

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

RESOLUTION 2019-29

A RESOLUTION ON THE SUBMISSION OF THE QUESTION OF ADOPTING A NEW RESIDENTIAL PROPERTY MAINTENANCE STANDARDS CODE FOR THE VILLAGE OF DOYLESTOWN, WAYNE COUNTY, OHIO.

The Council of the Village of Doylestown, Wayne County, Ohio, met in regular session on the 16th day of July, 2019, with the following members present:

Councilman Doug Nestor
Councilman DJ Youngblood
Councilwoman Mistie Ankenman

Councilwoman Kay Kerr
Councilman Chad Marti
Councilman Mark Hammer

Councilman Hammer moved the adoption of the following Resolution:

WHEREAS, upon due consideration of the Council of the Village of Doylestown, Wayne County, Ohio has questioned whether a new residential property maintenance standards code, a copy which is attached and referred to as Exhibit A, is advantageous and/or appropriate for the Village of Doylestown, Wayne County, Ohio; and

WHEREAS, by reason thereof, this Council has determined that it will be in the best interests of the residents of the Village of Doylestown, Wayne County, Ohio to vote on adopting this property maintenance code; and

WHEREAS, by reason of the facts above set forth, this Council has determined that it should, and hereby does, declare itself to submit to the electors of the Village of Doylestown, Wayne County, Ohio, at the General election to be held on November 5, 2019, the question of adopting this property maintenance standards code attached hereto and referred to as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that there shall be submitted to the electors of the Village of Doylestown, Wayne County, Ohio, at the General Election on November 5, 2019, the question of adopting the property maintenance standards code attached hereto and referred to as Exhibit A.

BE IT FURTHER RESOLVED that the submission of said proposal, the notice of election, the form of ballot, and other related sections of the Revised Code of Ohio and in accordance with the statutes in such cases made and provided: and

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of the Village be, and she hereby is, directed and authorized to proceed forthwith the certification hereof to the Board of Elections of Wayne County, Ohio, pursuant to the provisions of the Ohio Revised Code and to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all the deliberations of this Council that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Councilwoman Kay Kerr seconded the Resolution and upon a roll call the vote resulted as follows:

Mr. Doug Nestor yes
Mrs. Mistie Ankenman yes
Mr. Chad Marti yes

Mr. DJ Youngblood yes
Mrs. Kay Kerr yes
Mr. Mark Hammer yes

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO


Form 6220S

Ordinance No. _____

Passed _____

ADOPTED: July 16, 2019

Attest:


Terry L. Lindeman, Mayor

CERTIFICATION OF CLERK

State of Ohio)
County of Wayne) SS:

I, Kristen J. Robison, Fiscal Officer and Clerk of the Village of Doylestown, Wayne County, Ohio, in whose custody and control the files and records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original resolution now on file, and that the foregoing has been compared by me with said original resolution, and that the same is a true and correct copy thereof.

WITNESS my signature this 16th day of July, 2019.


Kristen J. Robison, Clerk

EXHIBIT A

PART THIRTEEN - BUILDING CODE

CHAPTER 1339 PROPERTY MAINTENANCE STANDARDS

- 1339.01 APPLICATION OF MAINTENANCE STANDARDS**
- 1339.02 STRUCTURAL SOUNDNESS AND MAINTENANCE**
- 1339.03 PROPERTY AND STRUCTURE EXTERIORS**
- 1339.04 STAIRWAYS AND RAMPS**
- 1339.05 ACCESSORY STRUCTURES**
- 1339.06 STORM DRAINAGE**
- 1339.07 TENTS OR OTHER TEMPORARY STRUCTURES**
- 1339.08 SWIMMING POOLS, SPAS, AND HOT TUBS**
- 1339.09 ABANDONMENT OF CONSTRUCTION PROJECT**

EXHIBIT A

PROPERTY MAINTENANCE STANDARDS

1339.01 APPLICATION OF MAINTENANCE STANDARDS

The following standards are applicable to all residential, commercial and industrial structures and parcels of land located within the Township.

