

CODIFIED ORDINANCES OF HIRAM
PART THIRTEEN - BUILDING CODE

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CODIFIED ORDINANCES OF HIRAM
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CHAPTER 1301
Ohio Building Code

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CROSS REFERENCES

See sectional histories for similar State law
 Removal of unsafe structures - see Ohio R.C. 715.26(B), 715.261
 Power to enact further and additional regulations - see Ohio R.C. 3781.01
 Authorization by Board of Building Standards - see Ohio R.C. 3781.12
 Enforcement - see Ohio R.C. 3781.03, 3781.031, 3781.10, 3781.102, 3781.19
 Final jurisdiction - see Ohio R.C. 3781.04
 Application - see Ohio R.C. 3781.06, 3781.10, 3781.11
 Submission of plans - see Ohio R.C. 3791.04
 Dead bolt locks in apartment buildings - see Ohio R.C. 3781.103
 Smoke detection system for apartments and condominiums - see
 Ohio R.C. 3781.104
 Automatic sprinkler systems - see Ohio R.C. 3781.105, 3791.041 et seq.
 Fire suppression systems - see Ohio R.C. 3781.108
 Use of public buildings by handicapped persons - see Ohio R.C. 3781.111
 Abandoned service stations - see Ohio R.C. 3791.12 et seq.
 Safety standards for refuse containers - see Ohio R.C. 3791.21

1301.01 ADOPTION.

There is hereby adopted by the Municipality, the Ohio Building Code (OBC) and related codes as adopted by the Ohio Board of Building Standards, Department of Industrial Relations, effective January 1, 2016, as amended to date, and as identified and published in Division 4101:1 et seq. of the Ohio Administrative Code (OAC).

1301.02 PURPOSE.

The purpose of the Ohio Building Code is to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of 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.
- (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.

The rules of the Board of Building Standards and proceedings shall be liberally construed in order to promote its purpose. When the Building Official finds that the proposed design is a reasonable interpretation of the provisions of this Code, it shall be approved. Materials, equipment and devices approved by the Building Official pursuant to Section 114 of the Ohio Building Code shall be constructed and installed in accordance with such approval.

(OBC 101.3)

1301.03 SCOPE.

(a) Application and Compliance. The provisions of the Ohio Building Code, the Ohio Mechanical Code and the Ohio Plumbing Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. As provided in Section 3791.04(B) of the Ohio Revised Code, no plans or specifications shall be approved or inspection approval given unless the building represented by those plans or specifications would, if constructed, repaired, erected or equipped according to those plans or specifications, comply with Chapters 3781 and 3791 of the Ohio Revised Code and any rules adopted by the Board.

An owner may exceed the requirements of the Ohio Building Code in compliance with Section 102.9 of the Ohio Building Code.

This Building Code applies to detached one-, two-, and three-family dwellings and structures accessory to those dwellings only to the extent indicated in Section 310 of this Building Code.

(b) Exceptions.

- (1) Detached one-, two-, or three-family dwellings, structures accessory to those dwellings, or those single family dwellings with five or fewer persons receiving care in a supervised environment but capable of self-preservation with or without limited verbal or physical assistance are within the scope of the “Residential Code of Ohio for One-, Two-, or Three-Family Dwellings”;
- (2) Buildings owned by and used for a function of the United States Government;

