

# **CITY OF WADSWORTH BUILDING REGULATIONS**

*Effective November 2, 2007*

## **§ 150.001 TITLE.**

This chapter promulgated by the City of Wadsworth, State of Ohio, shall be known as the City of Wadsworth Building Regulations, hereinafter referred to in this chapter as “the regulations” or “these regulations”.

## **§ 150.002 SCOPE.**

The regulations in this chapter shall apply to all matters concerning the construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of all buildings and structures within the city, and shall apply to existing or proposed buildings and structures, except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of these regulations.

## **§ 150.003 PURPOSE.**

The purpose of these regulations is to ensure public safety, health and welfare insofar as they are affected by building construction, repair, demolition, fire safety, sanitary conditions or occupancy matters and by establishing rules and procedures for the practical administration of the relevant rules of the Ohio Board of Building Standards.

## **§ 150.004 MATTERS NOT PROVIDED FOR.**

Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by these regulations, shall be determined by the Building Official.

## **§ 150.005 COMPOSITION OF THE REGULATIONS.**

### **(A) Residential Construction.**

(1) The City of Wadsworth shall regulate the construction and alteration of residential one, two and three family dwellings in accordance with ORC chapter 3781 and the rules adopted by the State of Ohio pursuant thereto, in accordance with the certification issued by the State of Ohio, as herein.

(a) The Residential Code Of Ohio for One-, Two- and Three-Family Dwellings, all referenced codes contained therein, and this Chapter 150, of the Codified Ordinances of Wadsworth; as modified and supplemented herein, hereinafter referred to in this chapter as the “RCO” or the “state code”, are hereby adopted as the building regulations for one-, two- and three-family dwellings in the incorporated areas of the city pursuant to R.C. § 715.26, 715.29, and 731.231. The regulations shall represent the minimum requirements and provide uniform standards for the erection, construction, repair, alteration, and maintenance of one, two and three family residential dwellings including auxiliary buildings and structures thereto, within the jurisdictional area of the Building Department. Such standards shall relate to the conservation of energy, safety and sanitation of buildings for their intended use and occupancy. The Residential Code of Ohio for One,

Two, and Three Family Dwellings and all relative code sections of referenced codes contained therein are hereby incorporated and made a part of these building regulations as if written into the regulations in its entirety.

(B) **Non-Residential Construction.**

(1) In accordance with the rules of the Ohio Board of Building Standards and the certification issued by the State of Ohio, the construction and alteration of non-residential structures as defined by in ORC 3781, shall be regulated by the Medina County Building Department who shall exercise enforcement authority, accept and approve plans and specifications, and make inspections in accordance with the provisions of the Ohio Building Code pursuant to rule 4101:2-1-03 of the Administrative Code, except "Plumbing", O.A.C. Chapter 4101:2-51 (Plumbing - Medina County Board of Health).

(a) The Ohio Building Code as defined in O.A.C. § 4101:2-1-03, and this Chapter 150 are hereby adopted as the Non-Residential Building Regulations for the incorporated areas of the City pursuant to R.C. §§ 715.26, 715.29, and 731.231. The regulations shall represent the minimum requirements and provide uniform standards for the erection, construction, repair, alteration, and maintenance of public, multi-family residential (four or more units), commercial and industrial buildings, herein called non-residential buildings, including auxiliary buildings and structures thereto, within the jurisdictional area of the Building Department. Such standards shall relate to the conservation of energy, safety and sanitation of buildings for their intended use and occupancy. The Ohio Building Code is hereby incorporated and made a part of these building regulations as if written into the regulations in its entirety.

**§ 150.006 APPLICABILITY.**

The provisions of this code shall apply to all matters affecting or relating to structures as set forth in § 150.002. The construction, alteration, repair, addition and removal of all structures shall comply with these regulations and the Residential Code of Ohio in accordance with ORC 3781 and as set forth by the Ohio Board of Building Standards.

**§ 150.007 RELATIONSHIP TO OTHER LAWS.**

Nothing contained in these regulations shall be deemed to nullify or repeal any provision of the zoning regulations, fire codes or any other law pertaining to the location, use or type of construction of any structure or other condition to which the regulations may apply, except as such nullification or repeal may be specifically asserted by specific provisions of the rules of the Board of Building Standards.

**§ 150.010 POST-FRAME CONSTRUCTION.**

(A) *General.* The provisions of this section shall, in addition to the construction standards set forth in this chapter, guide in the design approval and inspection process for the construction method known as pole or post-frame construction, utilized in the construction of non-habitable accessory buildings and patio or "three season" rooms. These standards are not intended to be substituted for, or be in conflict with the governing building code regulations of the State.

(B) *Design.* The following post-frame building design methods are considered meeting the intent of this section:

(1) Designs showing evidence of compliance with accepted engineering practices for all structural members of post-frame structures and the relative provisions of the RCO.

(2) Designs indicating compliance with the exemplified specifications of this section and the relative provisions of the RCO.

(C) *Footings.*

(1) Footings shall be designed in compliance with the RCO. Footings sizes relative to tributary load areas shown in the RCO for deck footings without roof loads, will also be considered appropriate for footers supporting post frame roof loads only.

