

CHAPTER 1364
Interior Maintenance Code

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1364.100 ADMINISTRATION

1364.101 GENERAL

1364.101.1 Scope

This code shall constitute minimum requirements and standards for residential premises, structures, equipment, and facilities governed by the Building Code of the City of North Olmsted ("the City") for safe and sanitary maintenance for protection from the elements, life safety, and safety from fire and other hazards. This code is intended to define the responsibility of owners and operators; the occupancy conditions for existing structures and premises; and for administration, enforcement and penalties.

1364.101.2 Intent

This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and lack of interior maintenance of interior structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

1364.101.3 Severability

If a section, subsection, sentence, clause or phrase of Chapter 1364 is, for any reason, held to be unauthorized or unconstitutional, such section shall be stricken or modified by the Court, and such decision shall not affect the validity of the remaining portions of this code. (Ord. 2015-63. Passed 9-1-15.)

1364.102 APPLICABILITY

1364.102.1 General

The provisions of this code shall apply to all residential structures and premises within the City, where:

- a. The structure or premises is a Rental Unit, and is inspected as provided for in Chapter 1319 or at occupant request;
- b. The property owner has requested inspection and review under Chapter 1364; or
- c. The City has obtained a search warrant to inspect the premises.

Where, in a specific case, different sections of this code or the Codified Ordinances of the City of North Olmsted specify different requirements, the most restrictive requirements shall govern.

1364.102.2 Maintenance

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. Except as otherwise specified herein, the owner or owner's designated agent shall be responsible for the interior maintenance of buildings and structures.

1364.102.3 Application of Other Codes

Repairs, additions or alterations of a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of all applicable Codes and Standards. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of North Olmsted Codified Ordinances or any other applicable Codes and Standards.

1364.102.4 Existing Remedies

The provisions in this code shall not be construed to abolish or impair existing remedies of the City or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

1364.102.5 Workmanship

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions. (Ord. 2015-63. Passed 9-1-15.)

1364.103 PROPERTY MAINTENANCE INSPECTION

1364.103.1 General

The Building Department is charged with the administration and enforcement of Chapter 1364 and the executive official in charge thereof shall be the Building Commissioner. Where the intent or enforcement of this Code is frustrated by the inability of the Building Commissioner, after exercising reasonable due diligence, to locate or identify an owner or occupier of any structure or premises within the City and there is reasonable suspicion to believe that a violation of this Code exists, the Building Commissioner may refer the matter to the Division of Police for further investigation and/or enforcement of misdemeanor violations.

1364.103.2 Officers

The Building Commissioner may designate any qualified City employee or qualified agent of the City providing code enforcement services to the City under an authorized contract, to administer the duties that are assigned to the Building Commissioner by this code. Such qualified City employee or qualified agent hereinafter shall be referred to as "designated agent."
(Ord. 2015-63. Passed 9-1-15.)

1364.104 DUTIES AND POWERS OF THE BUILDING COMMISSIONER

1364.104.1 General

The Building Commissioner or designated agent shall enforce the provisions of Chapter 1364. Unless the context clearly indicates otherwise, hereinafter any duty, responsibility or authority delegated to the Building Commissioner shall include the Building Commissioner and/or designated agent or employee of the City of North Olmsted.

1364.104.2 Interpretation Authority

The Building Commissioner shall have the authority to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions.

1364.104.3 Inspections

The Building Commissioner or his agent shall make all of the required inspections. All reports of such inspections shall be in writing from a responsible officer of such agency or by the responsible individual. The Building Commissioner is authorized to engage such experts as deemed necessary to report upon unusual technical issues that may arise in the administration or enforcement of this Code.

1364.104.4 Right of Entry

The Building Commissioner is authorized to enter any structure or premises within the City governed by this Chapter at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Building Commissioner is authorized to pursue access to the premises allowed by law, including, but not limited to, the acquisition of an administrative search warrant.

1364.104.5 Identification

The Building Commissioner shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

1364.104.6 Notices and Orders

The Building Commissioner shall issue all necessary notices or orders to ensure compliance with this code.

(Ord. 2015-63. Passed 9-1-15.)

1364.105 VIOLATIONS

1364.105.1 Unlawful Acts

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of Chapter 1364, including, the failure of any person, firm or corporation to comply with any order issued by the Building Commissioner pursuant to this code requiring any act to be undertaken.

1364.105.2 Notice of Violation

The Building Commissioner shall serve Notice of Violation in accordance with Section 1364.106.