- (3) Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade; for the purposes of this section, a building or structure is not considered used in the business of retail trade if fifty percent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller (see Ohio R.C. 3781.06 and 3781.061);
- (4) Agricultural labor camps;
- (5) Type A or Type B family day-care homes, except for the inspection required for licensure by the Ohio Department of Jobs and Family Services (ODJFS). This required inspection shall be conducted by the certified building department having jurisdiction or the Division of Industrial Compliance and Labor in accordance with the inspection checklist found on the Board of Building Standard's website;
- (6) Buildings or structures which are designed, constructed, and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. Secretary of Defense, pursuant to 10 U.S.C. Sections 18233(A)(1) and 18237, has acquired by purchase, lease, or transfer, and constructs, expands, rehabilitates, or corrects and equips, such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.
- (7) Manufactured homes constructed under "24 CFR Part 3280", "Manufactured Home Construction and Safety Standards" and within the scope of the rules adopted by the Ohio Manufactured Home Commission, including additions, alterations and all utility connections from the utility service point to the manufactured home. This exception does not apply to changes of occupancy of manufactured homes, except that a manufactured home located within a manufactured home park and used by the park operator to promote the sale/rental of manufactured homes in that park remains exempt.
- (8) Sewerage systems, treatment works, and disposal systems (the tanks, piping and process equipment associated with these systems), regulated by the legislative authority of a municipal corporation or the governing board of a county or special district owning or operating a publicly owned treatment works or sewerage system as stated in division (A) of Ohio R.C. 6111.032, however a building that houses such process equipment is within the scope of this Code.
- (9) Building sewer piping.
- (10) Amusement rides and portable electric generators and wiring supplying carnival and amusement park rides regulated by the Ohio Department of Agriculture pursuant to Ohio R.C. 1711.50 et seq.
- (11) Structures on the premises of and directly related to the operation of a generating plant defined as a major utility facility regulated by the Power Siting Board, including the structures associated with generation, transmission, and distribution. As a condition of the Power Siting Board's approval, the Building Department may be requested to review and inspect these structures for compliance with the rules of the Board of Building Standards. However, the Building Department has no enforcement authority.

- (12) Structures associated with pipelines used for the transmission of natural gas and other hydrocarbons.
- (13) Public water systems (the tanks, foundations, piping and process equipment associated with these systems) regulated by the Ohio Environmental Protection Agency in accordance with division (A) of Ohio R.C. 6109.07, however, a building that houses such process equipment is within the scope of this Code.
- (14) Private water systems (the tanks, foundations, piping and process equipment associated with these systems) regulated by the Ohio Department of Health in accordance with Ohio R.C. 3701.344, however, a building that houses such process equipment is within the scope of this Code.
- (15) Fixed or floating docks (including the electrical wiring, lighting, and fire protection systems serving the docks) at marinas or boatyards, unless the docks directly serve as a means of egress from, or an accessible route to, a regulated building located at the marina or boatyard.
- (16) Portable mobile vehicles which have been issued a Vehicle Identification Number (VIN) by the United States Department of Transportation. The vehicles have wheels and license plates and are intended for transportation on the public streets and highways. Examples of the exempt vehicles include, but are not limited to, recreational vehicles, book mobiles, blood mobiles, mobile medical imaging units, mobile concession trailers, network television transmission and production trailers used at sporting events, mobile restroom facilities, mobile pet grooming units, etc.
- (17) Wind turbines, pumps, site lighting, and flagpoles not connected to building services equipment.
- (18) Mine elevator shafts and structures.
- (19) Ground signs.
- (20) Oil or gas beam pumping units and derricks.
- (21) Bungee jumping and zip line structures, and miniature golf courses.
- (22) Retaining walls, bridges, walkways or stairs not associated with a building or building egress. (OBC 101.2)

1301.04 COMPLIANCE.

(a) No owner or any other person shall construct, erect, build or equip any building or structure to which the Ohio Building Code is applicable, or make any addition thereto or alteration thereof, except in case of repairs for maintenance without affecting the construction, sanitation, safety or other vital feature of such building or structure, without complying with this chapter, Ohio R.C. Chapters 3781 and 3791 or the Ohio Building Code, or fail to comply with any lawful order issued pursuant thereto. (ORC 3791.01, 3791.02)

(b) No architect, builder, engineer, plumber, carpenter, mason, contractor, subcontractor, foreman or employee shall violate or assist in violating this chapter, Ohio R.C. Chapters 3781 and 3791 or the Ohio Building Code, or fail to comply with any lawful order issued pursuant thereto. (ORC 3791.01, 3791.03)

(c) No owner shall proceed with the construction, erection, alteration or equipment of any building to which the Ohio Building Code is applicable until the plans or drawings, specifications, and data have been approved as Ohio R.C. 3791.04 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 Ohio Revised Code and any rule made under those chapters. (ORC 3791.04)

1301.05 EXISTING STRUCTURES.

The provisions of Chapter 34 of the Ohio Building Code shall control the alteration, repair, addition, maintenance 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 there are no orders of the Building Official pending, no evidence of fraud, or no serious safety or sanitation hazard. When requested, such approvals shall be in the form of a "Certificate of Occupancy for an Existing Building" in accordance with Section 111.2 of the Ohio Building Code.