1339.02 STRUCTURAL SOUNDNESS AND MAINTENANCE

All foundations, floors, walls, ceilings and roofs of every structure shall be so constructed and maintained, and shall be kept in good repair and in safe condition, so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent-proof, fit for human habitation, and kept so as not to adversely affect the neighborhood in which they are located. Good repair, maintenance, and safe conditions shall include, but not be limited to, the following:

- 1) *Foundations.* Foundations shall support the building at all points and shall be free of holes and cracks which may admit rodents, water, or dampness to the interior of the building, or which may lessen the capability of the foundation to support the building.
- 2) *Exterior Walls and Surfaces.* Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers, or any other condition which might admit rodents, water, or dampness to the interior of a dwelling. Except for materials that have been designed to remain untreated, all exterior wood, composition, or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be properly secured and maintained so as to be kept clean and free of flaking and loose or peeling paint.
- 3) *Windows.* Windows shall be fully supplied with window glass or an approved substitute which is glazed and without open cracks or holes. Sashes shall be in good condition, properly fitted within frames, and shall be maintained so as to exclude adverse weather elements from entering the structure.
- 4) *Exterior Doors.* Doors shall be maintained so as to be structurally sound; fit within frames so as to be weatherproof, windproof, and water-proof; and shall be provided with door hinges and/or tracks and door latches which are in good working condition.
- 5) *Roof.* Roof members, roof coverings, and flashing shall be structurally sound and tight so as to prevent the entrance of moisture, and shall be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness within the building.
- 6) *Gutters.* Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect, conduct, and discharge all water from the roof, and such appurtenances shall be maintained so as not to leak or cause dampness in the walls, ceiling or basements or adversely affect adjacent properties
- 7) *Chimneys.* Chimneys shall have appropriate flashing and be free of cracks, holes, missing portions and mortar, and shall be maintained in sound condition.
- 8) *Porches and Decks.* Every porch and deck shall be so constructed and maintained so as to be free of missing, defective, rotted, or deteriorated foundations, supports, floors, railings, and steps thereto, so as to be safe to use, and porch elements shall be kept in sound condition and in good repair.
- 9) *Basement.* Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage into a structure.
- 10) *Decorative Features:* All cornices, entablatures, bell courses, corbels, terra cotta trim, stucco, wall facings and similar decorative features shall be maintained in good repair, with proper anchorage, and in a safe condition.

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1339.03 PROPERTY AND STRUCTURE EXTERIORS

All buildings, and the exterior of all premises, shall be properly maintained so as to achieve an appearance characteristic to the neighborhood and avoid blighted effects and hazardous conditions.

- 1) *Exterior Walls.* Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition, or metal siding, shall be maintained weatherproof and shall be properly surface coated, when required to prevent deterioration.
- 2) *Exterior Space.* The exterior open space around every dwelling shall be improved and maintained so as to provide for:
 - a. The immediate diversion of water away from buildings, and proper drainage of the lot;
 - b. Grass, plantings, or other suitable ground cover to prevent soil erosion which is, or may become, detrimental to the structures, lot use, or adjacent lots and structures;
 - c. Walks, parking areas, and driveway of either concrete, asphalt, pavers, gravel (where permitted), or a similar surface, all of which are of sound construction and properly maintained; and
 - d. Exterior steps which are of sound construction and properly maintained, free of hazardous conditions.
- 3) *Maintenance.* The exterior of all premises and every structure thereon, including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, signs, windows, doors, awnings, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties, and shall be painted or protected where necessary for purposes of preservation. All canopies, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, where exposed to public view, shall be maintained in good condition, and shall not show evidence of ripping, tearing, or deterioration.
- 4) *Roofs:* The roof shall be structurally sound, tight, and not have defects which might admit rain and roof drainage shall be adequate to prevent rain water from causing dampness in the walls or interior portion of the building.
- 5) *Decorative Features:* All cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- 6) *Signs and Awnings:* All canopies, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhanging extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition.
- 7) *Chimneys:* All chimneys, smoke stacks, and similar appurtenances shall be maintained structurally safe, sound, and in good repair.
- 8) *Stairs and Porches:* Every stair, porch, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair.
- 9) *Window and Door Frames:* Every window and door frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling or structure. Every required window sash shall be fully supplied with approved glazing materials so as to eliminate open cracks and holes. Every exterior door, door hinge, or door

EXHIBIT A

latch shall be maintained in good condition. Door locks in dwelling units shall be in good repair and capable of tightly securing the door.

10) *Basement Hatchways*: Every basement or cellar hatchway shall be so constructed or maintained as to restrict the entrance of pests, rain, and surface drainage water into the structure.

11) *Exhaust Vents*: A person shall not construct, maintain or operate pipes, ducts, conductors, fans, or blowers discharging gases, steam, vapor, hot air, grease, smoke odors or other gaseous or particulate wastes so as to discharge directly upon abutting or adjacent public and private property or that of another tenant.