1364.105.3 Prosecution of Violation

If a person, firm, or corporation to whom a Notice of Violation has been served does not bring the property at issue into compliance with the provisions of this code by the deadline established in the Notice of Violation or by the granted deadline extension, if any, such person shall be guilty of violation of this code and subject to the penalties set forth in Section 1364.105.4. If the Notice of Violation is not complied with, the Building Commissioner may institute the appropriate proceeding at law or in equity (including action for injunctive relief) to restrain, correct or abate such condition, or to require the removal or termination of the unlawful occupancy or use of the premises or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

1364.105.4 Violation Penalties

Failure to correct the conditions set forth in the Notice of Violation within the time allowed in such Notice or any extension to such Notice shall constitute a criminal misdemeanor offense for the unabated conditions set forth in the Notice of Violation and, additionally, a separate criminal misdemeanor offense for the failure to comply with the order of the Building Commissioner, as required in Section 1364.105.1.

Upon conviction of unabated violation(s), the owner and/or occupier shall be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than 180 days, or both. Each day such violation continues shall be deemed a separate offense. Any other person who commits, participates in or assists in the continuation of such violation may each be found guilty of a separate offense and suffer the penalties provided herein.

1364.105.5 General Penalty

The imposition of the penalties herein prescribed shall not preclude the Building Commissioner from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.
(Ord. 2015-63. Passed 9-1-15.)

1364.106 NOTICE OF VIOLATION

1364.106.1 Notice of Violation

The Building Commissioner shall serve Notice of Violation (hereinafter referred to as "Notice" or "Notice of Violation") on all persons, firms, or corporations, or the agent or property manager of a person, firm or corporation identified as the owner or occupant of such property found to be in conflict with or in violation of any of the provisions of this code.

1364.106.2 Form of Notice of Violation

Whenever the Building Commissioner determines that there has been a violation of Chapter 1364 or has grounds to believe that a violation has occurred, Notice shall be given in accordance with the following:

- a. The Notice shall be in writing;
- b. The Notice shall be sent to the person, firm, or corporation listed by the Cuyahoga County Fiscal Office as owner of the property or the person, firm or corporation identified as the occupant of such property. Such Notice may also be sent to the agent or property manager of a person, firm or corporation identified as the owner or occupant of such property;
- c. The Notice shall include a description of the property that is sufficient for identification purposes;
- d. The Notice shall include a statement of the violation(s) determined to exist on the property with specific references to the section or sections of this code alleged to have been violated;
- e. The Notice shall include a description of the corrective action which must be taken to bring the property into compliance with the provisions of this code;
- f. The Notice shall include a deadline by which time the person receiving the Notice shall be required to take the necessary corrective action required to bring the property into compliance with the provisions of this code; and
- g. The Notice shall inform the person or entity to whom addressed of the right to appeal such Notice of Violation.

1364.106.3 Method of Service

The Notice of Violation shall be deemed to be properly served if a copy thereof is:

- a. Delivered personally; or

- b. Sent by certified or registered first class mail addressed to the occupant of such property and to the owner of the property at the address listed as the owner's tax mailing address by the Cuyahoga County Fiscal Officer. If the address for the owner appearing on the tax list of the Fiscal Officer is that of a lending institution or other person or entity clearly recognizable as not being the owner of such property, then written notice shall be mailed to such institution, person or entity at the listed address and to the named owner(s) at the street address of the property; or
 - c. Sent by certified or registered first class mail addressed to the owner's last known address; or
 - d. Sent by Federal Express, United Parcel Service, DHL or other private parcel delivery service; and additionally
 - e. Posted in a conspicuous place in or about the structure affected by such Notice.
- If certified mail is unclaimed, then service shall be made by first class mail and shall be deemed properly served three days after the date appearing on the envelope, inclusive of the date of mailing.

1364.106.4 Extension of Compliance Deadline

The Building Commissioner may, at his/her sole discretion, extend the deadline previously stated in the Notice of Violation for corrective action to bring a property into compliance in cases where good cause and/or significant continuing progress is demonstrated to his/her satisfaction. In the event such an extension is granted, the Building Commissioner shall notify the property owner, occupant or agent of the extension in the same form and pursuant to the same method of service required in Sections 1364.106.3, unless such service is waived in writing by the property owner and/or occupier. Any such Notice of Extension shall specifically state the revised deadline by which time the person or entity receiving the extension shall be required to take the necessary corrective action to bring the property into compliance with the provisions of this code.