Buildings constructed in accordance with plans which have been approved prior to the effective date of this Code are existing buildings.
(OBC 102.7)

1301.06 ORDERS AND VIOLATIONS.

(a) Adjudication Orders Required. When the Building Official denies any approval or takes action in response to findings of non-compliance with the rules of the Board, such action shall be initiated by issuing an adjudication order, prior to seeking any remedy, civil or criminal. Every adjudication order shall:

- (1) Clearly identify the section of law or rules violated.
- (2) Clearly identify, in a contrasting and obviously marked manner, all violations related to accessibility.
- (3) Specifically indicate which detail, installation, site preparation, material, appliance, device, addition, alteration to structures, construction documents, assemblages or procedures are necessary to change to comply with the order.
- (4) When issued to stop work, the order shall also clearly indicate the specific work that is required to cease, when the work must cease and the conditions under which the cited work will be permitted to resume. The order to stop work shall be given to the owner of the property involved, to the owner's agent and the person doing the work.
- (5) Include notice of the procedure for appeal and right to a hearing if requested within thirty days of the mailing of the order. The order shall also indicate that, at the hearing, the owner may be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against the owner.
- (6) Any hearing(s) scheduled for accessibility issues shall cause the Building Official or the appeals board to notify a local advocate organization for people with disabilities of the scheduled hearing. When a local advocate organization is not available, a state organization representing people with disabilities, such as the "Governor's Council on People with Disabilities" shall be notified.
- (7) Specify a reasonable period of time in which to bring the item(s) on the order into compliance.
- (8) Include the signature of the Building Official.
- (9) The order shall be sent to the owner and the owner's representatives.

(b) Response to Orders. The person receiving an order shall exercise their right to appeal within 30 days of the mailing of the order, comply with the order, or otherwise be released from the order by the Building Official.

(c) Prosecution and Penalties. When an owner fails to comply with subsection (b) hereof, the owner may be prosecuted and is subject to the penalty provided in Section 1301.99.

(d) Unlawful Continuance. Failure to cease work after receipt of an order to stop work is hereby declared a public nuisance. (OBC 109)

1301.07 UNSAFE BUILDINGS.

(a) Unsafe Buildings Defined. Structures or existing equipment that are unsafe or unsanitary due to inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life, shall be deemed a serious hazard. Where a building is found to be a serious hazard, such hazard shall be eliminated or the building shall be vacated, and where such building, when vacated, remains a serious hazard, it shall be razed.

(b) Orders, Injunction Proceedings. Where the Building Official finds that a building is a serious hazard and the owner of such building fails, in the time specified in an order from the Building Official, to eliminate such hazard, or to vacate or raze the building, the building official shall proceed under Ohio R.C. 3781.15.

(c) Restoration. Where the structure or equipment is determined to be unsafe by the Building Official, it is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are intended to be made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with Chapters 1 and 34 of the Ohio Building Code and this chapter. (OBC 109)

1301.08 CONFLICT.

(a) General. Where, in any specific case, different sections of the Ohio Building Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) Other Laws. The provisions of the Ohio Building Code shall not be deemed to nullify any provisions of state or federal law. The Municipality may make further and additional regulations, not in conflict with Ohio R.C. Chapters 3781 and 3791 or with the rules of the Board of Building Standards. However approval by the Board of Building Standards of any fixture, device, material, system, assembly or product of a manufacturing process, or method or manner of construction or installation shall constitute approval for their use anywhere in Ohio.

(c) Other Rules. As provided in division (B) of Ohio R.C. 3781.11, the rules of the Board of Building Standards shall supersede and govern any order, standard or rule of the Divisions of State Fire Marshal or Industrial Compliance in the Department of Commerce, and the Department of Health and of counties and townships, in all cases where such orders, standards or rules are in conflict with the rules of the Board of Building Standards, except that rules adopted and orders issued by the Fire Marshal pursuant to Ohio R.C. Chapter 3743 prevail in the event of a conflict.