(2) All holes for footing pads shall be inspected before placement of the concrete.

(3) Backfill material around holes, where the finish slab is above finish grade, may be compacted earth.

(4) Where subject to wind uplift forces, the base of the poles shall be anchored to a concrete or wooden collar, and shall be laterally restrained at the ground surface. The recommendations of ANSI/ASAE 486.1, the National Frame Builders Association, the National Resource Agriculture and Engineering Services, or the American Forest and Paper Association are acceptable..

(D) *Skirt boards.*

(1) Two inch thick (net) tongue and groove skirt boards, installed from the base of the slab to a point not less than eight inches above the slab or finish grade, whichever is higher are acceptable.

(2) Skirt boards must be designed to resist the lateral forces of unbalanced fill.

(E) *Finished grades.* Finished grades shall be pitched away from the exterior walls.

(F) *Post frame building additions.* Post frame additions for habitable spaces and garages as defined in the RCO, require an approved engineering design. Post frame additions for “three season” rooms meeting the requirements of this section will be permitted.

(G) *Decay-resistant wood.* All wood exposed or in contact with the ground shall be natural weather-resistant or shall be treated against decay and termites in accordance with the RCO.

(H) *Concrete slabs.* Concrete slabs shall not be placed in direct contact with load-bearing posts or skirting. Posts and skirts shall be separate from concrete slabs with pre-molded expansion joint filler or 15 lb. Felt. Slabs shall be placed in accordance with the provisions of the RCO.

(I) *Insulation.* Insulation is required in structures to be heated. The thermal resistance of insulation in walls, ceilings, and concrete slabs shall be in compliance with the Residential Code of Ohio.

(J) *Posts.* Posts shall be designed and installed in compliance with the RCO and accepted engineering practices.

(1) Posts sized in compliance with an approved, accredited post design standards are considered acceptable.

(2) In the absence of engineered drawings, the following minimums shall be acceptable for buildings not more than 40’:

(a) Minimum bearing post size for posts spaced 8’ on center with roof spans 30’ or less shall be 4”× 6” nominal.

(b) Minimum bearing post size for posts spaced 8’ on center with roof spans over 30’ and 40’ or less shall be 6”× 6” nominal.

- (c) All non-bearing wall posts may be 4"x 6" and must extend and be connected to the roof diaphragm.
- (d) The six-inch dimension of 4"x 6" posts shall be perpendicular to the exterior wall.
- (e) Poles shall be continuously connected at the top of wall sections.
- (f) The maximum post spacing without an engineered design shall be 8' on center.
- (g) The maximum ceiling height without an engineered design shall be 12'.

*Load bearing girders.*

(3) Continuous girders designed to support roof loads shall be thru-bolted with two, one half inch bolts, or by other methods approved by the Building Official.

(4) Girders spans shall be consistent with the provisions of the RCO. The following SPF #2 girder sizes for posts spaced 8" are examples:

- (a) 2"x 10" for buildings up to 20' wide.
- (b) 2"x 12" for buildings up to 36' wide.

(K) *Girts (side-wall purlins).* Girts shall be spaced not more than 24 inches on center for exterior wall siding and 24 inches on center for interior wall covering but spaced not less than required by the sheathing and siding manufacturer's instructions. All information in regard to girts is in reference to girts being secured to wood posts spaced not more than eight feet center to center. Nominal 2" x 4" wood girts shall be secured to each pole with 2-16d nails or approved alternate fastener. Fasteners shall be approved for contact with wood preservatives where applicable.

(1) **Roof Assemblies.** Roof construction and roofing systems not addressed in the RCO must comply with the provisions of the RCO relating to alternate methods, materials and equipment.

(L) *Wind bracing.* All walls shall be braced with panels, diagonal bracing, or other methods listed in the RCO that are adequate to resist wind forces.

(Original Ord. 98-152, passed 12-9-98)

## **§ 150.011 GRADING AND DRAINAGE..**

All surface drainage shall be conducted to a storm sewer or storm drain ditch by gravity flow or as prescribed in subsections (a), (b) or (c) herein. All storm sewers and storm drain ditches shall be capable of carrying all surface run-off during a two-year frequency storm, as determined by the City Engineer. The City Engineer or the Building Official shall inspect all new construction or alterations to determine whether the existing, proposed, or altered grading and storm water collection system complies with the requirements of this section. If, in the opinion of the City Engineer, the grading or storm water collection system is likely to create a nuisance to adjoining property owners by reason of unnatural drainage onto their lands, the City Engineers or Building Official shall notify the owner, contractor or agent of the property to make provisions to conduct the surface and/or roof drainage system to the storm sewer or storm drain ditch by one or a combination of the following methods:

By providing the proper downspouts and eaves or cornice gutters on all buildings, including garages, and connecting or directing the same into the storm sewer, storm drain ditch or underground leaching system as provided in subsections (b) or (c) hereof.

(a) By constructing a yard catch basin and by so sloping the yard and driveway as to drain into such catch basin. The catch basin shall be located not less than ten feet from

any subsurface leaching system, be properly trapped and drained into the storm sewer or storm drain ditch.

