

ORDINANCE NO.: 10-2007  
INTRODUCED BY: Mayor and Council

**AN ORDINANCE ENACTING NEW CHAPTER 1304 OF THE CODIFIED  
ORDINANCES OF THE CITY OF RICHMOND HEIGHTS, ENTITLED  
“LOCAL REGULATIONS”; AND DECLARING AN EMERGENCY.**

WHEREAS, the Building Commissioner has recommended that the City adopt certain local regulations applicable to new residential construction and to the repair and maintenance of existing residential dwellings; and

WHEREAS, pursuant to the City’s police powers granted under Article XVIII, Section 3 of the Ohio Constitution, Council desires to adopt such local regulations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, Ohio, that:

Section 1: New Chapter 1304, of Title Three, “Local Provisions,” of Part Thirteen, “Building Code,” of the Codified Ordinances of the City of Richmond Heights be and the same is hereby enacted to read as follows:

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**“Chapter 1304**

**LOCAL REGULATIONS**

**1304.01 WORK EXEMPT FROM APPROVAL.**

Approvals shall not be required for the following:

(a) **Building:**

- (1) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (2) Swings and other playground equipment accessory to a one, two or three family dwelling.
- (3) Prefabricated swimming pools that are less than 18" deep.
- (4) Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.

(b) **Electrical:** Repairs and maintenance: Approvals shall not be required for minor repair work, including replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

(c) **Gas:**

- (1) Portable heating, cooking or clothes drying appliances.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (3) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(d) **Mechanical:**

- (1) Portable heating appliance.
- (2) Portable ventilation appliance.
- (3) Portable cooling unit.
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- (5) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (6) Portable evaporative cooler.
- (7) Self-contained refrigeration systems containing 10 pound (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
- (8) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(e) The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

(f) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Exemption from the approval requirements of this chapter or the Residential Code of Ohio for One-, Two- and Three-Family Dwellings shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

## **1304.02 EXPIRATION OF APPROVAL.**

(a) Approval for new construction shall become null and void under the following conditions:

- (1) If a certificate of occupancy has not been granted within twelve (12) months of the date of issuance of such approval.
- (2) If the work for which approval was issued is delayed or suspended for more than six (6) months.

- (3) If the work for which approval was issued has not commenced within six (6) months of the date of issuance.
- (b) Any approval for additions, alterations, repairs, demolition or excavation shall become null and void for work for which approval is issued if it is not completed and a certificate of occupancy is granted within one-hundred twenty (120) days of the date of issuance.
- (c) The Building Commissioner may grant an extension of up to six (6) months for new construction and an extension of up to two (2) months for all other construction.
- (d) Before any work can be resumed after expiration of the approval, new approval shall be obtained to do so and the fees for such approval shall be equal to those required for the original approval.

#### **1304.03 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.**

The climatic and geographic design criterion applicable in the City is as follows:

(a)	Ground snow load	30 pounds per square foot
(b)	Wind speed	90 miles per hour
(c)	Seismic design category	C
(d)	Weathering	Severe
(e)	Frost line depth	Thirty-six inches (36")
(f)	Termite probability	Moderate to heavy
(g)	Decay probability	Slight to moderate
(h)	Winter design temperature	1-degree Fahrenheit
(i)	Ice shield underlayment required	Yes
(j)	Flood hazards	Flood Insurance Rate Map dated June 18, 1976 Community Panel 390126 0005 B
(k)	Air freezing index	1000-2000
(l)	Mean annual temperature	45 F

#### **1304.04 OPENING PROTECTION.**

Openings from a private garage into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with a one-hour rated door equipped with a self-closing mechanism.

#### **1304.05 DETACHED ACCESSORY STRUCTURES.**

A detached accessory structure shall not be located closer than ten feet (10') to a residential structure unless the entire interior of the accessory structure is protected with 1/2 inch (12.7 mm) gypsum board or equivalent.

## **1304.06 FLOOR SURFACE.**

Garage floor surfaces shall be four-inch (4") thick concrete with a compressive strength of 3,500 pounds per square inch and shall be sloped into an approved garage floor drain or towards the main entry to facilitate the movement of liquids. The sill of the door opening from the garage to the residence or adjacent interior space shall be raised not less than four inches (4") above the garage floor. In the case of access from the garage to a lower area, a curb not less than four inches (4") in height is required.

## **1304.07 MINIMUM DEPTH, DETACHED GARAGE.**

The footing depth for a detached garage located a minimum of ten feet (10') from a residential structure on the same lot shall not be less than eighteen inches (18") below grade.

## **1304.08 FOUNDATION WALLS ABOVE FINISHED GRADE.**

- (a) Foundation walls above finished grade shall be finished with a nominal four-inch (4") wide brick and approved by the Architectural Review Board.
- (b) Exceptions to the requirements of subsection (a) are as follows:
  - (1) Foundation walls above grade on an addition to an existing structure shall match the existing construction when the foundation of the existing construction possess an architectural finish as approved by the Architectural Review Board.
  - (2) Foundation walls above grade on an addition to an existing structure without an architectural finish (i.e., exposed concrete block or concrete) shall be provided with an architectural finish as approved by the Architectural Review Board
  - (3) Wood foundations shall be provided with materials approved by this code and the Architectural Review Board to provide an architectural finish.