(Ord. 2015-63. Passed 9-1-15.)

1364.107 DANGEROUS OR UNINHABITABLE STRUCTURES OR DWELLING UNITS

1364.107.1 Dangerous, Uninhabitable Structures or Dwelling Units

a. Unlawful Acts. In addition to all other penalties set forth in the Codified Ordinances of the City of North Olmsted, including Chapter 1364, it shall be unlawful for any owner or occupier of a structure or dwelling unit, to knowingly or recklessly allow a structure or dwelling unit to exist in a dangerous or uninhabitable condition. Whoever violates this section is guilty of a misdemeanor of the first degree. Each day that the dangerous or uninhabitable condition exists in or on the structure or dwelling unit shall constitute a separate offense. This section does not require the issuance of a Notice of Violation as a prerequisite to criminal prosecution.

b. Notice of Dangerous, Uninhabitable Structure or Dwelling Unit. Upon finding a dangerous, uninhabitable structure or dwelling unit, the City shall issue a Notice of Dangerous, Uninhabitable Structure or Dwelling Unit and notify the owner of record, occupant, mortgagee, agent, all holders of legal and equitable liens of record upon such structure and property as well as all other persons having an interest in such structure, as shown by the records maintained by the Cuyahoga County Recorder and Fiscal Officer, that the structure or premises have been declared a Dangerous, Uninhabitable Structure or Dwelling Unit as follows:

- i. The owner of record must vacate, repair or demolish the structure or dwelling unit in accordance with the terms of the Notice and the City's ordinances; and
- ii. The occupant must vacate such structure or dwelling unit or have it repaired in accordance with the terms of the Notice to remain in possession; and
- iii. The mortgagee, agent, lienholder of record or other person having an interest in the structure or premises, as shown by the records maintained by the Cuyahoga County Recorder and / or Fiscal Officer, may at his or her own risk repair, vacate or demolish the structure or dwelling unit or have such work or act done; and
- iv. State a reasonable time, not exceeding 60 days, by which the repairs or demolition must be completed; and
- v. Set forth a description of how the structure or dwelling unit is dangerous or uninhabitable; and
- vi. State that if the owner of record, occupant, mortgagee, agent, all holders of legal and equitable liens of record upon such structure or premises and property as well as all other persons having an interest in such structure or premises fail to complete the necessary repair or demolish the structure within the time specified by the notice, the City will abate the conditions making the structure unsafe and seek reimbursement of its costs. The City shall cause a notice to be placed at each entrance to the dangerous, uninhabitable structure or dwelling unit that states "Do Not Enter. Dangerous, Uninhabitable Structure. This Structure/Dwelling Unit has been identified as a DANGEROUS, UNINHABITABLE STRUCTURE by the Building Commissioner and Occupancy is Prohibited." This Notice is to remain on the structure until it is repaired, vacated or demolished and shall not be removed unless directed to do so by the Building Commissioner.

1364.107.2 Method of Service

Method of service for any Notice of Dangerous, Uninhabitable Structure or Dwelling Unit shall comply with the provisions of Section 1364.106.3.

1364.107.3 Prohibited Occupancy

It shall be unlawful for any person to enter a structure determined to be a Dangerous, Uninhabitable Structure or Dwelling Unit except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same, if such structure has been properly labeled as 1364.107.1.b.vi. No person shall occupy a structure that has been designated as a Dangerous, Uninhabitable Structure or Dwelling Unit, and no owner or any person responsible for the premises shall let anyone occupy a Dangerous, Uninhabitable Structure or Dwelling Unit.

1364.107.4 Cost

If the City incurs costs relating to declaring a structure to be Dangerous, Uninhabitable Structure or Dwelling Unit or abating the conditions making the structure a Dangerous, Uninhabitable Structure or Dwelling Unit through repair or demolition, the City shall provide notice to the owner of record, occupant, mortgagee, agent, all holders of legal and equitable liens of record upon such structure and property as well as all other persons having an interest in such structure of the costs incurred and that the City will seek to certify those costs to the County Auditor. The Director of Law may take any other action necessary to collect the costs of abatement.

1364.107.5 Means of Appeal

Appeals shall be addressed as set forth in Section 1364.108, "Means of Appeal."
(Ord. 2015-63. Passed 9-1-15.)