(b) By constructing an underground wet well of a size and capacity as determined by the City Engineer to be adequate to handle the storm water run-off to be directed into the same.

(2) No drain originating that is part of a plumbing system shall discharged into any storm sewer, street, highway, storm drain ditch, stream, body of water or onto the surface of the ground. No downspouts, catch basins and surface water inlets, yard drains, cistern overflows, subsoil and foundation drains shall be permitted to discharge into the sanitary sewer or sewage system.

#### **§ 150.025 MINIMUM RESIDENTIAL REWIRE CODE.**

The following requirements shall serve as the minimum standard for an electrical service replacement or general wiring upgrade for existing One, Two and Three Family residences. It shall be understood that this “Minimum Residential Rewire Electrical Code” shall coexist with the Ohio Residential Code and the National Electrical Code in so far as wiring methods are concerned. Should any conflict, misunderstanding, or disagreement result from this coexistence, the Ohio Residential Code and National Electrical Code shall be the controlling side.

(A) Rewiring. Where a 60 ampere service or less exists in a residence, a minimum one hundred (100) ampere (3 wire single phase) service with a main breaker and 16 circuit capacity panel shall be installed.

(B) Installation Method. All work shall be done in a neat and workmanlike manner.

(C) Outlets. General Rule: Each habitable room shall contain at least two (2) wall type convenience outlets located on opposite walls or as otherwise permitted by the local authority having jurisdiction, but in no case shall more outlets than required by the National Electrical Code be required. Each living room shall have four (4) duplex receptacles to supply appliances used therein unless a specific exemption is granted. Existing bathrooms shall have at least one GFCI controlled receptacle.

(D) New Outlets. All new outlets installed on new wiring shall be of the grounded type.

(E) Existing Outlets. Existing electrical outlets which are installed in a workman like manner, with approved materials, and with proper circuitry need not be changed. Existing ungrounded outlets may be replaced with new ungrounded devices. All existing outlets in unfinished basements as defined in NEC 210.8(A) outdoors, and outbuildings shall have ground fault circuit protection.

(F) Lighting.

(1) When lighting fixtures are or have been replaced, boxes or loompans shall be used.

(2) Existing or replacement non-metallic bathroom and kitchen fixtures need not be grounded if connected to original wiring.

(3) All existing closet lights shall comply with 410.8(B) of the National Electrical Code.

(4) The following habitable rooms and areas shall contain at least one wall switch-controlled lighting outlet, with the wall switch located within three (3) feet of the door in an accessible location (not behind the door):

Kitchens	Living Rooms
Bathrooms	Stairways
Dining Room	Hallways
Bedrooms	Exterior entrances

(5) The following areas may contain pull chain lighting fixtures:

Storage Rooms	Attic areas
Furnace rooms	Utility rooms
Laundry rooms	Basement rooms

(G) Kitchen Circuits. All kitchens shall have at least three grounding type duplex receptacles, on no less than two 20 ampere circuits. One circuit shall supply power for at least one counter top receptacle. Fixed appliances shall be circuited accordingly, and properly grounded. All new or existing receptacles within (6) six feet of the kitchen sink shall be GFCI protected. All other new receptacles shall comply with subsection (d) above.

(H) Laundry Circuit. All single family residences shall have a separate 20 ampere grounded circuit for a laundry receptacle, where laundry facilities exist.

(I) Furnace Circuit. A minimum of one fifteen (15) ampere separate circuit shall be provided for the heating system, when the system requires an electric circuit. No other load shall be connected to this circuit. The heating system may include furnace, humidifier and electronic filter.

(J) Knob and Tube Wiring. All original knob and tube branch circuit wiring shall be reconnected on fifteen (15) ampere circuits, and any tampered wire shall have its original insulation quality replaced. Remove all exposed knob and tube wiring in basements to the point where it is connected to refeed risers.

(K) Fuses. If Edison Base fuse holders are used, they shall be fitted with type "S" fuse adapters and fuse stats.

(L) Outbuildings. Attached and unattached buildings (with wiring) on the same premises shall meet the requirements of this code. If the building is unattached and inoperative, the wiring shall be removed.

(M) Smoke Detectors. Smoke detectors must be installed according to the Ohio Residential Code for One, Two and Three Family Dwellings.

(N) Ranges, Dryers and All Other 120/240 Volt Appliances. All existing or refeed units must comply with Section 250.140 of the 2002 National Electrical Code. And all new installations of the above shall comply with Sections 250.134 and 250.138 of the National Electrical Code.

#### **§ 150.042 RIGHT TO MAKE IMMEDIATE REPAIRS; SPECIAL PERMIT.**

(A) Upon being served the notice provided for in § 150.041, the owner or owners may make immediate application in writing to the Building Official for a special building permit to undertake the repairs, improvements or replacement of items found to constitute a public nuisance. Adequate plans and specifications as required by the Building Official governing the repairs, improvements or replacements, shall be furnished by the owner or owners to the Building Official within 15 days after receipt of the notice provided for in § 150.041, or

such additional time as the Building Official may deem necessary to complete such plans and specifications; however, such additional time shall not exceed 60 days.

