

ORDINANCE NO.: 99-2012
INTRODUCED BY: ALEXANDER

AN ORDINANCE ENACTING A NEW CHAPTER 1349 OF THE
BUILDING CODE REGULATING THE DEMOLITION OF
STRUCTURES; AND DECLARING AN EMERGENCY.

WHEREAS, the Building Commissioner and this Council have recommended that the Building Code be amended to require that, on any property within the City on which the principal structure or dwelling has been demolished, certain remediation work be performed by the contractor or property owner to ensure the safety and aesthetics of the property, the neighborhood, and the City in general; and

WHEREAS, this Council determines that the City's Building Code should be amended accordingly.

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio; that:

Section 1. A new Chapter 1349 of the Codified Ordinances of the City of Richmond Heights, entitled "Demolition of Structures", be enacted to hereinafter read as follows:

"CHAPTER 1349
DEMOLITION OF STRUCTURES

1349.01 REMOVAL OF STRUCTURES; REMEDIATION.

On any property on which the principal structure or all dwelling units have been (i) fully demolished, raised or otherwise removed from the premises or (ii) partially demolished, raised or otherwise removed so that occupancy is not permitted under the City Building Code or other applicable regulations, the contractor or property owner shall do the following, unless a permit or application for a permit for redevelopment of the property has been obtained or is pending with the City:

- (a) Remove all lumber, rubble, and other building or structural material and debris from the premises and deposit the same in a manner that does not violate any local, state or federal rules or regulations;
- (b) Remove all foundations, slabs, concrete, paving, patios, and other impervious surfaces from the premises, except that all

public sidewalks shall remain. If public sidewalks have been damaged during demolition of the structures, the sidewalks shall be repaired or replaced to the satisfaction of the Building Commissioner;

- (c) Fill all basements, trenches and other depressions to grade with clean fill material as approved by the Building Commissioner; and
- (d) Completely remove or demolish all structures on the premises, including, but not limited to, garages, sheds, and all accessory buildings.

1349.02 GRADING AND LANDSCAPING.

Any property on which the principal structure or all dwelling units have been demolished, raised or otherwise removed from the premises shall be appropriately landscaped, unless a permit or application for a permit for redevelopment of the property has been obtained or is pending with the City. For purposes of this Section 1349.02, "appropriately landscaped" shall consist of the following, as approved by the Building Commissioner: grading sufficient to prevent water run-off onto adjacent properties and rights-of-way, the placement of two inches of topsoil on all disturbed areas, and grass. All such grading shall be completed within seven (7) days of completion of the demolition, raising or removal of the principal structure or dwelling. All such landscaping shall be completed within thirty (30) days of completion of the demolition, raising or removal of the principal structure or dwelling, except that if such completion of the demolition, raising or removal of the principal structure or dwelling occurs between November 1 and March 30, the landscaping shall be completed by the immediately following April 30."

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Richmond Heights and for the reason that it is necessary to immediately ensure the safety of its citizens and prevent the loss of property values within the City near properties on which there were demolished structures; wherefore,

this Ordinance shall take effect and be in force immediately upon its passage by the Council and the signature of the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council