There may be other requirements owners may be required to meet as set forth by other licensing agencies such as the Ohio State Fire Marshal, Ohio Department of Health, the Ohio Department of Jobs and Family Services, Ohio Department of Mental Health and Addiction Services, Ohio Department of Developmental Disabilities, federal agencies, or other licensing authorities. Owners and designers should investigate these additional licensing agency requirements to ensure they are incorporated into the building design before submitting to the certified building department for plan approval.

The rules of the Board of Building Standards adopted pursuant to Ohio R.C. 3781.10 shall govern any rule or standard adopted by the Board pursuant to Ohio R.C. 4104.02 and 4105.011. (OBC 102)

1301.09 ENFORCEMENT.

(a) Building Official. The Building Official is responsible for the enforcement of the rules of the Board and of Ohio R.C. Chapters 3781 and 3791 relating to the construction, arrangement, and the erection of buildings or parts thereof. All building officials shall conduct themselves in a professional, courteous, impartial, responsive, and cooperative manner. The Building Official shall render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Building Officials shall be responsible to assure that a system is in place to track and audit all projects, to assure that all Building Department personnel perform their duties in accordance with this section, and for the overall administration of a Building Department as follows:

(b) Applications and Plan Approvals. The Building Official shall receive applications, require or cause the submitted construction documents to be examined, ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this Ohio Building Code, and shall issue plan approvals for the construction, erection, alteration, demolition and moving of buildings and structures. The Building Official shall require a master plans examiner or elective plans examiners to examine the construction documents to verify the construction indicated is in accordance with the requirements of this Code and shall assure coordination of plan review.

(c) Plan Examination by the Building Official. When the Building Department does not have in its full-time employ a certified master plans examiner, the certified Building Official shall examine construction documents to determine compliance with the rules of the Board if the registered design professional elects to submit construction documents that contain a written certification by the registered design professional indicating conformance with the requirements of the rules of the Board and Ohio R.C. Chapters 3781 and 3791.

(d) Orders. The Building Official shall issue all orders in accordance with Section 1301.06 to ensure compliance with the Ohio Building Code.

(e) Inspections.

- (1) If the plans for the erection, construction, repair, alteration, relocating, or equipment of a building are subject to inspection by the Building Official, under Section 108 of the Ohio Building Code, the Building Official shall cause to be made such inspections, investigations, and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved construction documents. The Building Official shall identify any special conditions that would affect the timing of inspections and schedule inspections times mutually agreed upon by the Building Official and the owner.
- (2) Special inspections are as required under Section 1704 of the Ohio Building Code.

(f) Department Records. The Building Official shall keep official records of applications received, certificate of plan approvals issued, notices and orders issued, certificates of occupancy, certificates of completion and other such records required by the rules of the Board of Building Standards. Such information shall be retained in the official permanent record for each project. One set of approved construction documents shall be retained by the Building Official for a period of not less than one hundred eighty days from date of completion of the permitted work, or as required by document retention regulations.

(g) Department Reports. The Building Official shall be responsible for the submission of reports and any requested special information to the Board of Building Standards as required in paragraph (F) of Rule 4101: 7-2-01 of the Administrative Code. Failure to submit these reports as required by rule or by special request or inquiry of the Board of Building Standards may be grounds for Board action as described in paragraph (F)(7) of Rule 4101:7-3-01 of the Administrative Code.

(h) Liability. Liability of certified Building Department personnel for any tortious act will be determined by Ohio courts to the applicable provisions of Ohio R.C. Chapter 2744. (OBC 104)

1301.99 PENALTY.

Whoever violates any provision of this chapter or any Code adopted herein or fails to comply with any lawful order issued pursuant thereto is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months or both. Each day during which noncompliance or a violation continues shall constitute a separate offense. The Municipality may institute injunction proceedings in Common Pleas Court to abate the nuisance of failure to cease work after receipt of a stop work order.