(B) The Building Official shall, upon approval of the plans and specifications, cause a special building permit to be issued for a period of 30 days, and within such 30 days, the owner or owners will effect and complete the repairs, improvements or replacements, or the Building Official may grant an extension to the special building permit if the owner or owners show reason or cause for the requested extension and which extension will more readily effect the repairs, improvements and/or replacements.

(Ord. 98-152, passed 12-9-98)

#### **§ 150.043 APPEAL.**

The owner or owners may, within ten days after service of the notice required by § 150.041, make a request in writing to the Building Official for a hearing on the question of whether in fact a public nuisance, as defined in § 150.040, exists and to show cause why compliance with such notice should not be effected. If such an appeal is filed, it shall be decided by the Building Appeals Board established by § 150.098.

(Ord. 98-152, passed 12-9-98)

#### **§ 150.060 PERMIT AND INSPECTION; EQUIPMENT REQUIRED.**

(A) *Permit; general.* When any person desires to move any building or structure, he shall apply to the Building Official for a permit. No building shall be relocated until the Building Official has approved the relocation through the issuance of a permit to the owner or his agent.

(B) *Permit requirements.* No building or structure shall be relocated except that the Director of Public Service and the Building Official shall be furnished the information set forth below by the owner of the building or structure under consideration, or his agent, seven days before the date on which it is proposed to relocate the building or structure:

- (1) Present and proposed address.
- (2) Type of construction.
- (3) A plot plan of the proposed location, showing the scale, and having figures therein showing the distance from the building to all lot lines and other buildings on the same lot.
- (4) The approval of the highway and police authorities having jurisdiction when a street is to be used in the relocating operations.
- (5) Obtainment of any other permits relating to the foundation, attachment, utility connection and mechanical systems of the proposed location and such other information as may be necessary to insure compliance with these regulations.

(a) Non-Residential structures shall in addition comply with the requirements of the Medina County Building Department.

(C) *Inspection.*

(1) After the required notification and information have been received, the Building Official shall inspect the building or structure and the proposed new location within 72 hours, and if he finds that it meets the requirements of all relevant codes, ordinances, occupancy requirements; and that it is determined that the building can be moved safely under the specified conditions, he shall cause a permit to be issued.

(2) After the moving has been completed, the Building Official shall cause such structure to be inspected for structural integrity and safety of all building components and utility connections. A certificate of occupancy shall be obtained prior to occupancy.

(D) *Equipment for moving buildings.* All equipment for moving buildings shall be approved by the City Engineer and the Director of Public Safety. Such means shall be used whenever necessary, in the opinion of the City Engineer, to prevent damage to pavements, and if the City Engineer or Building Official shall find that such means are not in use when necessary, or are ineffective, either shall immediately order the work stopped until the necessary precautions are taken to prevent damage.

#### **§ 150.061 BOND REQUIRED; INSURANCE.**

Upon request by the Director of Public Service, and before any permit is issued allowing the moving of any building along any route, the applicant must furnish a bond in an amount and with surety to the approval of the Director of Public Service, providing for the payment of any damages which may happen to any tree, pavement, street or sidewalk or to any pole or telephone, telegraph or light wire or for the repair of which the city may be held responsible, whether such damage shall be inflicted by such person or his agents, employees or workmen. Further, such person shall hold the city harmless against any liabilities, judgments, damages, costs and expenses which may in any way accrue against the city in consequence of the granting of such permit or the performance of any work thereunder. In addition, proof of liability insurance in the minimum amount of \$500,000 shall be presented by the applicant.

(Ord. 98-152, passed 12-9-98)

#### **§ 150.076 RESIDENTIAL BUILDING PERMITS.**

Building permits are required for all work activities that require approvals as defined and specified by the Residential Code of Ohio for One, Two and Three Family Dwellings.

(A) *Residential Building Permit Application Requirements.* Applicants for residential building permits shall provide the following as applicable:

- (1) A certificate of zoning and approved site plan.
- (2) Application for plan approval as specified by the Ohio Residential Code.

(a) The Building Official may waive the requirements for filing drawings when the work involved is of a minor nature.

- (3) City engineering approval of grading as required on approved plat.
- (4) A list of the subcontractors scheduled to perform work on the project.
- (5) A site plan indicating the location of a private sewage disposal system where a public sewer is not available and a County Health Department certificate showing approval of the sewage and water system.

- (6) All information shall be submitted in duplicate or as otherwise required.

(B) *Streets and utilities.* In addition to all other requirements of this Building Code, the Building Official in concurrence with the City Engineer shall, prior to issuing a permit, determine that the streets and utilities serving the dwelling or other building to be constructed, enlarged, altered, repaired or removed are in satisfactory condition, and that the property has been graded to permit the work to be undertaken. The Building Official shall



withhold the permit until the streets, utilities and grading are in satisfactory condition to permit the construction to proceed without creating a nuisance.