1364.108 MEANS OF APPEAL

1364.108.1 Application for Appeal

Unless another timeline or process is set forth herein, any person directly affected by a decision of the Building Commissioner or a Notice or Order issued under this code shall have the right to appeal to the Board of Building Code Appeals, provided that a written application for appeal is filed within the lesser of either 10 days from the date the Notice or Order was served, or the date of the expiration of the abatement period set forth in the Notice.

1364.108.2 Standard for Review

An application for appeal shall be based on a claim that there is no basis in fact for the Building Commissioner's Notice or that the decision is arbitrary or capricious.

1364.108.3 Administrative Procedures for Appeals

The procedure for such appeal shall be consistent with Chapter 1315 of the North Olmsted Codified Ordinances.

1364.108.4 Stay Pending Appeal

An appeal of any Order or Notice issued under this Chapter stays all proceedings in furtherance of the action appealed from, unless the Building Commissioner certifies to the Board of Building Code Appeals that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, the action shall not be stayed, except by a restraining order issued by a court of competent jurisdiction. A stay pending appeal will not bar criminal prosecution for a violation of any provision of this Code. (Ord. 2015-63. Passed 9-1-15.)

1364.200 DEFINITIONS

1364.201 GENERAL

1364.201.1 Scope

Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

1364.201.2 Interchangeability

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

1364.201.3 Terms Defined in Other Codes

Where terms are not defined in this code, but are defined in the Ohio Building Code for residential structures, including multi-family residential structures, the Residential Code of Ohio for one, two and three family residential structures, the Ohio Fire Code, or the City of North Olmsted Zoning Code, such terms shall have the meanings ascribed to them as in those codes.

1364.201.4 Terms Not Defined

Where terms are not defined through the methods authorized by this section such terms shall have ordinarily accepted meanings such as the context implies.

1364.201.5 Parts

Whenever the words "dwelling unit", "dwelling", "premises", "structure", "building", "rooming house", "rooming unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof." (Ord. 2015-63. Passed 9-1-15.)

1364.202 GENERAL DEFINITIONS

1364.202.1 APPROVED

Approved by the Building Commissioner or a duly authorized representative.

1364.202.2 BUILDING

A structure which is permanently affixed to the land, having one or more floors and a roof, being bounded by either open space or lot lines, and used as a shelter or enclosure for humans or animals or an enclosure for personal property or goods. Building may be used synonymously with structure. Building shall also include a detached structure whose purpose is related to, but subordinate to, that of the principal building on the same parcel of land. Detached garages, tool sheds and barns are all examples of accessory buildings.

1364.202.3 BUILDING MATERIALS

Items used in construction of structures or in landscaping, including, but not limited to steel, masonry, lumber, plywood, concrete, roofing, siding, doors, windows, flashing, piping, finishes, fencing or other materials commonly used for building or construction, being either new or used.

1364.202.4 BUILDING COMMISSIONER

The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

1364.202.5 DANGEROUS STRUCTURE

A dangerous structure means any of the following:

- a. An abandoned or vacant structure or dwelling unit that constitutes a hazard to the health or safety of persons who may come on or near the property on which the structure or dwelling unit is located and which is not fenced in or otherwise protected to reasonably prohibit public access thereto. This includes missing or broken windows or doors.
- b. A structure or dwelling unit that is severely damaged by fire, storm or other natural or manmade causes and which has remained in such damaged condition for a period of 3 months or more and which constitutes a hazard to the health or safety of persons who may come on or near the property on which it is located.
- c. A structure or dwelling unit that is in a condition of being partially constructed and construction thereon has ceased for a period of 12 months or more and which constitutes a hazard to the health or safety of persons who may come on or near the property on which it is located.
- d. Any combination of the foregoing that would constitute a hazard to the safety and welfare of any person living on property located adjacent thereto.

1364.202.6 DWELLING UNIT

A group of rooms comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family.

1364.202.7 INTERIOR PROPERTY

The interior property is the internal or inner part of a building.

1364.202.8 GARBAGE

The animal or vegetable waste resulting from the hauling, preparation, cooking and consumption of food.

1364.202.9 IMMINENT DANGER

A condition which would cause serious or life-threatening injury or death at any time. Imminent meaning ready to take place especially hanging threateningly over one's head.

1364.202.10 OCCUPANCY

The purpose for which a building or portion thereof is utilized or occupied.

1364.202.11 OCCUPANT/OCCUPIER

Any individual living or sleeping or operating a business within a building, or having possession of a space within a building.

