- (B) If the owner or person having principal charge of a dangerous building fails or refuses to repair or demolish it after notice and within the time for compliance, as an alternative the Village administrator may be authorized by Council to take the necessary measures for accomplishing its demolition and removal. The Director shall advertise for bids for a contract for such demolition for a period of two weeks in a newspaper of general circulation within the village and shall present such bids to Council for its acceptance or rejection. Only the lowest and best bid may be accepted by the village.
- (C) At least 30 days prior to the removal or repair of any insecure unsafe or structurally defective building, the Village administrator shall give notice by certified mail of the intention of the village with respect to such removal or repair to the holders of legal or equitable liens of record upon the real property on which such building is located and to owners of record of such property. The owners of record of such property or the holders of liens of record upon such property may enter into an agreement with the village to perform the removal or repair of the insecure, unsafe, or structurally defective building. If an emergency exists, as determined by Council, notice may be given other than by certified mail and less than 30 days prior to such removal or repair.
- (D) Any costs incurred by the village in accomplishing the demolition and removal shall be paid from the village treasury out of the proper fund as designated by the ordinance or resolution authorizing the contract for demolition. The village may appropriate to its own use any materials obtained in demolishing the building to compensate it for any part of the cost of demolition.

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(E) The total costs of such demolition, whether such costs are incurred due to the use of employees, materials, and equipment of the village or by contract for labor, materials, and equipment or both, including the cost of service or publication of notice, together with a proper description of the premises, may be certified by the Council Clerk to the County Auditor to be placed by him on the tax duplicate as a lien on such premises, to be collected as other taxes and returned to the village, all as provided in R.C. § 715.261.

§ 150.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than \$100. Any such violation shall constitute a separate offense on each successive day continued.