CHAPTER 1303
Abandoned Structures and Unoccupied Lots

1303.01 Interpretation of words and terms; definitions.

1303.99 Penalty.

1303.02 Abandoned structures and unoccupied lots.

1303.01 INTERPRETATION OF WORDS AND TERMS; DEFINITIONS.

The rules of interpretation and the definitions as set forth in Hiram Codified Ordinances Section 1103.01 and 1103.02 shall be applicable to this Chapter 1303 of the Hiram Codified Ordinances. (Ord. 2019-28. Passed 11-19-19.)

1303.02 ABANDONED STRUCTURES AND UNOCCUPIED LOTS.

(a) If any Structure shall become abandoned for a period of more than ninety (90) days, such Structure may be presumed to be a Nuisance affecting or endangering surrounding property values and to be detrimental to the public health, safety, convenience, comfort, property or general welfare of the community and shall be abated. For the purpose of this section, "Abandon" shall mean to give up occupancy in the Structure with no observable intent to subsequently reoccupy the Structure.

(b) Whenever the Zoning Inspector shall find that any Structure has been Abandoned, notice shall be given to the owner of record as reflected in the records of the Portage County Auditor in the same manner as a service of summons in a civil case or by certified mail addressed to the owner of record of the premises at his or her last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods, to abate such abandoned conditions within thirty (30) days either by placing the structure in operation in accordance with this section, by adapting and using the structure for another use permitted in the zoning district, or by razing the structure, removing all debris, signs, goods, supplies and equipment, and filling depressions to the grade level of the lot, provided, however, that if the structure is used after the notice is given and remains in operation for ninety consecutive days, the provisions of this section shall not apply.

(c) Upon the failure, neglect or refusal of any owner to comply with the notice to abate such abandonment, the Zoning Inspector shall advise the Village Solicitor of all the facts and the Village Solicitor shall proceed to exercise on behalf of the Village any remedy which shall then be available to it to secure an Abatement of such abandonment, including proceedings to abate a public nuisance, and to recover any damages or enforce any penalties which may be recovered or imposed at the instance of the Village, including all damages reasonable under Ohio R.C. 715.26 and 715.261.

(d) Unoccupied, empty or inoperative Structures, whether or not abandoned, together with the Lot upon which any such structure is located and with any other unoccupied or empty Lot, shall be maintained in accordance with the provisions of this code. Any such lot shall be provided with grass or other appropriate ground cover or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid runoff of surface water. The owner shall cut and maintain all grass or other ground cover and remove all rubbish and weeds from the premises. The parking of motor vehicles upon said premises shall be prohibited, and the Zoning Inspector may order the owner of the premises to install fencing which is in compliance with the Hiram Village Zoning Code and which will be sufficient to block motor vehicles access to said property. (Ord. 2019-28. Passed 11-19-19.)

1309.99 PENALTY.

(a) Whoever violates any provision of Chapter 1303 of the Hiram Village Codified Ordinances, shall be guilty of a minor misdemeanor, and upon conviction, shall be fined not more than one hundred fifty dollars (\$150.00).

(b) Each day of continuation of a violation of this Chapter 1303 of the Hiram Village Codified Ordinances shall be deemed a separate offense.

(c) Upon conviction of a violation of this Chapter 1303 of the Hiram Village Codified Ordinances, the violator shall be responsible for payment of all legal, professional and other expenses incurred by the Village in the enforcement of the violation. (Ord. 2019-28. Passed 11-19-19.)

CHAPTER 1311
Residential Code of Ohio

1311.01 Adoption.

1311.02 Enforcement.

1311.01 ADOPTION.

(a) The Ohio Administrative Code 4101:18 - Residential Code of Ohio as promulgated by the Ohio Board of Building Standards, shall apply and be enforced within the Village of Hiram, Ohio.

(b) This chapter shall be in full force and effect from and after the earliest period permitted by law following promulgation of the Residential Code of Ohio by the Board of Building Standards through the certification process, adoption and effective date of certification issued by the Ohio Board of Building Standards.
(Ord. 2006-17. Passed 5-9-06.)