1364.202.12 OPERATOR/MANAGER

Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

1364.202.13 OWNER

Any person, agent, operator, manager, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the State, County or Municipality as holding title to the property; or otherwise having control of the property, including the trustee of a trust holding such property of any such person, and the executor or administrator of the estate of such person if granted authority to take possession or control of real property by a court.

1364.202.14 PERSON

An individual, corporation, partnership or any other group acting as a unit.

1364.202.15 PREMISES

A lot, plot or parcel of land including any building or structure thereon.

1364.202.16 RUBBISH

Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, packaging materials, rubber, leather, tin cans, metals, mineral matter, glass and paper waste.

1364.202.17 SAFE

Free from unacceptable risk or threat of harm.

1364.202.18 SANITARY

Characterized by or readily kept in cleanliness.

1364.202.19 STRUCTURE

That which is built or constructed. See also, Building.

1364.202.20 TENANT

A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

1364.202.21 UNFIT FOR HUMAN HABITATION

A designation of structures, dwellings or dwelling units as so damaged, dangerous, decayed, unsanitary, unsafe, or vermin-infested that such create a serious hazard to the health or safety or which lack illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or the public.

1364.202.22 UNINHABITABLE

That which is a dangerous structure, unfit for human habitation or unsanitary.

1364.202.23 UNSANITARY

The presence of a condition that is conducive to the spreading of disease or illness, or is conducive to harboring insects, rodents or other pests.

1364.202.24 WORKMANLIKE

Executed in a skilled or professional manner; e.g. generally plumb, level, square, in line, undamaged and without marring adjacent work.

(Ord. 2015-63. Passed 9-1-15.)

1364.300 GENERAL REQUIREMENTS**1364.301 RESPONSIBILITY**

The owner of the premises shall maintain the structures and property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are also responsible for keeping it in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.

All premises further shall be maintained in conformity with local and state construction codes in effect at the time of installation or construction. Repairs or additions to the interior premises shall be undertaken in compliance with then-enacted local and state codes establishing standards for installation or construction of such repairs or additions.

(Ord. 2015-63. Passed 9-1-15.)

1364.302 INTERIOR MAINTENANCE

1364.302.1 Structural Members. All structural members shall be maintained structurally sound, and be capable of supporting all required imposed loads.

1364.302.2 Interior Surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

1364.302.3 Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

1364.302.4 Handrails and Guards. Every interior flight of stairs shall have handrails and guards in compliance with the Residential Code of Ohio or Ohio Building Code, as applicable. Every handrail and guard shall be firmly fastened and capable of supporting all normally required imposed loads and shall be maintained in good condition.

1364.302.5 Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

1364.302.6 Accumulation of Rubbish or Garbage. The interior of every structure shall be free from any accumulation of rubbish or garbage. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers. The owner of every rental unit shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

1364.302.7 Disposal of Personal Property upon Vacating the Premises. "Personal Property" as used herein is everything that is the subject of ownership that does not come under the denomination of real property; any right or interest that an individual has in movable things.

If a tenant or occupant has personal property on the premises at the time of an eviction or involuntary removal from a rental unit, and/or there is residual garbage on the premises, the following applies:

The owner or operator shall maintain all residual personal property within the Building until disposed of. Personal property or garbage shall be stored in the Building until removal from the Building; or

If the owner elects to utilize a large movable container or receptacle on the premises to aid in the removal and disposal of personal property from the premises, then at no time shall any part of the container be placed on any public area adjacent to the premises. The container shall be of the type which will allow access from its side as opposed to access solely through the top of the container. The movable container and its contents shall be removed from the premises within forty-eight (48) hours of placement.

1364.302.8 Blight Violation. In the event that a moveable container is not used for disposal of the tenant's or occupant's personal property as set forth in 1364.302.7 and that property is improperly placed elsewhere on the property, or the container is not properly removed, then the owner, operator or other person in violation of this Section is subject to prosecution under this Chapter.

1364.302.9 Cost Recovery. In addition to any other penalties set out in the North Olmsted Codified Ordinances, if the City incurs any costs to remove solid waste from property resulting from an eviction or foreclosure proceeding, the owner and the operator shall be billed by invoice sent by first class mail for the cost of the removal, including but not limited to: the cost of labor for removal of the solid waste and the cost of the use or rental of the container. If the owner or operator fails to pay the same within thirty (30) days after the invoice is mailed, the City shall add the amount to the next tax roll of the City of North Olmsted/County of Cuyahoga, and it shall be collected in the same manner as provided by law for the collection of taxes by the City of North Olmsted/County of Cuyahoga.
(Ord. 2015-63. Passed 9-1-15.)