**§ 150.077 RESIDENTIAL ELECTRICAL AND MECHANICAL PERMITS.**

(A) *Permit required.* No person shall install electrical wiring, or heating, ventilation, or air conditioning equipment (mechanical equipment), that requires approval from the Building Official in any one, two or three-family residential dwelling, garage, or other structure within the limits of the city, without first securing a permit from the Building Department. At the time of application, the applicant shall supply a full written statement as to the nature and extent of the equipment about to be installed. The Building Department may issue a permit for such installation conditioned that such equipment shall be installed in accordance with, and shall in all respects conform to the rules of the Ohio Board of Building Standards for electrical, heating, ventilation and air conditioning equipment and apparatus, the City utility rules and regulations, and that the applicant shall obtain all required inspections for work performed.

(B) *Registration required; permit exemptions.* No permit will be issued to any person other than a bona fide homeowner, as defined in § 150.078(D), to install or replace electrical wiring, heating, ventilation or air conditioning equipment for any purpose in any one-, two-, or three-family residential dwellings, garages, or other structure within the limits of the City unless such person is duly registered by the City to perform such work.

(C) *Electrical and Mechanical inspections.*

(1) Ceilings, walls, and underground wiring, piping or ductwork shall be inspected and approved prior to backfilling or covering. Where covered prior to inspection, the responsibility for exposing said installations shall be that of the person or persons who have violated this section of the code.

(2) Upon completing the electrical or mechanical work to be concealed within the structure, the owner or owner's duly authorized agent shall notify the appropriate Building Department personnel who shall inspect the same for workmanship, conformance with the rules of the OBBS and the City utility rules and regulations. If the workmanship passes inspection, the Inspector shall leave notification that such work has met with his approval.

(3) No building shall be used or occupied in whole or in part, prior to passage of the final electrical or mechanical inspections.

(4) The Inspector shall also notify in writing the city utility office of the final electrical inspection.

(D) *Electrical, heating and air conditioning work rules.*

(1) All work done beyond the weatherhead on overhead services, and the point of service on underground services, with the exception of meters, are subject to registration and permit requirements.

(a) Exception: an empty underground raceway may be installed by a non-registered contractor for dwellings and their accessory structures provided:

- 1 A permit is secured before any electrical work begins.
- 2 All wiring is performed by a registered electrical contractor.

3 The permit holder and owner of record shall be responsible for access to buildings where inspections are required. Re-inspection fees will be assessed for no access when inspections are requested.

(2) Re-inspection fees will be assessed for defective/incomplete work. Registration holder shall be responsible for all such fees as listed in the city Building Department fee schedule.

(3) Before any service is released to the electric utility, all panel covers shall be installed with at least one breaker installed with a connected load.

(4) All electrical connections between appliances and building wiring, which connection include motors, controls and all necessary electrical equipment in order to properly operate such appliances, shall conform to the National Electric Code. This is interpreted to require that a registered installer of heating systems and all allied systems may connect, repair or install the necessary electrical connections, but each heating and air conditioning unit shall be energized from an electrical service outlet. In no event shall the installer make direct connection into the electrical service panel wherever located, unless he is a registered electrical contractor or an employee of a registered electrical contractor.

(5) On all installations of heating or air conditioning with questionable power facilities, the installer shall consult with the local electric utility company. Availability of adequate power service facilities shall be determined and the consent or approval of the electric utility company shall be obtained.

(6) Fire jobs. Remove all branch circuits from panel. Circuits for heat and GFCI protected outlets may be re-established.

(7) The minimum electrical requirements for rewiring an existing dwelling shall be as specified in the Minimum Residential Rewire Electric Code listed in this chapter.

#### **§ 150.078 RESIDENTIAL ELECTRICAL AND HVAC REGISTRATION.**

(A) Registration requirements.

(1) Electrical contractors and heating, ventilating and air conditioning contractors must possess a valid city registration in order to perform work on one-, two-, or three-family dwellings in the city.

(2) All work done beyond the weather head on overhead electrical services, and the point of electrical service on underground services, with the exception of meters, are subject to registration and permit fees.

(a) Exception: An empty underground raceway may be installed by an unlicensed contractor for one-, two- and three- family residential dwelling and accessory building projects provided:

(b) A permit is secured before any work begins.

(c) All electrical wires are installed and all terminations performed by a registered city electrical contractor.

(3) All work must be performed by either the bona fide resident property owner of a single-family structure or a city registered contractor or subcontractor.

(a) A property owner may employ a registered contractor to perform any aspect of the project that requires registration, provided the contractor is identified to the Building Department.

(4) A registered contractor may subcontract work to any subcontractor holding a valid registration. Such subcontractor shall be required to transfer this permit into his name.

(5) A registered contractor may hire employees to work directly for the contractor and to actually perform the work involved. The registered contractor shall, however, be responsible for all work performed under his registration by his employees.

(6) No registered contractor or subcontractor shall allow his name to be used by any person, directly or indirectly, either to obtain a permit or to do work under his certificate or registration

(B) Registration application.

(1) All applicants for a city electrical or HVAC registration must meet the following requirements:

(a) Qualification certification, issued by the Ohio Construction Industry Examining Board. Such certification will be required after January 1, 1999.