## **1304.09 CONCRETE OR MASONRY FOUNDATIONS.**

- (a) Foundation drains shall be provided for all foundations enclosing usable or habitable spaces located below grade.
- (b) The drains shall be a minimum four-inch (4") diameter poly-vinyl chloride conduit meeting ASTM F789, ASTM 3034 or SDR 35 with solvent welds and perforations a minimum of one sieve size smaller than # 57 gravel or washed stone.
- (c) An accessible clean out with the proper sweep shall be located on each side of the dwelling unit.
- (d) The foundation drain system shall discharge by gravity or mechanical means into an approved storm sewer system.

#### **1304.10 CLEAR HEIGHT.**

All under-floor spaces shall have a minimum horizontal dimension of not less than forty inches (40") measured from the top of the concrete slab to the bottom of the floor joists.

#### **1304.11 FLOOR.**

The floor for an under-floor space shall consist of two inch (2") thick concrete slab over a four inch (4") thick base. An approved vapor retarder shall be placed between the concrete slab and the base material.

#### **1304.12 CONCRETE FLOORS, GENERAL.**

- (a) Concrete slab-on-ground floors shall be a minimum of four inches (4") thick.
- (b) The compressive strength shall be not less than 3,500 pounds per square inch.
- (c) Concrete slabs shall be provided with crack control joints and reinforcement as referenced by American Concrete Institute (ACI) Publication 318-99.

#### **1304.13 EXTERIOR WALL SHEATHING.**

- (a) Wooden structural sheathing panels shall be installed on all exterior frame walls.
- (b) Wood structural sheathing panels shall consist of 15/32-inch (11.9 mm), exterior grade plywood or 7/16-inch (11.1 mm) oriented strand board on all exterior surfaces and shall be fastened in accordance with the Fastener Schedule for Structural Members in this Building Code.
- (c) The Building Commissioner may permit alternate materials with equal strength and durability for applications employing masonry or stucco veneer.

#### **1304.14 ROOF AND CEILING CONSTRUCTION REQUIREMENTS.**

- (a) Roof and ceiling construction shall be capable of accommodating all loads imposed according to Section R301 of the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings and of transmitting the resulting loads to the supporting structural elements.
- (b) The minimum pitch for a roof shall not be less than four in twelve.
- (c) Flat roofs are prohibited.

#### **1304.15 INSTALLATION OF WOOD STRUCTURAL PANEL SHEATHING.**

Wood structural panel used as roof sheathing shall be a minimum 5/8-inch (15.9 mm) or 19/32-inch (15.7 mm) in thickness and shall be installed with joints staggered or nonstaggered in accordance with Table R602.3(1) of the Residential Code of Ohio for One-, Two- and Three-

Family Dwellings, or APA E30 for wood framing or with Table R804.3 of the Residential Code of Ohio for One-, Two- and Three-Family Dwellings for steel framing.

#### **1304.16 ROOF DRAINAGE.**

(a) A roof drainage system shall be provided for all structures in excess of 150 square foot of floor area.

(b) The roof drainage system shall consist of gutters located at the low point of each roof. The gutter shall carry drainage into a downspout. The sizing for the gutter and downspout system shall comply with the plumbing code. The gutter and downspout system shall discharge into a minimum four-inch (4") diameter poly-vinyl chloride conduit meeting ASTM F789, ASTM 3034 or SDR 35 with solvent welds which will carry the drainage to a centralized storm sewer system via a gravity means. The pipe shall be bedded with a minimum of two inches (2") of # 57 gravel or washed stone and backfilled to within one foot of finished grade with # 57 gravel or washed stone.

(c) Where a centralized storm sewer system is not available the roof drainage system shall discharge in a method approved by the City Engineer and the Building Commissioner.

#### **1304.17 ATTACHED GARAGES.**

In addition to any other electrical outlets required for installation in a detached garage, there shall also be an outlet located in the ceiling for a garage door opener. This outlet shall be exempt from ground fault circuit interrupter requirements.

#### **1304.18 SUMP PUMP OUTLETS.**

All sump pump installations shall be included with a dedicated single receptacle outlet, sized in accordance with the manufacturer's instructions, installed within three feet (3') of the sump pump. This outlet shall be exempt from ground fault circuit interrupter requirements.

#### **1304.19 UNDERGROUND SERVICE CONDUCTORS.**

Electrical conductors carrying secondary power for an electrical service shall be protected from the elements of backfill by placement within a Schedule 80 rigid nonmetallic conduit from the power source to the point in which they enter the building.

#### **1304.20 ENFORCEMENT.**

The Building Commissioner or the Commissioner's designee shall have authority to issue plan approvals and to administer and enforce the provisions of this chapter.

## **1304.21 APPEALS.**

The Board of Zoning Appeals shall hear all appeals from the orders, determinations and decisions of the Building Commissioner or the Commissioner's designee relative to the application and interpretation of this chapter as provided for in Chapter 1185 of the Codified Ordinances.

## **1304.22 SEPARABILITY.**

All sections, subsections, parts, and provisions of this chapter are hereby declared to be independent sections, subsections, parts, and provisions, and the holding of any section, subsection, part, or provision to be unconstitutional, void, or ineffective for any cause shall not affect or render invalid any other section, subsection, part, or provision thereof."

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Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Richmond Heights, and for the further reason that it is immediately necessary in order to ensure the quality of new residential construction and the repair and maintenance of existing residential dwellings. Therefore, provided this Ordinance receives the affirmative vote of five members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council