12) *Wood Piles*: All wood piles are required to be stacked neatly and have a minimum 3" air space between the ground and the first layer of wood.

13) *Yards*. All yards, courts, and lots shall be kept free of overgrown grasses, weeds, debris, and other materials which may cause a fire, health, safety hazard, or not in accordance with the general characteristics of the neighborhood.

14) *Hazards*. Hazards and unsanitary conditions shall be eliminated.

15) *Occupancy*. No temporary buildings, trailers, recreational vehicles, tents, garages, barns or similar abodes shall be used either temporarily or permanently as a residence during the course of construction on a site. Notwithstanding this Section 1339.03(15), this Code expressly permits the use of temporary buildings, trailers, recreational vehicles, tents, garages, barns, or similar abodes to be used as a residence for up to ninety (90) days if that person lost their house because of a natural disaster (i.e. flood, fire, tornado, earthquake, etc.).

16) *Drainage*. All portions of premises shall be graded so that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer.

17) *Fences*. All fences and similar structures shall be anchored firmly in the ground and shall be constructed in a workmanlike manner and maintained in that same manner so that such fences or similar structures shall always be in a state of good structural repair or, in the alternative; such structures shall be removed or replaced. All fences shall be treated periodically so as to delay deterioration. No fences may be built in the drainage easements.

18) *Exterior Property Areas and Premises*: Exterior property areas and premises shall be maintained in a clean, safe, and sanitary condition free from any accumulation of rubbish or trash.

1339.04 STAIRWAYS AND RAMPS

Exterior stairways on all premises shall be kept in accordance with the following provisions:

- a. Free of holes, grooves, and cracks which constitute a safety hazard;
- b. Free of rotted or deteriorated supports;
- c. Stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings creates a hazardous condition, a Code Enforcement Officer may require installation in accordance with the provisions of the applicable building code.
- d. Wheelchair ramps must also be maintained according to the Americans with Disabilities Act requirements.

1339.05 ACCESSORY STRUCTURES

Accessory structures shall be structurally sound, maintained, and in good repair, or such accessory structures shall be razed to grade level and the resulting debris removed from the premises.

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1339.06 STORM DRAINAGE

An approved system of storm water disposal shall be provided by the owner and maintained for the safe and efficient drainage of roofs and paved areas, yards and courts, and other open areas on the premises to prevent areas of standing water and structural deterioration. All storm water disposal systems shall be kept free of obstruction and leaks and be capable of handling normal storm run-off.

1339.07 TENTS OR OTHER TEMPORARY STRUCTURES

1) Tents or other temporary structures shall include but not be limited to tents, canopies, platforms, bandstands, reviewing stands, and moving and storage pods.

2) Tents or other temporary structures shall not be used as a residence or used to store materials year round.

3) Tents or other temporary structures shall be maintained in good condition so that the contents within cannot be seen from outside the tent or temporary structure. Furthermore, the tent or other temporary structure shall not contain holes or tears.

1339.08 SWIMMING POOLS, SPAS, AND HOT TUBS

1) Swimming pools, spas, and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.

2) Enclosures: Private swimming pools, hot tubs, and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosures shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Private swimming pools, spas, and hot tubs must also have a cover over the surface of the water when the swimming pool, spa, or hot tub is not being used.

1339.09 ABANDONMENT OF CONSTRUCTION PROJECT

All construction work shall be diligently pursued to completion on any building or structure for which a zoning and/or building permit has been issued, unless forestalled by circumstances beyond the property owner's control (including but not limited to, labor strikes, inclement weather). Any construction project upon which no substantial work has been undertaken for a period of six (6) months and which has not provided notification in writing to the Code Enforcement Officer as to lapse in construction, shall be deemed abandoned. Such notification shall be filed every ninety (90) days with the Code Enforcement Officer with any project experiencing a lapse in construction. Upon any construction project being deemed abandoned, the Code Enforcement Officer may cause all buildings or structures not completed to the degree such buildings or structures have been indicated on the plans submitted in support of a building permit, as well as all building materials and construction equipment, to be removed from the site within sixty (60) days. Upon approval from the Code Enforcement Officer the building structures shall be secured; any and all building material, equipment, and/or construction related items shall be secured and stored; and the property otherwise maintained in accordance with the characteristics of the surrounding neighborhood. The costs of removal and storage of any building, building materials, equipment, or construction related items will be billed to the property owner. If billed costs are not recovered within thirty (30) days of receipt of the mailing described in 4.21(1), the Township may collect the cost in accordance with the Ohio Revised Code.