1311.02 ENFORCEMENT.

(a) The Village through its Mayor and its Fiscal Officer are hereby authorized and directed to enter into an agreement with Portage County for the enforcement of the Residential Code of Ohio within the limits of said Village, whereby the Portage County Residential Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said Village in accordance with the provisions of the Residential Code of Ohio.

(b) The terms of the agreement shall grant to the County full authority to do all things necessary to administer and enforce the Residential Code of Ohio within the limits of the Village and in consideration therefore to allow the County to retain all permit and inspection fees authorized by the State of Ohio for such purposes.

(c) Council further agrees to hold Portage County harmless for all claims or causes of action of every kind and nature arising from the acts of the Village, its agents, employees and representatives in the administration and enforcement of said codes.
(Ord. 2006-17. Passed 5-9-06.)

CHAPTER 1321
Wrecking and Moving Structures

<p>1321.01 Wrecking and moving permits required.</p> <p>1321.02 Cash deposit required.</p> <p>1321.03 Proof of ownership or authority.</p> <p>1321.04 Removal of service connections and foundation material; filling of excavations and ditches.</p> <p>1321.05 Public protection; barricades.</p>	<p>1321.06 Backfilling excavations.</p> <p>1321.07 Site restoration.</p> <p>1321.08 Time limit.</p> <p>1321.09 Schedule of permit fees.</p> <p>1321.10 Schedule of cash deposits.</p> <p>1321.11 Liability insurance.</p> <p>1321.99 Penalty.</p>
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1321.01 WRECKING AND MOVING PERMITS REQUIRED.

(a) No person, firm or corporation shall wreck or demolish any building or structure, or move the same, without first obtaining a permit therefor from the Village Administrator. The permit to move any building or structure may be refused if, in the judgment of the Village Administrator, the building cannot be moved without causing substantial damage to property or it is structurally unsafe or unfit for the purpose for which it is to be moved. The movement of any building or structure upon a City street or highway shall also require a permit issued by the Chief of Police, which shall provide for a determination as to the time, route and additional personnel expense for such a move.

(b) This section does not apply to the initial delivery of industrialized units regulated by the Ohio Basic Building Code; initial delivery of manufactured homes regulated by the U.S. Department of Housing and Urban Development; or initial delivery of buildings accessory to one, two and three family dwellings.
(Ord. 2005-17. Passed 9-13-05.)

1321.02 CASH DEPOSIT REQUIRED.

Before a permit to move or wreck a building is issued, the owner or applicant shall deposit with the Fiscal Officer a sum of money as set forth in Section 1321.09 and 1321.10 to indemnify the Village against any claim or damage to Village property, to reimburse the Village for any expense incurred in connection with such moving or wrecking and to guarantee that all of the provisions of this chapter are complied with. In the event any claim of damage to Village property or any expense is incurred by the Village in connection with such moving or wrecking, the Village shall be authorized to reimburse itself out of such cash deposit. Furthermore, if the owner or applicant fails to perform the duties and obligations of this Regulation within the time and in the manner prescribed herein, the Village may proceed to complete the work and charge the cost thereof to the cash deposit. After all work is completed in accordance with the provisions of this chapter and after deducting any expenses incurred by the Village or any claims allowed by the Village, any moneys remaining shall be refunded to the party making the deposit. (Ord. 2005-17. Passed 9-13-05.)

1321.03 PROOF OF OWNERSHIP OR AUTHORITY.

The applicant, if other than the owner, shall present a Power of Attorney or bill of sale, signed by the owners, indicating that the applicant is authorized to move or wreck the building or structure. (Ord. 2005-17. Passed 9-13-05.)

1321.04 REMOVAL OF SERVICE CONNECTIONS AND FOUNDATION MATERIAL; FILLING OF EXCAVATIONS AND DITCHES.

(a) Sanitary sewer service lines, storm sewer service lines, water service lines, and gas service lines shall all be disconnected at the main line. This is required to prevent future leaks and to reduce the possibility of damage to the utility during subsequent street excavations. Sanitary sewer laterals shall be capped or plugged where the connection to the sewer is a fabricated wye or tee. When the connection is a tap into the main sewer, a band shall be installed around the pipe to provide a water tight seal. The ends of a pipe abandoned in place shall be capped or plugged water tight. Storm sewer laterals shall be removed and capped or banded in the same manner as the sanitary laterals. Water service lines shall have the corporation stop removed from the main line and it shall be replaced with a threaded plug. When it is found that the trench in which said service lines have been laid has resulted in settlement of the area above the trench, the area affected by this settlement shall be excavated and a full depth repair of the affected area including pavement, sidewalk and curb replacement, as may be necessary, shall be performed.