(b) Proof of compliance with the worker's compensation laws of the state.

(c) Proof of liability insurance in the minimum amount of \$300,000.

(d) Application for a registration shall be made to the Department of Public Service accompanied by a payment of fee of \$50.

(C) Registration renewal. Each registration will be issued by calendar year, and may be renewed prior to January 1 of the next year upon payment of a renewal fee of \$20. Renewal applications shall be accompanied by proof of insurance, proof of workers compensation and a current state qualification certificate. No electrical or HVAC work permits will be issued until such registration has been obtained or renewed.

(D) Homeowner's registration exemption. The owner of a single-family dwelling who intends to personally perform work requiring a registration on the dwelling used, or to be used, as the owner's personal residence, may be issued a permit providing that said owner signs an affidavit stating that he is the owner and occupant of the dwelling, will reside at the location for at least one year, and will personally perform the work upon the premises for which a permit is required. All such work shall be done in conformity with the current Building Department codes and utility rules and regulations and no work shall be done unless all permits required are obtained.

(E) Registration suspension. Building Official may suspend a registration for up to 21 days for good cause including but not limited to the following:

(1) Misrepresentation of a material fact in obtaining a registration or the renewal thereof.

(2) Failure to obtain required permits, inspections or approvals.

(3) Registrant has three or more outstanding permits in violation of the laws of the state, city Building Department regulations or utility rules and regulations.

(4) Suspension of registration by the Ohio Construction Industry Licensing Board.

(F) Registration Revocation. The Director of Public Service may revoke a registration for any time period for good cause including but not limited to the following:

(1) Any of the reasons that qualify for suspension of registration.

(2) Dishonest or unfair practices in the conduct of business or practice of a trade.

(3) Consumer fraud violations.

(G) Appeal. Whenever a registration is revoked, the registrant may appeal to the Appeals Board specified by § 150.032(B) or § 150.032 (D) for a hearing.

#### **§ 150.079 NON-RESIDENTIAL CONSTRUCTION**

(A) *Non-Residential Permits.* Any entity performing non-residential work as defined by ORC 3781.06(B)(10) in accordance with ORC 3781, 3791 and the rules adopted by the State of Ohio pursuant thereto, within the city limits, shall comply with the rules and regulations of the Medina County Building Department as they relate to non-residential building permits and inspections.

(1) Applications for non-residential building permits and approvals shall be submitted to the Medina County Building Department.

(2) Applicants for a permit for all new construction, expansions, alterations and changes of use of commercial and industrial establishments, mercantile, educational and institutional occupancy, places of assembly, hotels, motels, multi-family dwellings, dwelling groups and mobile trailer home sites must first obtain a zoning certificate from the City of Wadsworth and pay all related fees.

#### **§ 150.080 FEES.**

(A) *General.* A permit to begin work for new construction, alteration, removal, demolition or other building operations shall not be issued until the fees prescribed in this section shall have been paid to the Building Department or other authorized agency of the jurisdiction, nor shall an amendment to a permit necessitating an additional fee be approved until the additional fee has been paid.

(B) *Special fees.* The payment of the fee for the construction, alteration, repair, removal or demolition for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law or ordinance for water taps, sewer connections, electrical permits, zoning, plan review, or fees of inspections, or other privileges or requirements, both within and without the jurisdiction of the Building Department.

(Ord. 98-152, passed 12-9-98)

#### **§ 150.081 RESIDENTIAL FEE SCHEDULE.**

A fee for each residential plan examination, building and mechanical permit, and inspection shall be paid in accordance with the following schedule:

The factored square footage for building, electrical, and heating and air conditioning permit fees shall be the total of all floor areas under roof excluding crawl spaces.

(A) Building.

(1) New single-family dwelling: \$100 + \$0.15/sq. ft.

(2) Building additions, accessory structures, including garages, major alterations: \$50 + \$0.15/sq. ft.

(3) Decks, roofing, siding, repairs, minor alterations including basement remodels: \$50.

(4) Special inspections: \$50/inspection.

(B) HVAC — for all new construction or alterations requiring installation of heating, ventilating or air conditioning equipment. Base fee includes inspection of one furnace, one central air conditioning unit and ductwork. Additional units require additional fees.

(1) New construction, additions and accessory structures: \$50 + \$0.05/sq. ft.

(2) Furnace and/or central air conditioning replacement: \$50.

(3) Fireplace, wood-burning stoves, chimney, additional furnace or central A/C unit in new construction: \$25/unit.

(C) Electrical — new construction, additions and alterations.

(1) New construction: \$75 + \$0.05/sq. ft.

(2) Building additions, accessory structures, including garages, alterations and/or remodeling with no service/panel: \$50 + \$0.05/sq. ft. with service/panel \$75 + \$0.05/sq./ft.

(D) Electrical — special charges in addition to fees noted in § 150.081(C).

(1) Air conditioning: \$50 per unit.

(E) Electrical — miscellaneous charges.

(1) New service or panel: \$50.

(2) Service change and one AC, water heater, range or dryer etc. : \$50.

(3) Service change and wiring to (5) receptacles \$75.