1364.303 EXTERMINATION

1364.303.1 Infestation. All structures shall be kept free from rodent or pest infestation. All structures in which rodents or pests are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.
(Ord. 2015-63. Passed 9-1-15.)

1364.304 PLUMBING FACILITIES

1364.304.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

1364.304.2 Dwelling Units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

1364.304.3 Fixture Clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

1364.304.4 Plumbing System Hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the Building Commissioner or his agent shall require the defects to be corrected to eliminate the hazard.

1364.304.5 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.
(Ord. 2015-63. Passed 9-1-15.)

1364.305 WATER SYSTEMS

1364.305.1 General. Every sink, lavatory, bathtub or shower or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Ohio Plumbing Code.

1364.305.2 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

1364.305.3 Water Heating Facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F. A gas burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.
(Ord. 2015-63. Passed 9-1-15.)

1364.306 MECHANICAL REQUIREMENTS

1364.306.1 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 68°F in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Ohio Building Code or Residential Code of Ohio as applicable.

1364.306.2 Room Temperature Measurement. The required room temperatures shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

1364.306.3 Mechanical Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

1364.306.4 Removal of Combustion Products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

1364.306.5 Clearances. All required clearances to combustible materials shall be maintained.

1364.306.6 Safety Controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

1364.306.7 Combustion Air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

1364.306.8 Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping there from, shall not be installed unless labeled for such purpose and the installation is specifically approved.

1364.306.9 Portable Cooking Equipment. Unless otherwise approved, portable cooking equipment shall not be used on the interior of a structure in any area other than an area designated as a cooking room or kitchen.

1364.306.10 Ducts. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.
(Ord. 2015-63. Passed 9-1-15.)

1364.307 ELECTRICAL REQUIREMENTS

1364.307.1 Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the Building Commissioner shall require the defects to be corrected to eliminate the hazard.

1364.307.2 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.
(Ord. 2015-63. Passed 9-1-15.)

1364.308 ELEVATORS

1364.308.1 General. Elevators in property subject to Chapter 1319 shall be maintained and operable at all times. The most current certification of inspection shall be on display at all times within the elevator or the certificate shall be available for public inspection in the office of the building operator.

1364.308.2 Elevators. In buildings equipped with passenger elevators, all elevators shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.
(Ord. 2015-63. Passed 9-1-15.)

1364.309 FIRE SAFETY REQUIREMENTS

1364.309.1 Means of Egress

a. General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Aisles shall be unobstructed.

b. Locked Doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except, where the door hardware conforms to that permitted by the Ohio Building Code or Residential Code of Ohio as applicable.

c. Emergency Escape Openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge, or force greater than that which is required for normal operation of the escape and rescue opening.

1364.309.2 Fire-resistance Ratings

a. Fire-resistance-rated Assemblies. The required fire resistance rating of fire-resistance rated walls, fire stops, fire blocking, draft stopping, shaft enclosures, partitions and floors shall be maintained.

b. Opening Protectives. Required opening protectives, including, shall be maintained in an operative condition. All fire rated, required solid core, and smoke stop doors shall be maintained in operable condition. Such doors shall not be blocked or obstructed or otherwise made inoperable. Doors serving as opening protective shall have self-closing or other approved closing operations.

1364.309.3 Fire Protection Systems

a. General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times

b. Smoke Alarms. Single or multiple-station smoke alarms shall be installed and maintained at all of the following locations:

- i. On the ceiling outside of each separate sleeping area in the immediate vicinity of bedrooms.
- ii. On the ceiling in each room used for sleeping purposes.
- iii. On each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
(Ord. 2015-63. Passed 9-1-15.)

1364.310 CARBON MONOXIDE ALARMS

1364.310.1 When Required. Carbon monoxide alarms are required to be installed in existing dwelling units having fuel-fired appliances or having attached garages. Where an application for approval is required for work involving any of the following areas or systems within that dwelling unit, carbon monoxide alarms are required to be installed.

- a. The addition or creation of a new sleeping room;
- b. An alteration of a sleeping room;
- c. An alteration in the immediate vicinity outside of a sleeping room;
- d. An addition of, or an alteration to, an attached garage;
- e. An addition, alteration, repair or replacement of a fuel-fired appliance;
- f. As otherwise required by applicable provisions of the OBC or RCO.

1364.310.2 Alarm Requirements. Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.
(Ord. 2015-63. Passed 9-1-15.)