(b) The owner of the premises being moved or wrecked shall have the option of causing the above mentioned sanitary sewer or water service line disconnection work to be performed by a contractor of his/her choice or to make a payment in lieu of disconnection to the Village at the time the demolition or moving permit is obtained. The payment in lieu of disconnection shall be \$2,500 per required sanitary sewer disconnection and \$1,500 per required water disconnection and is payable in cash or by a certified cashier's check, and shall be paid through the Service Director office. This payment will be used to offset the Village's cost in contracting the completion of this work.

- (1) When the payment in lieu of disconnection option is selected, the sewer service lines shall have a 45-degree elbow installed on the property end of the line as near as possible to the back of curb or back of sidewalk. Immediately after the 45-degree elbow, sufficient pipe shall be installed to bring this extension of the sewer line to one foot above grade. At this point, a cleanout with a water tight plug shall be installed so that the location of the sewer service line is accessible and readily identifiable.

Those portions of the pipe and cleanout above grade shall be adequately protected during backfilling and site restoration operations to guard against breakage. The water service line, when this option is selected, shall be shut off at the curb box and the house side end of the line shall be crimped or capped in a manner which provides a water tight plug. The stub end of the service line shall be the location of the shut-off box and shall be clearly identified that it may readily be located in the future.

- (2) Where, in the opinion of the Village Administrator, the sanitary sewer and waterline laterals are found to be in a condition equal to that required of new construction, he or she may allow them to remain providing there is reasonable cause to believe they will be used to serve a new structure. (Ord. 2005-17. Passed 9-13-05.)

1321.05 PUBLIC PROTECTION; BARRICADES.

When wrecking buildings adjacent to public sidewalks, streets, or alleys, a fence at least eight feet high must be erected around the site to protect the public from falling materials, cave-ins, and other hazards, and adequate precautions shall be taken to protect buildings, public walks and streets adjacent thereto from damage. When wrecking buildings which are not adjacent to sidewalks, streets, or alleys, an open fence or barricade clearly defining the site shall be erected and maintained, and adequate precaution shall be taken to protect the public from falling materials, excavations and other hazards. At night the fences and barricades so erected shall be marked with flares or windproof lights. (Ord. 2005-17. Passed 9-13-05.)

1321.06 BACKFILLING EXCAVATIONS.

(a) All components of the demolished structure including concrete floors and block walls shall be hauled from the site. Foundation and utility excavations outside the road right-of-way shall be filled with clean soil containing no refuse or wood. The fill shall be installed and compacted in lifts to obtain a minimum of ninety percent (90%) maximum density at optimum moisture content as determined by a modified proctor test. The Village Administrator may require on-site testing to assure proper compaction is obtained. The applicant shall be responsible for the costs for testing should it be required and shall supply an adequate sample of the material proposed for backfill well in advance of the scheduled work. Concrete and concrete block may only be used for backfill when it is mixed with granular material so as not to alter the compactability of the solid when it is crushed to pass one hundred percent (100%) through a three-inch sieve.

(b) The filling of such excavation shall not be required when a building permit has been issued for a new building on the site and the construction thereof is to be started within sixty days after completion of the wrecking operation. However, in such event, the holder of the building permit shall surround such excavation with a substantial fence protecting all sides to a height specified by the Village Administrator. All adjacent streets, alleys and sidewalks shall be kept free and clear of all rubbish, refuse and loose material resulting from the wrecking and removal operations. (Ord. 2005-17. Passed 9-13-05.)

1321.07 SITE RESTORATION.

(a) The owner of the premises being moved or wrecked shall be responsible for restoring the affected site as required by Section 1321.06 and, in the event this site is not being reconstructed or as regulated by Section 1321.06, shall insure that a minimum of 3" of topsoil is placed over any area which has been backfilled and the area shall be graded to properly drain without ponding or erosion and shall be seeded in lawn, and maintained to insure property revegetation. This requires an excavation permit and bond in addition to the demolition permit and bond requirements.