(4) Service change and/or entrance + rewire: \$50 + \$0.05/sq. ft.

(5) Temporary service only \$50.

(6) AC , water heater, range dryer to (5) receptacles: \$50.

(7) Basement remodel: \$75.

(8) Swimming pools, hot tubs and spas: \$50.

(9) Electric heat: \$50.

(10) Additional electric meters (duplex, multi-family): \$50/meter.

(11) Special inspection: \$50.

(F) Moving of building. \$25 plus the cost of any city services provided to facilitate the moving of the building and any additional permits required.

#### **§ 150.082 RE-INSPECTION FEES.**

A maximum of a \$50 re-inspection fee shall be levied for building or electrical inspections which are not approved due to negligence, incompetence, inaccessibility, or lack of address as determined by the Building Official.

**§ 150.083 NON-RESIDENTIAL FEES.** All non-residential fees relating to state required building, electrical, HVAC, hydronics and refrigeration permits shall be regulated and collected by the County Building Department or the state pursuant to R.C. § 3781.102. However, all non-residential construction projects shall be liable for fees associated with site development and zoning as per the current fee schedule located in § 154.540.

**§ 150.084 REFUNDS.** In the case of a revocation of a building permit, abandonment or discontinuance of a building project prior to the commencement of the construction, or the performance or required inspections, the portion of the work not yet begun shall be computed and any excess fee shall be returned to the permit holder upon written request. All plan examination and permit processing fees indicated as the “base fee”, and not including “square footage fees”, and all penalties that have been imposed on the permit holder under

the requirements of this code, shall first be collected. Where construction has commenced and projects are abandoned or have permits revoked because of unsafe building practices, permit fees shall not be refunded. A refund in whole or part shall not be issued after 180 days from the permit issue date.

#### **§ 150.095 BUILDING DEPARTMENT.**

(A) *Establishment.* Pursuant to the provisions of the Ohio Revised Code, the Building Department of the City is hereby established.  
(Ord. 98-152, passed 12-9-98)

#### **§ 150.097 EMERGENCY MEASURES.**

(A) *Imminent danger.*

(1) When in the opinion of the Building Official, there is imminent danger of failure or collapse of a building or structure or any part thereof or the existence of defective equipment or service facilities which endangers life or health, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the Building Official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith, and/or forthwith cease, desist and refrain from use or operation of the building, structure, equipment, service facility or part thereof which is deemed dangerous. The Building Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This building is unsafe and its use or occupancy or operation is prohibited by law." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same.

(2) When necessary for the public safety, the Building Official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being used.

(B) *Temporary safeguards.* When in the opinion of the Building Official, there is imminent danger due to an unsafe condition, the Building Official shall cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure described in § 150.041 has been instituted. The Building Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

(C) *Costs of emergency repairs.* Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on the approval of the Director of Public Service. The legal counsel of the jurisdiction shall institute appropriated action against the owner of the premises where the unsafe structure is or was located.

(D) *Unsafe equipment.* Equipment deemed unsafe by the Building Official shall not be operated after the date stated in the notice unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the Building Official in writing. The Building Official shall have the authority to seal out of service any unsafe device or equipment regulated by this code and such equipment shall be plainly identified as being unsafe. The identification shall not be tampered with, defaced, or removed except by the Building Official and shall indicate the reason for such sealing.

(Ord. 98-152, passed 12-9-98)

## **§ 150.098 MEANS OF APPEAL.**

### **(A) *Application for appeal.***

(1) Any person shall have the right to appeal a decision of the Building Official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

(2) The owner or owners may, within ten days after service of the notice by the Building Official and pursuant to the regulations of § 152.63, make a request in writing to the Building Official for a hearing to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this code.

(B) *Residential Appeals Board.* An application for an appeal relating to residential construction decisions of the Building Official shall be decided by the Property Maintenance Appeals Board established by § 152.62.

(C) *Limitations of authority.* The Property Maintenance Appeals Board on hearing an appeal relating to interpretations or decisions of this code, shall have no authority relative to interpretations of this chapter, the administrative provisions of this code, nor shall the Board be empowered to waive any requirement of this code.

(D) *Non-residential Appeals Board.* An application for an appeal relating to construction decisions in non-residential buildings under the enforcement jurisdiction of the County Building Department shall be made to the County Board of Building Appeals.

## **§150.102 INSPECTIONS.**

### **(A) *General.***

(1) Before issuing a permit, the Building Official shall, if deemed necessary, examine or cause to be examined all buildings, structures and sites for which an application has been filed. After issuing a building permit, the Building Official shall conduct inspections as required by the Residential Code of Ohio, from time to time during and upon completion of the work for which a permit has been issued. A record of all such examinations and inspections and of all violations of this code shall be maintained by the Building Official.

(2) It shall be mandatory that a permit holder notify the proper inspection agency when work is ready for the various inspections required by the terms of the permit and this code:

(a) All residential building and mechanical inspection requests must be provided to the office of the Building Official by 8:30 a.m. on regular business days for inspections on the day requested.