(b) Where there is a driveway and curb cut existing, and there is no identified, proposed use for said driveway, then the owner shall be responsible for restoring the curb cut and removing the drive approach.

(Ord. 2005-17. Passed 9-13-05.)

1321.08 TIME LIMIT.

Any wrecking work shall be completed within thirty days from the date of issuance of the permit, except that such time may be extended for an additional thirty days for good cause shown, upon application to the Village Administrator. If the wrecking work is not completed within thirty days or sixty days if an additional thirty days has been granted, then the Village Administrator shall immediately employ labor to complete the operation and deduct the cost thereof from the cash deposit provided above. However, if the cash deposit is insufficient to pay for the cost thus incurred by the Village Administrator, then either the one to whom a permit was issued or the owner of the property, jointly or severally, shall be liable to the Village for reimbursement for such additional cost.

(Ord. 2005-17. Passed 9-13-05.)

1321.09 SCHEDULE OF PERMIT FEES.

Permit fees shall be assessed and collected by the Building Inspector as follows:

- | | | |
|-----|--|---------|
| (a) | For moving a building or structure not on public property | \$10.00 |
| (b) | For moving a building or structure, not exceeding fourteen feet in width, on a public street | \$15.00 |
| (c) | For moving a building or structure, exceeding fourteen feet in width, on a public street | \$35.00 |
| (d) | For wrecking a building or structure, for every 500 square feet or fraction thereof of floor space of each floor, including basement | \$10.00 |
| (e) | For escort and traffic control by the Police Department for movement on City streets, highways or right-of-way, \$25.00 per hour per officer and \$10.00 per hour per City vehicle, of sufficient officers and vehicles necessary to safely protect the public during such a move. | |

(Ord. 2005-17. Passed 9-13-05.)

1321.10 SCHEDULE OF CASH DEPOSITS.

Cash deposits shall be collected by the Fiscal Officer before issuing permits, as follows:

- | | | |
|-----|---|----------|
| (a) | For moving a building not exceeding fourteen feet in width | \$175.00 |
| (b) | For moving a building exceeding fourteen feet in width | \$325.00 |
| (c) | For wrecking a building or structure up to 500 square feet without basement | \$100.00 |
| (d) | For wrecking a building or structure up to 500 square feet with basement | \$175.00 |

- (e) For wrecking a building containing 500 to 1,500 square feet without basement \$225.00
- (f) For wrecking a building or structure 500 to 1,500 square feet with basement \$275.00
- (g) For wrecking all other buildings a deposit in proportion to the above schedule as determined by the Building Inspector but not in excess of five thousand dollars (\$5,000).
(Ord. 2005-17. Passed 9-13-05.)

1321.11 LIABILITY INSURANCE.

Any person, firm or corporation moving or wrecking a building or structure shall, prior to the issuance of a permit, present evidence of public liability insurance coverage for a combined single limit for both personal bodily injury and property damage in the amount of one million dollars (\$1,000,000). (Ord. 2005-17. Passed 9-13-05.)

1321.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
(Ord. 2005-17. Passed 9-13-05.)

**CHAPTER 1331
House Numbers**

1331.01 General provisions.

1331.01 GENERAL PROVISIONS.

(a) The numbering system shall be a co-ordinate system and conform to the county-wide system of numbering as established by the Portage County Engineer. The co-ordinates of the corners of the Village of Hiram as it existing in 1959 are:

Northwest Corner	North - 119562	East - 66349
Northeast Corner	North - 119539	East - 71266
Southeast Corner	North - 114106	East - 71250
Southwest Corner	North - 114206	East - 66190

(b) A building or house shall be located by its east or north co-ordinates in feet. For convenience the last digit of the coordinate shall be dropped and the resulting figure shall be the house number. As the numbers increase, the right-hand side of the street shall be even-numbered and the left-hand side of the street shall be odd-numbered.
(Ord. 331. Passed 3-7-60.)