(b) All electrical inspection requests must be provided to the office of the Building Official by 2:00 p.m., one regular business day prior to the inspection day requested.

(c) Non-residential building inspection requests shall be made to the Medina County Building Department.

(d) All plumbing inspection requests shall be made to the Medina County Health Department.

(B) *Building location inspection required.* Prior to the commencement of construction, all new buildings, structures and their additions requiring building permits hereinafter erected shall be required to provide 36" stakes at all property pin locations. Such stakes shall have a contrasting marking flag attached to the top of the stake. Additional stakes shall be required to delineate the side property line when no clear sight distance between the front and rear property pins exists and the location of easements in the side and rear yards. The building perimeter shall be clearly marked. Work shall not commence until the building setbacks are verified by the City to be in compliance with the zoning code and the approved site plan.

(C) *Workmanship.* All work shall be conducted, installed and completed in a competent and acceptable manner so as to secure the results intended by this code.

(D) *Certificate of occupancy for non-residential structures.*

(1) Holders of a permit required by the rules and regulations of the Ohio Basic Building Code shall prior to application for a certificate of occupancy from the City, obtain final building inspection approval from the Medina County Building Official, fire inspection approval from the City Fire Chief, engineering approval from the City Engineer, and site plan approval from the City Planning Director.

(2) A building hereafter erected, enlarged or altered, in whole or part, shall not be occupied or used until a Certificate of Occupancy has also been issued by the City of Wadsworth; except that any use or occupancy which was not discontinued or illegal during the work of alteration may be continued.

(3) A certificate of occupancy shall be required for each non-residential building or structure whenever its use is changed from one occupancy class to another for a change of use of a part of a building or structure. Inspections shall be made by the authority having jurisdiction in every case. The applicant shall make application and pay fees for all certificate of occupancy inspections. The premises shall comply with the code before the change of occupancy is permitted.

### **§150.103 VIOLATIONS.**

(A) *Building notice and orders.* The Building Official or his agent shall issue notices and orders to do all things necessary to remove illegal unsafe and unsanitary conditions in buildings either existing or hereafter constructed.

(B) *Unlawful continuance.* Any person who shall violate any order or continues any prohibited work after notice, oral or written, shall be in violation of this code.

(C) *Liability.* The owner of a building or other structure or premises in which or on which buildings, structures, or service equipment are installed, altered, replaced, repaired, or maintained, shall have the final responsibility for every violation of any provision of this article.

(1) However, any person firm or corporation which performs work for which a permit is required by the code without having secured a permit therefore and every person, firm or corporation who shall violate or assist in the violation or any provisions of the code shall also be responsible and liable for such violation and subject to the penalty provided by the code.



(D) Notice. The Building Official shall serve written notice of violation of the provisions of the code or of a detailed statement or a plan approved thereunder, or of violation of a permit or certificate issued under the code, on the person(s) responsible for such violation or for its remedy; and the Building Official shall order the discontinuance of illegal action or conditions or the abatement or correction of any such violation or the taking of such action as may be necessary to achieve compliance with the code, and he shall serve written notice of such order on the responsible person(s).

(1) Residential Construction. Violations of these regulations as they pertain to work regulated by the Residential Code of Ohio shall comply with the provisions of the Residential Code of Ohio in accordance with ORC chapter 3781 and the rules adopted by the State of Ohio pursuant thereto.

(E) Service of notice.

(1) The notice required by § 150.041 and division (D) of this section shall be served either personally or by leaving a copy at the usual place of residence of the owner or owners, or by mailing a copy to such owner or owners at his or their usual place of residence by United States certified mail with return receipt requested. If service of the written notice is not perfected by any of the hereinbefore described methods, then the Building Official shall cause such notice to be published in a newspaper of general circulation in the city, once each week for two consecutive weeks, and shall further cause a copy of the aforesaid notice to be left with the person, if any, in possession of the premises on which it is alleged such public nuisance exists, or if there is no person in possession thereof, he shall cause a copy of the notice to be posted on the same premises. The Building Official shall cause a return of service in the form of an affidavit to be made by the person who served it, which affidavit shall set forth the name and address of the person or persons served, the manner of service, and the date thereof.

(2) Service of notice may be waived by any owner. Failure of the Building Official to serve all parties defined as owners in § 150.040(B) shall not relieve the owner in fee simple if properly served of the obligation to abate the nuisance.

(F) Civil action. Whenever any person, firm or corporation fails, neglects or refuses to comply with any order of the Building Official, under the provisions of this code, the Building Official may, at his discretion, institute and maintain, in the name of the city, an appropriate action at law, or in equity to restrain the execution in violation of this code, to prevent the occupation or use of such building or other structure and to prevent or terminate any violation of this code.

**§150.104 PENALTIES.** 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 (\$1000. 00) or imprisoned not more than six months or both. Each day during which noncompliance or a violation continues shall constitute a separate offense.

**(A) Residential Construction.** Violations of these regulations as they pertain to work regulated by the Residential Code of Ohio, are subject to penalties as provided for in the provisions of the Residential Code of Ohio in accordance with ORC chapter 3781 and the rules adopted by the State of Ohio pursuant thereto.